

Kimball City Council  
Regular Meeting  
November 4, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on November 4, 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 Golder Associates proposal for the Kimball Landfill permit renewal. Ortiz indicated NDEQ has visited Kimball for a comprehensive review and assessment of the Landfill Transfer Station and Solid Waste Cell. Both are due for renewal. The City has typically compiled the transfer station permit application. The solid waste site does require an engineer's input. Ortiz had given approval for Golder Associates to be present for the NDEQ inspection and he explained to Golder Associates their proposal would require Board of Public Works and City Council approval. The proposal is for \$29,000 to help prepare all the necessary documentation. There are surveys and geotechnical data that would have to be conducted as well.

Ortiz said the NDEQ inspection went very well; however, the City is going to be required to put in a new monitoring well at a cost of \$20,000 to \$25,000. NDEQ would like to see that put in before March but the deadline may be before June. Schulte and his crew worked hard to get the landfill cleaned up in time. A dozer was rented from Z & S Construction to put six inches of dirt on top of the cell because the landfill's track loader wasn't running.

Ortiz explained monitoring wells and the sampling procedures. He said the City will be working with Golder Associates with regard to bidding out the drilling of the well. Ortiz also commented on starting to work on closing the existing cell and the notification process. Schnell indicated Golder Associates has been working for the City of Kimball since the landfill was built.

There being no further discussion, Christensen moved and Warner seconded to approve the proposal submitted by Golder Associates for the Kimball Landfill permit renewal. 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 Event Center renovation redesign. Ortiz indicated at the last meeting, he was tasked with looking at the need to replace or repair the roof. Fisher Roofing has estimated \$147,000 to replace the roof. The City will need to request bids and a project of this cost will require an engineer's stamp. The committee that met on the renovation redesign would like to keep the original plans as close as possible. Ortiz said the City will not have enough funds without making significant changes to the redesign interior by approximately \$75,000. There is currently \$519,000 in the Keno trust account and \$49,000 in the Keno city-side account. The City will receive \$250,000 from the State. There is not much money to work with. The original intent was to let the bids for the interior work this month. However, now it is hoped to be looking at a February construction time.

Warner inquired about the cost of a new building and it was indicated a new building would be close to \$1 million. Ortiz said this would change the original concept when the City applied for the funds and therefore the City would probably lose the State funds. Morrison said the building costs, the kitchen costs and other things add up very fast. He said to make sure to keep the ADA restrooms and the water down to the bar. Morrison said they really want to keep the big ballroom and the secondary ballroom. Ortiz added that the fire suppression system would have to be included as well.

Warner said it needs to be done right or not at all and commented on the use of the Event Center. Ortiz said the City is heading in the direction of the Event Center being used for non-profit and/or community-oriented events. Christensen said that one person cannot take care of the entire building, so the City would need to be looking for more full time employees. Ortiz said currently the one full time employee receives help from the Power Plant crew and she also brings in part time help to assist.

Ortiz said he has been approached about having classes at the Event Center. There is an interest in using the facility and it could be used for community-wide events with great success.

Christy Warner inquired if there is potential for any other grants to help cover the additional costs. Ortiz said he has not been able to research this yet. C. Warner said the committee would really like to see something done to the best of its ability. Council member Warner said people think it should have a wider scope of use for the community and commented on guidelines for minimal or reduced cost. Ortiz said a policy could be drafted.

Discussion was held on what could be eliminated from the design and Ortiz said the light fixtures could ideally be done at a later time. Shields said it needs to be done right and within budget. Christensen said the roof needs to be done and the building secure.

She likes the idea of doing everything that can be done throughout the building and making the building useful.

Ortiz will meet with the designers to determine what can be cut back on and bring information back to the council at the next meeting.

Schnell opened discussion on the amended School Resource Officer agreement with the Kimball School Board. Ortiz said part of the conditions for the School Resource Officer grant was to enter into an agreement with the school district and submit the agreement to the Department of Justice. Part of the language required in the agreement pertained to "access to student records" and that language has been incorporated. Ortiz said the term will remain from December 9, 2013 and not 2014. Marshall Lewis, Superintendent of Schools, has provided the language of the school's policy how school officials handle student records.

