

Kimball City Council  
Regular Meeting  
October 7, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on October 7, 2014 in the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Morrison and Christensen were present. Also present were City Attorney Hadenfeldt, Economic Development Director Bowling, City Treasurer Strauch and City Clerk Russell. 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 7:00 p.m. and the Pledge of Allegiance was recited.

Schnell acknowledged the posted Open Meetings Act poster.

At 7:01 p.m. Schnell opened the public hearing on the amendment to the City of Kimball Zoning Ordinance to amend District C-4 Traveler Services District conditional uses. Ortiz commented on the new RV Park on the south end of Kimball. Currently, that property is divided into two different zoning districts. Nothing in Kimball's Zoning Ordinance currently permits that type of use and the C-4 Traveler Services zoning is the best fit to accommodate that type of use as a conditional use. The Planning Commission can recommend certain conditions if it is a conditional use, such as fencing, etc. Schnell inquired if the RV Park would generate lodging tax and Ortiz said he would have to ask the Department of Revenue.

Ortiz said the amendment to the Zoning Ordinance would allow RV Parks to operate in the C-4 zoning category as a conditional use.

There being no further comment, Schnell declared the public hearing closed.

Warner moved and Shields seconded to introduce Ordinance 715, read by title only and the statutory rule requiring reading on three different days be suspended. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Motion carried.

Schnell read Ordinance 715 by title only.

ORDINANCE NO. 715

AN ORDINANCE AMENDING ARTICLE 3, SECTION 11-312.2 OF THE ZONING ORDINANCES OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA,

PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Warner moved and Shields seconded to pass and approve Ordinance 715. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Motion carried.

Brad Slaughter, Vice President, Ameritas Investment Corp, explained the General Obligation (GO) Water Refunding Bonds, Series 2014 and the redemption of the City's Promissory Note and Refunding the City's Outstanding GO Water Bonds, Series 2008. Ameritas has been talking to the City about refinancing the NDEQ water loan, rate of 3.52% and the 2008 bonds, rate of 4.25%. The refinancing will be a 2.25% interest rate and will give an overall savings of \$46,681.50. Slaughter explained the key point is not only the savings to the City but this will free up the revenues on the combined utilities side for more leeway for debt service coverage.

There being no further discussion, Morrison moved and Christensen seconded to authorize the Mayor to sign the Bond Purchase Agreement with Ameritas Investment Corp. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Motion carried.

Christensen moved and Morrison seconded to introduce Ordinance 716, read by title only and the statutory rule requiring reading on three different days be suspended. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Motion carried.

Schnell read Ordinance 716 by title only.

#### ORDINANCE NO. 716

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2014 OF THE CITY OF KIMBALL, NEBRASKA, IN THE PRINCIPAL AMOUNT OF \$595,000 ISSUED FOR THE PURPOSE OF PROVIDING FUNDS FOR (A) THE PAYMENT AND REDEMPTION OF THE CITY'S PROMISSORY NOTE, DATED APRIL 12, 2005, PAYABLE TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY; AND (B) REFUNDING THE CITY'S OUTSTANDING GENERAL OBLIGATION WATER BONDS, SERIES 2008, DATED OCTOBER 28, 2008; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT; AND RELATED MATTERS.

Christensen moved and Morrison seconded to pass and approve Ordinance 716. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Motion carried.

Schnell opened discussion on the Keno Grant application from Kimball Concert Association. Susie Abramson said they are once again asking for some assistance for the concert season. The cost is \$16,000 for four concerts and they have raised \$4,000 so far. Abramson explained they do have reciprocity with other concert associations in Loveland, Holyoke, Fort Morgan and Cheyenne.

There being no further discussion, Warner moved and Shields seconded to approve the Keno Grant application from Kimball Concert Association in the amount of \$1,000. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on his appointment to the City Treasurer position. He explained the panel interviewed three individuals and has asked Laurie Sisk to come on board as the City Treasurer. Sisk gave a brief history of herself and her experience. Schnell reminded council members of the annual appointments in December. Shields moved and Warner seconded to approve the Mayor's appointment of Laurie Sisk as City Treasurer. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Christensen. Nay: None. Absent: None. Motion carried.

Shields moved and Christensen seconded to approve the City Treasurer's contract between the City of Kimball and Laurie Sisk. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Christensen. Nay: None. Absent: None. Motion carried.

Ortiz provided an update on the Event Center renovation. He and a small group of Kimball citizens have been working with Studio 120 Architecture on developing a design for the Event Center renovations. The company has worked hard to make sure the design is in the \$650,000 price range.

