

Kimball City Council  
Regular Meeting  
February 3, 2015

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on February 3, 2015 in the City Council Chambers. Mayor Prunty and Council members Warner, Shields, Morrison and Schnell were present. Also present were City Attorney Hadenfeldt, City Administrator Ortiz, Police Chief Huff, Fire Chief Wynne, Street Superintendent Shoup, 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.

Sixth graders Christopher Barker and Jared Barnes lead the Pledge of Allegiance.

Prunty called the meeting to order at 7:01 p.m. and acknowledged the posted Open Meetings Act poster.

At 7:02 p.m. Prunty opened a public hearing on a conditional use permit for a cell tower located in the Southeast Quarter of the Southwest Quarter of Section 29, Township 15 North, Range 55 West of the 6<sup>th</sup> P.M., Kimball County, Nebraska. Ortiz informed the council of the location of the cell tower, behind the NAPA Auto Parts store in a vacant field. The Planning Commission held a public hearing on this and recommended approval of the conditional use permit. Ortiz commented that John Heideman had reviewed the plans and commented on the barbed wire that was proposed for the fencing. Ortiz said that barbed wire is not permitted and Rick Bailey, Viaero Wireless representative, indicated they will not use it. They will replace it with cedar or just leave it off.

Morrison said the tower will not bother anyone in this location, so he thinks it would be fine. Shields inquired about this being the only cell tower to be erected at this point. Baily said that there is an application currently pending on the west side of town. That area is pending demolition of a building. Ortiz commented that the location on the west side of town permits cell towers as an accessory use and does not require a conditional use permit.

There being no further comments, Prunty declared the public hearing closed at 7:07 p.m.

Morrison moved and Warner seconded to approve the conditional use permit for a cell tower located in the Southeast Quarter of the Southwest Quarter of Section 29, Township 15 North, Range 55 West of the 6<sup>th</sup> P.M., Kimball County, Nebraska, with the removal of the barbed wire as specified. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Schnell. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the appointment of Randy Gunn to fill Sarah Bouse's unexpired term on the Library Board. There being no discussion, Schnell moved and Shields seconded to approve the appointment of Randy Gunn to fill Sarah Bouse's unexpired term on the Library Board. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Schnell. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the Keno grant application for Raise the Derrick. Glynn Felkins said there were more costs with regard to the electrician than was anticipated and that is the reason they are asking for funds. The project is 99% complete; the fencing still needs to be done. Schnell inquired about the flagpole on the top of the derrick and Morrison said there has been nothing done at this time. Schnell said the derrick makes a nice landmark. Morrison said the Raise the Derrick committee raised what they thought, unfortunately, the electrician's fees have come in a little high.

There being no further discussion, Shields moved and Warner seconded to approve the Keno grant application for Raise the Derrick for \$4,000. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Schnell. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the City Maintenance Agreement No. 78 with the Nebraska Department of Roads. Ortiz explained this is the City's annual maintenance agreement with the Nebraska Department of Roads for maintaining Highway 30 and old Highway 71. The numbers are on par with last year's numbers. Schnell inquired if the portions need to be stipulated and Hadenfeldt said the Council should approve the agreement renewal.

There being no further discussion, Morrison moved and Schnell seconded to approve the City Maintenance Agreement No. 78 with the Nebraska Department of Roads 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 Schnell. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on a speed study for South Chestnut Street. Ortiz said that for the past several months, there have been numerous complaints with regard to a number of issues with traffic on Chestnut Street between 7<sup>th</sup> Street and the top of the hill by the water tower. He commented on trucks and "jake braking". Ortiz met with Marshall Lewis, Kimball Public Schools Superintendent, and discussed the crosswalk on 4<sup>th</sup> Street and Lewis had indicated the potential elimination of the school crossing guard at that location. There have been discussions in the past about exploring ways to

reduce the speed limit and M.C. Schaff has indicated it would take a speed study and an independent analysis. Ortiz said there is much more student and vehicular traffic on 6<sup>th</sup> and 7<sup>th</sup> Streets.

