

Kimball City Council
Regular Meeting
October 21, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on October 21, 2014 in the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Morrison and Christensen were present. Also present were City Attorney Hadenfeldt, City Administrator Ortiz, Police Chief Huff, City Treasurer Sisk 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.

Schnell opened discussion on the Keno Grant application from the Village of Bushnell. Tim Nolting, Bushnell Boardmember, said the Federal government has mandated requirements for reflectivity on the street signs and stop signs. Bushnell has wooden signs and they would need to replace 34 street signs and 31 stop signs at a cost of approximately \$5,000. The stop signs must be replaced by January 2015 and the street signs must be replaced by January 2018. Nolting said they would appreciate any assistance they could get from the Keno funds. Ortiz said the City of Kimball had to go through this with the street signs and has been replacing them the past few years. In addition to reflectivity, the lettering has to be all caps.

Nolting said they have done a fund drive but they have are still a long way from the \$5,000. Christensen said Kimball should assist with a portion now and perhaps a little more later. Warner commented that residents from Bushnell also play Keno. Morrison suggested funding half now and the remaining half in another year. Christensen suggested \$2,000 now so Bushnell can get their stop signs in place. Christy Warner inquired if they receive a discount if ordering in bulk. Nolting indicated they received a bid from a company in Cheyenne and he doesn't think it matters whether they order them all at once.

There being no further discussion, Christensen moved and Warner seconded to approve the Keno Grant application from the Village of Bushnell for \$2,000 for reflective signs. 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 the Keno Grant application from the City of Kimball. Ortiz said in 2010, Keno funds were used to purchase nine AED's; two were allocated to the schools, one to the County and the City has six between the Police Department, City Hall, the Electric Department, and the Event Center. The current units are in good condition but seven of them require new batteries and electrode pads. The school nurse said they recently replaced their batteries and electrodes but they do need cabinets to house the units so they are accessible. Ortiz said the quoted AED cabinets will have audible alarms.

Shields inquired if this will be an ongoing process for the pads and batteries and Ortiz said yes. Carla Gorenson has gone through the AEDs and equipment and she will schedule a training class. Shields inquired about funds other than Keno and Ortiz indicated this was not an anticipated expense so it was not budgeted. This also benefits the schools and the County. Warner said the funds should be allocated out of the City's portion.

There being no further discussion, Warner moved and Morrison seconded to approve the Keno grant application from the City of Kimball for \$3,122.28 from the City's portion to replace AED batteries, AED electrode pads and purchase new AED cabinets with audible alarms. 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 Supplemental Agreement #3 for Preliminary Engineering Services, Kimball Underpass Renovation. This agreement is a revision that would include the redesign and contracting with M.C. Schaff to do the preliminary designs. Ortiz commented on the time line and said it should be finalized soon.

The next public meeting date to propose the design falls on December 16th and M.C. Schaff would like to conduct the public meeting before the council meeting from 4:30 p.m. to 6:30 p.m. M. C. Schaff would like to present at least three designs to consider. Discussion was held on holding the meeting earlier and Ortiz said he would recommend starting at 4:00 p.m.

There being no further discussion, Warner moved and Christensen seconded to approve Resolution 2014-13 and authorize the Mayor to sign Supplemental Agreement #3.

**RESOLUTION
PRELIMINARY ENGINEERING SERVICES AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 3 – BK1435**

City of Kimball
Resolution No. 2014-13

Whereas: City of Kimball and M. C. Schaff & Associates, have previously executed a Preliminary Engineering Services Agreement (BK1435) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Kimball understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Kimball and M.C. Schaff & Associates, wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Kimball, Nebraska that:

James Schnell, Mayor of the City of Kimball, Nebraska is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 3 between the City of Kimball and M.C. Schaff & Associates.

City of Kimball is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: STPB-71-2(110)

NDOR Control Number: 51242

Project Location: Kimball Underpass Renovation

Adopted this 21st day of October, 2014 at Kimball, Nebraska.

Attest:

/s/Rosemarie D. Russell, City Clerk

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 council members received information from Ryan Knutson, Fisher Roofing, regarding the Event Center roof. The City purchased the building in the late 1990s and the previous owners neglected to repair the roof. Fisher Roofing performed minor flashing repairs in 1999. In 2000, the panels were dented from hail and the insurance company agreed that elastomeric coating was an acceptable repair. In 2010, additional damage occurred and again, the insurance company would only allow Fisher Roofing to re-spray it rather than replace it.