Ortiz explained the ADA compliant restrooms and said that they are going to look to add an additional water line on the northeast side of the building and plan to tie into the wet bar. He commented on the stage and perhaps removing it and acquiring a portable stage. The carpeting will be commercial grade. The entire building will be sprinklered for fire suppression as required by code. The lighting will be addressed as far as the ability to dim and turn different sections of lighting off and on. Christensen inquired about the liquor storage and Ortiz explained it will be moved and redefined as liquor storage.

The City will receive \$250,000 from the grant and it is projected that about \$400,000 will come from the Keno trust fund. The school foundation has inquired about updating the kiosk in the parking lot. City employees will be utilized as much as possible on this project. The logical option is to hire a contractor to oversee the project and they would hire subcontractors to assist them.

Warner inquired if it is going to cost more with a general contractor than if the City does the work themselves and Ortiz said it is hard to say and said the south substation project will be occurring at the same time. Warner said volunteer labor may be

available and Schnell said volunteer labor can be used for the demolition aspect. Warner said she would hate to see that kind of money used and not be for local contractors. It is a large amount of money for the benefit the City is getting. Morrison said he is all for the local contractors but doesn't see anyone being able to do this; however, he did encourage local contractors to bid.

Ortiz commented on the fire suppression and the bathrooms. Schnell said about the only thing not having money put into it is the kitchen. Christy Warner is a member of the citizen group and said they spend a lot of time trying to let the architects know they want to save money and they were asked to keep the renovation on a neutral scale and insure long-term wear and easily cleanable items.

Ortiz said that one of the issues has been the roof. The roof is not being addressed and he commented on redoing the roof in the next five to ten years. Warner questioned doing this type of project and not doing the roof. Schnell said the roofing company is resealing the roof and Warner said the roof needs to be replaced first before the renovation is done. Ortiz said that when the City was awarded the grant, the issues with the roof were not apparent at that time. The grant was written to address the ADA issues. Fischer Roofing has indicated that it was their mistake – it was a bad insulation job. They said they will work to make it right. Ortiz will have a Fisher Roofing representative at the next meeting to discuss the issues.

Ortiz said he would like to receive the bids by mid to end of November and start the work in January.

Schnell opened discussion on the agreement between Hanna:Keelan Associates and the City of Kimball to conduct a comprehensive planning program and authorize the Mayor to sign the agreement. Bowling indicated a \$17,640 Nebraska Investment Finance Authority Housing Study Grant, in combination with \$18,360 (51%) in matching funds provided by the City of Kimball will be utilized to conduct a comprehensive planning program to include both a community housing study and a new comprehensive plan for the City of Kimball. The program will be a 12-month planning project at a total cost of \$36,000. Bowling commented on the estimated scope of work and time line. He said the company will be making suggestions as far as zoning and help the City plan for the future. Ortiz said most times the Zoning Ordinances are tied to comprehensive plans and Hanna:Keelan will provide recommendations. Warner expressed concern about the zoning becoming too rigid and Ortiz commented on suggestions and the best uses and said it would not be set in stone.

There being no further discussion, Morrison moved and Christensen seconded to approve the agreement between Hanna:Keelan Associates and the City of Kimball to conduct a comprehensive planning program and authorize the Mayor to sign the agreement. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Christensen. Nay: None. Absent: None. Motion carried.

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

1. Minutes from the September 16, 2014 regular city council meeting;
2. Claims; and
3. Ratify the Kimball Volunteer Fire Department members.

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

Ortiz reported on the recent power outage caused by a vehicle striking a utility pole near the Cemetery. He gave a lot of credit and praise to the Electric Department. There are a few loose ends to tie up. The Electric crew will be finishing up that work on Thursday and there may be a short power outage.

Ortiz attended the MEAN Ad Hoc committee meeting recently. There will be a \$65,000 bill from MEAN in February and March to address MEAN's shortfall. Ortiz said he will continue to attend the meetings. The next one is on October 23<sup>rd</sup> and Hinton will attend in his place.

MEAN is the City's third party administrator with WAPA and has typically serviced those agreements and discussion has been held on absorbing MEAN's allocations. Ortiz will talk with WAPA to get some agreements in place.

The chip seal project has wrapped up and the contractor has agreed to come back in November and in the spring to address the oil spill from last year.

Ortiz commented that staff will be more involved much earlier on with the Farmer's Day celebration. Staff will also be much more involved with the vendors.

Ortiz said Great Plains Communications has agreed to purchase the entire strip of land on the east side for \$20,000. Ortiz will talk to Hadenfeldt about finalizing that agreement and have it at the next meeting for approval.

