

Kimball City Council
Regular Meeting
February 18, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on February 18, 2014 at the City Council Chambers. Mayor Schnell and Council members Shields, Christensen and Morrison were present. Also present were City Administrator Ortiz, Police Chief Huff, and City Treasurer Strauch. The public was represented.

Notice of the meeting was given in advance by publication in the Western Nebraska Observer. Notice of the meeting was given to the members and a copy of their acknowledgement of receipt of notice and the agenda is on record at the office of the City Clerk. Availability of the agenda was communicated in advance notice and in the notice to the members. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public except as otherwise indicated.

Schnell called the meeting to order at 7:10 p.m. and opened discussion and action on the request for qualifications to perform design and engineering services for renovation of the Kimball Event Center. Ortiz said this is also tied to the Keno grant application on the agenda. The criterion for the Community and Civic Center grant has been established by the Nebraska Department of Economic Development. The application is due February 28th and if the City of Kimball is one of the finalists selected, then there will be an opportunity to submit a more comprehensive application. Ortiz said one of the things that hinders the Event Center is that there are no ADA compliant restrooms, so the City's goal would be to get that finished. In order to be competitive for this grant, the City has to have preliminary plans in place and a true cost estimate.

Ortiz said the agreement and the plan that was submitted by Baker and Associates/Studio 120 Architecture outlines what is hoped to be accomplished. Ortiz will put together a small steering committee to work with him and Studio 120 Architecture to look at some of the design aspects and bring them back to the City Council. If the City is not awarded the grant, there still needs to be a plan on record of what needs to be accomplished.

Tearle Schmer from Studio 120 Architecture was present to answer any questions the council members may have. Ortiz said three proposals were received from Joseph R. Hewgley & Associates, Inc., Noel Griffith, Jr. & Associates Architects, and Baker & Associates, Inc. Studio 120 Architecture. Baker and Associates did a walk-through of the facility a few months ago. Mr. Schmer thanked the council members for the opportunity to help with this project. Shields inquired about the construction start date and Ortiz said that the start date is based on when the grant is awarded. As far as design, it is hoped to get started on that right away and also to get some preliminary figures.

Ortiz commented on the grant processes and said the legislature allowed for certain funds to allow for other cities outside of Omaha to apply for the funds. The Nebraska Department of Economic Development has to respond with clear information as to why municipalities are not selected for the grant. The goal is to have a plan in place to know what the expenses will be.

Schmer said he and Jack Baker have met with Ortiz and Dorothy Griffiths and the main issue is the ADA compliant restrooms. The kitchen looked like it was in pretty good shape and the other rooms need to be upgraded. Those are things that can look to be upgraded as monies are available. He has a wonderful interior designer on staff and they would like to bring her down to look at the space.

Ortiz has spoken with Kim Baliman and Dawn Moeser and intends to add one more individual to be part of the steering committee.

The grant requires a match of \$250,000. For the design aspect, the City is requesting to receive Keno funds to help cover the design costs.

Discussion was held on the Keno grant application from the City of Kimball for design costs for the Event Center for \$36,000. Schnell said it would be the council's discretion of where to award the funds from. Morrison moved and Shields seconded to approve Keno funds of \$36,000 out of the trust fund for the City of Kimball for professional services. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Shields moved and Morrison seconded to approve the request for qualifications and professional services agreement from Baker & Associates/Studio 120 Architecture to perform design and engineering services for renovation of the Kimball Event Center. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

At 7:38 p.m. Schnell opened a public hearing on a mobile home permit application submitted by Cinda Lou Schwindt. Ms. Schwindt is having a new mobile home built from the factory and would like to place it on a the easured the lot as well. She does not have a picture of the mobile home but she did provide the layout of the mobile home. Schwindt said she would like to live there as long as she can. The lot did previously have a mobile home on it, but her mobile home will be a little wider. Shields inquired about an ordinance prohibiting mobile homes in residential areas. Morrison said he would like the City not to have mobile homes throughout the City. If it was a modular, he wouldn't have any problem. Somewhere down the line, he would like to see the City get away from this. Christensen said she has no problem with this. Discussion was held on skirting the mobile home and Schwindt indicated she plans to have it fenced also. Ortiz commented on the zoning ordinance. Shields indicated she will have to have pads and tie downs and Schwindt said Stahla Mobile Homes will be setting it up.