The City should look at some upgrades to the roof in the next five years. Knutson has looked at the roof twice in the last week and has found huge rust holes from the first time it was sprayed in 1999. The application of the elastomeric coating is something

they do all the time and it lasted until 2010 and that should have been addressed after the hail storm.

Fisher Roofing has been working on the northeast side of the roof for the past few days and it is worse than the rest of the roof. Knutson said there have been problems with the roof since they sprayed it in 2010. Fisher Roofing is willing to take care of the rust area and use a rust inhibitor and fill in the holes and go over the area. They can re-spray it again however it will probably only last two more years. Knutson said removing the metal and reskinning it with a new roof would be a nightmare. He then explained about Styrofoam insulation and laying it between the ribs, which would be basically putting a commercial roof on the building, which is what he recommends the City do. It would cost approximately \$125,000 to do that.

Discussion was held on the roofing and insulation and how it is held in place. Knutson also commented on the gutter design and said if the roof is going to be replaced, he suggested putting on a gutter system as well.

Knutson said 80% of the roof is in very bad shape and it would cost approximately \$10,000 to re-spray it. That would buy some time; however, the roof should be replaced soon. Knutson said it could be done in four phases starting with the northeast side and the material they use is very easy to tie into.

Discussion was held on the additional weight to the structure and the substructure and Knutson said it shouldn't be an issue. The roof replacement would take approximately two weeks.

Discussion was held on the gutter system cost and Knutson said his father will look at it. A gutter system would typically be \$8 to \$10 a lineal foot.

Warner said that there needs to be a good roof on the Event Center. Ortiz said the City will receive \$250,000 from the grant and about \$400,000 pledged from the Keno trust fund. His recommendation would be to meet with the architects to cut back on the design and divert some of the money for the roof replacement. The major ADA issues need to be addressed and the lighting and carpeting may have to be scaled back. The fire suppression (sprinkler system) is required. Ortiz will meet with the designers and architects and report back at the next council meeting.

Discussion was held on bidding out the roof project and Knutson said he will continue to report to the City on what he is doing. The roof needs to be cleaned up a little bit to buy some time. He also suggested that the City determine what type of insulation is currently in the ceiling.

Schnell and the council members thanked Knutson for the information.

Schnell opened discussion on Resolution 2014-14, a resolution to sell real property. This resolution is referring to the property adjacent to the Wastewater Treatment Plant that Great Plains Communications has asked to purchase. State law outlines the

process that municipalities must follow to sell property. The resolution lists the minimum bid as \$20,000. After the remonstrance period, an ordinance will have to be passed approving the sale.

There being no further discussion, Warner moved and Shields seconded to approve Resolution 2014-14 to sell property adjacent to the Wastewater Treatment Plant.

RESOLUTION 2014-14

A RESOLUTION OF THE CITY OF KIMBALL, NEBRASKA, AUTHORIZING THE SALE BY PUBLIC AUCTION OR SEALED BID OF CITY-OWNED REAL PROPERTY AS ALLOWED BY NEB. REV. STAT. §17-503 AND KIMBALL MUNICIPAL CODE §94.30.

WHEREAS, Neb. Rev. Stat. §17-503 and Kimball Municipal Code §94.30 allow for the sale and other conveyance of city real property;

WHEREAS, the City of Kimball, Nebraska, owns real property described as follows:

The area west of the Wastewater Treatment Plant, between the Wastewater Treatment Plant fence and Highway 71 by-pass, Section 28, Township 15, Range 55 West of the Principal Meridian, Kimball County, Nebraska, containing an area of 5.6 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Kimball, Nebraska (the "City"):

1. The City resolves to sell, to the highest responsible bidder by sealed bid the real property described herein at a minimum acceptable bid of \$20,000;
2. The City authorizes the sale of the above-described real property via sealed bids to be accepted until 12 p.m. noon, November 25, 2014;
3. Sealed bids will be publicly opened by City staff on November 25, 2014;
4. The terms of the sale shall be determined according to what is in the best interest of the City by the Kimball City Council. All bids shall be designated final on the opening date of the bids;
5. Subject to Kimball Municipal Code §94.30 and Neb. Rev. Stat. §17-503, the Mayor of the City is hereby authorized to execute all documents that may be required to effectuate the transfer of all right, title and interest of the City in the above-described real property;
6. The proceeds of the sale of the above-described real property, if any, shall be placed in the City of Kimball, Nebraska utilities fund;
7. Following the passage of the resolution directing sale, and publishing notice of the proposed sale once per week for three consecutive weeks in a legal newspaper published in or of general circulation within the City, the real property shall then be sold and the sale confirmed by ordinance.