Schnell provided kudo's to the Farmer's Day Committee and commented on signage for parking next year. Warner said Farmer's Day was fantastic and that everyone did a great job.

Schnell commented on the issues with MEAN and the federal mandates for power plants. He said that this is something that future councils will have to look at regarding owning electric service. Schnell commented on the power outages and thanked everyone for being patient.

The next City Council meeting will be on October 21, 2014.

There being no further business to come before the Council, Christensen moved and Warner seconded to adjourn at 8:10 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Christensen. Nay: None. Absent: None. Motion carried.

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James Schnell, Mayor

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Rosemarie D. Russell, City Clerk

City of Kimball-City Council Meeting-General Claims-October 7, 2014-Windy Prairie Systems-Payment-Kiosk-12,600.00; FirstTier Bank-Loan Payment-31,246.93; ALSCO-Supplies-89.60; Baker & Associates-Services-11,485.14; Check's Ice Co. -Ice-37.00; Combined Utilities-Utilities-1,113.69; Connecting Point-Equipment-1,268.00; Frenchman Valley Coop-Fuel-923.40; Hometown Hardware-Supplies-2,239.07; Ideal Linen Supply, Inc.-Mats-101.67; Kimball Auto Parts-Part-21.99; Kimball Insurance-Bond Policy-100.00; Kimball Public Schools-Reimbursement-83.44; Kimball Service Center-Vehicle Maintenance-82.70; M.C. Schaff & Associates, Inc.-Chip Seal-6,980.26; Miller Office Supply-Office Supplies-86.97; Northern Safety Co., Inc.-Supplies-305.41; Prestige MFG.-Tube-294.72; Safetyline Consultants, Inc.-Safety Training- 750.00; SourceGas, LLC-Gas Service-407.02; Staples-Office Supplies-88.26; TopKote, Inc.-Chip Seal-87,309.45; Viaero- Cell Phone-63.50; Windstream-Long Distance-5.82; Chad Wise-Credit Cards-2,220.96; Chase Suite Hotel-Lincoln-Lodging-237.00; Combined Utilities-City Utilities-3,252.86; Action Communications-Repairs-1,873.00; Agrium Advanced Technologies-Chemicals-865.00; American Chamber of Commerce Resources-Book-240.00; Baker & Taylor Books-Books 955.29; Sheryl Biesecker-Contract Cleaning-330.00; C & M Air Cooled Engine, Inc.-Parts-875.30; Certified Laboratories-Supplies-225.00; Culligan-Salt-39.80; DP Electronic LLC/Radio Shack-Camera's-1,258.00; Demco-Supplies-81.21; Dollar General Corporation-Supplies-17.22; EBSCO Subscription Services-Subscriptions-48.60; Fairfield Inn & Suites-Lodging- 387.00; Fastenal Company-Parts-27.86; Frenchman Valley Coop-Fuel-1,813.82; Hometown Hardware-Supplies-548.94; Ideal Linen Supply, Inc.-Supplies-57.52; Kimball Auto Parts-Parts-44.95; Kimball Event Center-Rent-500.00; Kimball Handyman Project-Handyman Project-902.30; Kimball Health Services Hospital-Screening-44.10; L.W. Cartage Co.-Lot Rent-100.00; MicroMarketing, LLC-Book Purchase-95.95; Mobius Communications Company-Monitoring-68.00; Napa Auto Parts-Parts-364.25; Nebraska Environmental Products-Parts-410.88; Nebraska Library Commission-Training- 520.00; Off Broadway Business Products-Office Supplies-96.57; Panhandle Coop-Fuel-2,705.50; Simmons Olsen Law Firm, P.C.-Professional Services-4,831.50; Star-Herald Newspaper-Advertising-317.00; Stotz Equipment-Part-43.48; The Saturday Evening Post-Subscription-27.98; The United States Life Insurance Company-Long Term Disability-412.36; Russ Thompson-Contract Cleaning-40.00; Van Diest Supply Company-Chemicals-2,350.47; Voyager Fleet Systems-Fuel 40.63; Western Nebraska Observer-Meeting Notices-387.21; Chad Wise-Credit Cards-598.39.

City of Kimball-Economic Development-Claims-October 7, 2014-Kimball County Treasurer-990/995 Split-1,000.00; Simmons Olsen Law Firm, P.C.-Professional Services-52.50; The United States Life Insurance Co.-Long Term Disability-35.40; Western Nebraska Observer-Meeting Notices-12.53.