It would cost \$1,000 to conduct the speed study and the study needs to show that the speed is within 85% of the targeted speed. M.C. Schaff would also include in their analysis that there is a lot of pedestrian traffic. The school is exploring adding one or two more bus stops on the west side of town. So, there will be more busses crossing at the intersection of 7<sup>th</sup> and Chestnut Street. Ultimately, the speed will be based on what the traffic study shows and what the Department of Roads approves. The Police Department will have stricter traffic enforcement. Ortiz said M.C. Schaff would bring their equipment to Kimball and leave it for about a week. A letter with their analysis would be presented to the City Council before it is submitted to the Department of Roads. The data will include the number of cars, the speed, the weight and other factors. Schaff will incorporate into their letter that the reason for the reduction in the speed limit is due to increased foot traffic.

Ortiz said the school is trying to ensure that the risk of an accident is mitigated. Prunty inquired about crosswalks and Ortiz said that will be a completely different analysis. The schools may look at doing away with the crossing guard on 4<sup>th</sup> and Chestnut Streets. The equipment at that crossing malfunctions quite a bit and the City has repaired the lighting system in the past. The cost of replacing the system is approximately \$15,000 or more.

Morrison inquired about the 85% of the targeted speed and Ortiz indicated that M.C. Schaff said that the City would probably see a decrease of around five miles per hour.

Discussion was held on the lighted speed limit signs and the cost. Prunty asked the City Council if they wished to have a speed study done or not. He inquired if the State would recommend the speed limit and Ortiz said the State would recommend that speed but there is no guarantee until the results are received.

Warner inquired if there are people who are actually following the speed limit and Huff said the traffic that is traveling down the hill northbound is pretty fast. It would behoove the City to do something about this to make it safe for the kids in the community. Warner inquired if there are currently quite a few people driving above the speed limit that would affect the outcome of the study and Huff said he would think that there are a number above the speed limit. Ortiz said the council could table this and have Huff do enforcement for 30 days and come back to the council with the information. Huff commented on the selective effort and the Police Officers being more cognizant about that area and issue warnings.

Ortiz commented on the "line of sight" analysis at Castronics. In this area, there is a hill and that would make a difference. Shields asked if the City could ask for a sign. Shoup said the City would have an easier time with Chestnut Street rather than Highway 30.

There being no further discussion, Morrison moved and Schnell seconded to approve M.C. Schaff conducting a speed study on South Chestnut Street. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Schnell. Nay: None. Absent: None. Motion carried. Ortiz will coordinate the dates for the speed study with M.C. Schaff.

Fire Chief Wynne presented the Fire Department annual report. He has been the Fire Chief for 14 years and everything is going well. The Fire Department just had their elections. The Fire Department has 34 members and has been pretty busy the last couple of years.

In 2013, the Fire Department responded to 30 calls, 23 of them were rural and five of them were city. Wynne commented that the City is paying a little more than their share of what fire protection costs. The County pays for ½ of the utilities and ½ of the truck maintenance. In 2013, the Fire Department volunteers logged 371 man-hours.

In 2014, the Fire Department responded to 49 calls, 37 rural and five mutual aid (three for Dix and two for Bushnell), and 12 city calls and had 466 volunteer man-hours. The average response time is three minutes.

Wynne commented on a truck with a portable pump that has been giving them some trouble. They are going to have to do something with that pretty soon. Warner thanked Wynne for his service and for all that he and his volunteers do.

Schnell inquired about insurance rating and Wynne said it has been a number of years since that has been done. Ortiz commented on the ISO rating and said ultimately the ISO rating factors into homeowners insurance. Wynne said currently the City of Kimball has a pretty good fire rating.

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

1. Minutes from the January 20, 2015 regular city council meeting;
2. Claims; and
3. Approve Certificate of Compliance for Year 2014 with the Nebraska Department of Roads

Schnell moved and Warner 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 Schnell. Nay: None. Absent: None. Motion carried.

Ortiz reported the contractors are mobilizing to work on the roof at the Event Center. It will take about a week or two to complete it depending on the weather.