This Resolution shall become effective upon its passage and approval.

Passed and approved on October 21, 2014.

/s/James W. Schnell, Mayor

ATTEST:

/s/Rosemarie D. Russell, City Clerk

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 October 7, 2014 regular city council meeting;
2. Claims; and
3. Financial Statements.

Shields moved and Christensen 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 the City is in the process of renewing the Transfer Station and Solid Waste Landfill permits which expire next year. Schulte and his crew are working hard to clean up the area.

Ortiz reported Hanna:Keelan presented comprehensive plan information to the Planning Commission recently and that information will be provided to the City Council at the next meeting. Hanna:Keelan intends to complete the comprehensive plan in a year.

Ortiz reported Kimball Health Services is conducting a community clinic this Friday and Saturday. The City is providing flu shot vouchers for employees and City Council members, if interested.

Ortiz reported the initial foundation has been completed for the substation project. Warner expressed concern about running the power plant in the middle of winter. Ortiz said the goal was to have the project done in October but it is difficult to get a contractor to bid so winter time is the earliest that it can be done. Ideally, it would be good to wait until after winter. Ortiz mentioned that the schedule was outlined when the contract was approved.

Ortiz reported MEAN's board meeting is next month. He will keep the council members up dated as information is received.

Schnell commented on the oil derrick and said it looks nice sitting on the hill. He offered congratulations to all who worked on it.

Schnell reported he has received some comments on the disposition of flowers at the Cemetery and Ortiz has spoken with the families.

The next City Council meeting will be on November 4, 2014.

There being no further business to come before the Council, Christensen moved and Morrison seconded to adjourn at 7:52 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.

James Schnell, Mayor

Rosemarie D. Russell, City Clerk

City of Kimball-City Council-General Claims-October 21, 2014-Terry Jefferson-Contract Labor-285.00; Almquist Maltzahn Galloway & Luth-Final Billing-2,750.00; Amazon/GECRB-Supplies-9.95;CenturyLink-Telephone-737.65; Charter Communications - Internet-223.00; Combined Utilities-Utilities-363.75; Connecting Point-Copy Usage-38.24; Country Printer-Printing-75.00; Demco-Supplies-247.31; Digital Ally-Cameras-2,430.00; Dollar General Corporation-Supplies-4.24; EMC Insurance Company-Deductible-2,500.00; Catharine Green-Contract Cleaning-120.00; High West Energy-Utilities- 4,324.66; Darren Huff-Reimbursement-118.98; Junior Library Guild-Book Purchase-276.00; LeadsOnline-On-Line Service-1,578.00; League of NE Municipalities-Conference-369.00; MicroMarketing, LLC-Book Purchase-36.77; Napa Auto Parts-Parts-120.79; Nebraska U.C. Fund-3rd Qtr. 2014-20.51; PRW-Classes-1,250.00; Panhandle Coop Association-Charges-411.40; Petty Cash-Reimbursement-71.54; Presto-X-Contract-80.20; Scottsbluff Screenprinting & Emb. LLC-Uniforms-223.00; Shaffer Communications, Inc.-Light-600.00; Shopko Stores Operating Co.-Supplies-25.98; SourceGas, LLC-Gas Service-322.61; The Right Impression-Stickers-15.00; Viaero-Cell Phone Usage-32.32; Vince's Corner-Car Washing-18.00; Visa-Firstier Bank-Charges-2,730.93; Chad Wise-Credit Cards-1,531.15; Wyoming Tribune Eagle-Advertising-66.17; Xerox Corporation-Copier Maintenance-151.99.

City of Kimball - Economic Development Claims - October 21, 2014 – CenturyLink – Telephone - 60.81; Charter Communications-Internet-39.75; Connecting Point-Copy Usage-17.18; Viaero-Cell Phone-32.32.