There being no further comments, Schnell declared the public hearing closed at 7:44 p.m. Christensen moved and Shields seconded to approve the mobile home permit application submitted by Cinda Lou Schwindt for a mobile home at 300 S. Howard. On

roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Schnell opened discussion on his appointment of Pam Heidemann to the Library board. She will fill Rechelle Brown's unexpired term to June 2016. There being no discussion, Shields moved and Morrison seconded to approve the Mayor's appointment of Pam Heidemann to the Library Board. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Schnell opened discussion on the professional services agreement for On-Call Environmental Services for the Kimball Underpass Renovation, STPB-71-2(110), CN 51242. Ortiz and Russell received an update late last week that the agreement has been finalized and approved. He said once more information is received, then a public hearing will be held.

Russell was not able to get a resolution attached to the professional services agreement, so that resolution will be on the next City Council agenda for approval. Hadenfeldt indicated this is the agreement between the state and the consultants for the historical and environmental aspects of the construction. They will review all the historical requirements and it is basically for compliance purposes. This comes out of the money that the Department of Roads gives the federal government. They are basically reviewing the requirements for projects that the Department of Roads wants.

There being no further discussion, Christensen moved and Morrison seconded to table the professional services agreement until the March 4, 2014 City Council meeting when the resolution is available. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Schnell opened discussion on the cable television franchise renewal document between the City of Kimball and Charter Communications. Hadenfeldt indicated the renewal process was started approximately two years ago with a public notice and a comment period. Now that the agreement is going to expire, Charter would like to have it renewed. Hadenfeldt said he had a few comments on the agreement and would like to incorporate them in the agreement. Specifically, the ordinance will control and also to include that a hearing transcript will be at their cost.

There being no further discussion, Morrison moved and Christensen seconded to approve the cable television franchise renewal document between the City of Kimball and Charter Communications as amended. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Schnell opened discussion on Ordinance 706 to amend Title V: Public Works, Chapter 51 of the Kimball Municipal Code pertaining to water. Ortiz indicated this is part of the clean-up of some sections of the Code. This one applies to the Water Department and water connections. Section 51.019 regarding service to non-residents has been revised to indicate that service to non residents will be provided if the property is within

the City's zoning jurisdiction and properly zoned pursuant to one of the City's zoning districts, ready and convenient access to the metering and relating equipment so that it may be easily examined and read by authorized agents of the City is provided, access to the property is accessible by a driveway approach or graded road service pipe, source line, and other expenses shall be paid by the consumer. If access to the property is served by a public right-of-way, customer shall upgrade the existing right-of-way to conform to the adjacent public rights-of-way. Nothing herein shall be construed to obligate the city to provide water service to nonresidents.

Ortiz indicated if the property is annexed into the City, the City does have the burden to improve the access. He said the sewer and electric sections in the Code Book will have the same changes. Hadenfelt commented on updating to comply with what the departments actually do. Shields inquired about the requirement to provide services if annexed into the City and Hadenfelt indicated the City has up to one year and it is mandatory to hook up to City utilities if annexed into the City.

There being no further discussion, Morrison moved and Christensen seconded to introduce Ordinance 706 and waive the requirement of reading on three different days. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen and Morrison. Nay: None. Absent: Warner. Motion carried.

Mayor Schnell read Ordinance 706 by title only.

ORDINANCE NO. 706

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, AMENDING KIMBALL MUNICIPAL CODE, TITLE V: PUBLIC WORKS; PROVIDING FOR THE REPEAL OF ORDINANCES AND SECTIONS IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Morrison moved and Christensen seconded to pass and approve Ordinance 706. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen and Morrison. Nay: None. Absent: Warner. Motion carried.

The City Council reviewed the following items under the consent agenda:

1. Minutes from the February 4, 2014 meeting;
2. Financial Statements; and
3. Claims.

Shields moved and Morrison seconded to approve the consent agenda items as presented. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

Ortiz reported on the article in the Western Nebraska Observer regarding the rail spur update to the KEGS group. The next Economic Development Committee meeting on March 11th will have discussion and hopefully a recommendation for the City Council to consider. Ortiz anticipates this item will be a public hearing at the March 18th City

Council meeting. There have been some ideas to use the funds to renovate the theater and bring a community group to help run it. There were also comments on using funds to update the Event Center.