Shields inquired how this was missed and Ortiz said it was something that had changed late last year. Lewis said the school's policy fit the definition so the School Resource Officer has the access to the student records that are necessary for him to do his job. Discussion was held on copying the student records and Chief Huff said law enforcement officers have strict guidelines and policies pertaining to privileged information and that information wouldn't leave the school. Shields inquired what would be in the students' records and Lewis said perhaps attendance records, contact information. He said there are some limitations of what the SRO is allowed to look at. Warner suggested indicating that the information couldn't leave the school and Ortiz said that could be done. Hadenfeldt informed council members about a FERPA law that controls what can be accessed on student records to comply with State and Federal law.

Ortiz commented on getting together with the school district on a more frequent basis to communicate and address any concerns and issues. Shields asked about the policy and Lewis said the policy is what is in place and it was reviewed last month. The SRO is perceived as part of the school team and there are a lot of people that he has to answer to. Ortiz suggested that whenever the SRO does access the student records, he would notify Chief Huff verbally. Huff said every certified law enforcement officer has access to a network and the rule is that when they are finished with the documents, the document is to be shredded. He doesn't see any reason why the SRO would make copies. The agreement with the school is any kind of disciplinary action is handled by the school.

There being no further discussion, Warner moved and Christensen seconded to accept the amended School Resource Officer agreement with the Kimball School Board with the correction of the term date to December 9, 2013. 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 21, 2014 regular city council meeting; and
2. Claims.

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 WAPA was finalizing repairs at their substation and the Power Plant had to generate. There was a fuel line break on one of the bigger engines. Once WAPA finished their repairs, there were issues getting back onto the WAPA system from the Power Plant. Ultimately, everything was repaired. Ortiz said this was a good test and challenge but outlines that the Power Plant is aging. When the substation repairs are done, the crew will try to plan for all contingencies.

Ortiz commented on the Comprehensive Plan document the consultants have prepared.

Ortiz reported the Cemetery Board meeting is next week and they will discuss the policies on flowers. The City will be putting out notices much earlier to address the faded flowers, flags that are torn, etc.

Schnell commented on the construction crew at the Manor and the great experience to notice how everyone – City, State and construction crew – works together.

The next City Council meeting will be on November 18, 2014.

There being no further business to come before the Council, Shields moved and Christensen 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.

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James Schnell, Mayor

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Rosemarie D. Russell, City Clerk

City of Kimball-City Council-General Claims-November 4, 2014-Susan Robbins Haack-Reimbursement-12.00; Ideal Linen Supply, Inc.-Supplies-102.43; SourceGas, LLC-Gas Service-72.66; The United States Life Insurance Company-Premium-388.41; Staples-Office Supplies-80.30; C & M Air Cooled Engine, Inc.-Parts-363.49; Combined Utilities-Utilities- 3,350.09; Croell Redi-Mix-Sand-1,620.00; Hometown Hardware-Supplies-395.16; Ideal Linen Supply, Inc.-Supplies-152.17; Kimball Auto Parts-Parts-25.38; Kimball Bakery-Supplies-32.40; Kimball Event Center-Rent-500.00; Kimball Handyman Project-Handyman Project-649.20; L.W. Cartage Co.-Lot Rent-100.00; M.C. Schaff & Associates, Inc.-Professional Services-82.50; Muni MetriX-Software Support-299.00; Napa Auto Parts-Parts-91.98; NFPA -Materials- 944.70; Nebraska Salt & Grain Co.-Salt-1,793.06; Pack Rat Enterprises-Garbage Disposal-100.00; Panhandle Coop- Fuel-

986.58; Police Chief's Association of Nebraska-Dues-30.00; Prairie Animal Hospital-Boarding-236.25; STP Auto Service-Vehicle Maintenance-443.09; Staples-Chair-58.50; Stotz Equipment-Manual-60.00; Russ Thompson-Contract Cleaning-50.00; United Rotary Brush Corporation-Brushes-642.99; Viaero-Cell Phone-63.50; Vince's Corner-Supplies-8.75; WPCI-Pool Management-125.00; Western Nebraska Observer-Meeting Notices-387.35; Windstream-Long Distance-5.91.

City of Kimball-Economic Development Claims-November 4, 2014-The United States Life Insurance Company-Premium-35.40; Kimball County Treasurer-990/995-1,000.00; Western Nebraska Observer-Meeting Notices-2.12.