Chief Huff and Ortiz will travel to Grand Island to attend Sterling Hitch's graduation from the Police Academy.

Bowling will be traveling across Nebraska to visit communities with theaters. Ortiz has recommended that he work with the people from the Midwest Theater in Scottsbluff.

Ortiz discussed the landfill rate increase with the County Commissioners.

Snow removal is a work in progress. Kimball received a lot of snow and Ortiz has received some calls and complaints about snow removal. He is informing people of what can and cannot be done. Jim Ryschon informed Ortiz that the salt supplier has no more salt on hand because they are shipping it east.

Schnell reported Bowling is back from the Heartland Express meeting in Washington, DC, after having been snowed in. Council member Warner has been released from the hospital.

The next regular City Council meeting is March 4, 2014.

There being no further business to come before the Council, Christensen moved and Shields seconded to adjourn at 8:13 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Christensen, and Morrison. Nay: None. Absent: Warner. Motion carried.

James Schnell, Mayor

Margaret Strauch, Deputy City Clerk

City of Kimball-City Council-General Claims-February 18, 2014-Charter Communications-Internet-72.82; The United States Life Insurance Company-Long Term Disability Premium-475.83; Combined Utilities-City Utilities-198.50; Arrowhead Distributing Inc.-Liquor Purchase-118.80; High Plains Budweiser-Liquor Purchase-1,306.80; Baker & Taylor Books-Book Purchase-377.79; Best Books, Inc.-Book Purchase-1,632.61; Sheryl Biesecker-Contract Cleaning-330.00; Brownells, Inc.-Supplies-97.94; Center Point Large Print-Book Purchase-610.11; CenturyLink-Telephone-131.93; CenturyLink-Telephone- 88.29; CenturyLink-Telephone-435.71; Combined Utilities-Utilities-2,655.52; Companion Corporation-Software-899.00; Connecting Point-Copy Usage-58.03; Consolidated Management Company-Meal Plan-159.50; Country Air Services- Repairs-70.00; Dollar General Corporation-Supplies-38.75; Galls/Quartermaster-Supplies-137.99; Grey House Publishing- Book Purchase-307.50; High West Energy-Utilities-1,092.80; Hinton's Lock & Alarm-Cards-398.00; Hometown Hardware-Supplies-44.68; Ideal Linen Supply, Inc.-Mats-123.72; Intralinks, Inc.-Computer Support-168.75; Junior Library Guild-Book Purchase-89.25; Kimball Auto Parts-Parts-133.73; Kimball Bakery-Supplies-27.00; Kimball Health Services Hospital-Screening-44.10; Kimball Midwest-Supplies-165.23; Kimball Service Center-Repair-

361.56; MicroMarketing, LLC- Book Purchase-99.57; Miller Office Supply-Office Supplies-10.99; Monograms & More-Sew On Patch-45.43; Napa Auto Parts-Parts-234.19; Nebraska Department of Revenue-License Renewal-100.00; Nebraska Library Commission-OnlineSession-10.00; Nebraska Liquor Control Commission-Liquor License-90.00; Nebraska Safety & Fire Equipment, Inc.-Supplies-225.00; Panhandle Coop-Fuel-3,185.93; Panhandle Coop Association-Supplies-373.11; Prestige MFG.-Machine Work-925.16; Regional Books, Inc.-Book Purchase-40.27; Shopko Stores-Supplies-149.45; Simmons Olsen Law Firm, P.C.-Professional Services-1,930.75; Star-Herald Newspaper-Advertising-19.08; The Right Impression-Stamp-29.35; The Saturday Evening Post-Subscription-9.00; Viaero-Cell Phone-32.32; Vince's Corner-Car Washing-11.00; Visa-Firstier Bank-Charges-860.03; WPCI-Screening-30.00; Wyoming Tribune-Eagle-Advertising-67.45; Xerox Corporation-Maintenance-138.30.

Economic Development-Claims-February 18, 2014-The United States Life Insurance Company-Long Term Disability-38.00; CenturyLink-Telephone-51.24; Connecting Point-Copy Usage-1.18; Simmons Olsen Law Firms, P.C.-Professional Services-641.25; Viaero-Cell Phone Usage-32.32.