Ortiz reported he has not heard anything concrete on the underpass renovation but he did hear from the Nebraska Department of Roads with regard to payment terms and reimbursement.

Ortiz reported on the Board of Public Works meeting. He received word that NMPP Energy has selected a new CEO and will provide further information as it becomes available. The new CEO is from Kansas and Kansas operates a similar Power Pool.

Prunty reported he will have a few more appointees for the next meeting. He has met with Fire Chief Wynne and Chief Huff on the City's ordinances. Prunty applauded the ladies in the front offices for the professionalism they exhibit.

The next City Council meeting will be on February 17, 2015 at 7:00 p.m. The Park and Recreation Executive Board meeting will be on February 19, 2015 at 5:30 p.m.

There being no further business to come before the Council, Shields moved and Schnell seconded to adjourn at 7:50 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison and Schnell. Nay: None. Absent: None. Motion carried.

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Keith Prunty, Mayor

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Rosemarie D. Russell, City Clerk

City of Kimball-City Council Meeting-General Claims-February 3, 2015-Board of Examiners-Material-25.00; Hometown Hardware-Supplies-24.48; Safetyline Consultants, Inc.-Safety Training-750.00; Combined Utilities-Utilities-7,580.34; SourceGas, LLC-Gas Service-1,962.93; Staples-Charges-39.69; ALSCO-Supplies-46.80; ASCAP-License Fee-335.00; American Legal Publishing Corporation-Subscription-250.00; C. W. Golf Management, LLC-Management Fee-4,735.00; CenturyLink-Telephone-182.79; Circle R Auto Service-Towing-110.00; Dollar General Corporation-Supplies-15.00; Fastenal Company-Parts-5.86; Fireguard, Inc.-Supplies-423.01; Frenchman Valley Coop-Fuel-1,789.85; GreatAmerica Financial Services-Lease-124.12; Hanna:Keelan Associates, P.C.-Comprehensive Planning-9,000.00; Ideal Linen Supply, Inc.-Supplies-102.60; Kimball Auto Parts-Parts-10.29; Kimball Bakery-Supplies-54.00; Kimball Event Center-Rent-500.00; Kimball Handyman Project-Handyman Project-764.26; Kimball V.F.W. 2243-Flag-40.00; L.L. Johnson Distributing Co.-Parts-411.25; L.W. Cartage Co.-Lot Rent-100.00; Maria Lopez-Refund-450.00; LorRon Department Store-Foul Weather Gear-169.98; M.C. Schaff & Associates, Inc.-GIS Services-1,285.00; Matheson Tri-Gas Inc.-Test/Re-valve-242.86; Med-Tech Resource, Inc.-Supplies-37.69; Miller Office Supply-Office Supplies-75.92; Napa Auto Parts-Parts-366.72; Nebraska Environmental Products-Part-89.05; Nebraska Salt & Grain Co.-Ice Control-1,834.00; Jim O'Brien-Sewing Services-17.80; Page My Cell-One Year Service-600.00; Panhandle Coop-Fuel-778.82; Prairie Animal Hospital-Pound Fee-105.00; Presto-X-Contract-79.89; R & R Products, Inc-Parts-2,607.95; SourceGas, LLC-Gas Service-1,116.40; Southern Uniform & Equipment-Uniforms-118.83; State Treasurer-Commercial Dog/Cat Cash Fund-81.48; The Right Impression-Voting Plate-9.20; The United States Life Insurance Company-Long Term Disability-392.36; Viaero-Cell Phone Charges-133.10; Western Nebraska Observer-Meeting Notices-459.21;

Jeremy J. Williams-Expense Report-242.25; Windstream-Long Distance-11.85; Wolf Automotive Center, Inc.-Vehicle Maintenance-792.09.

City of Kimball-Economic Development Claims-February 3, 2015-Kimball County Treasurer-990/995 Split-1,000.00; The United States Life Insurance Co.-Long Term Disability-35.40; Western Nebraska Observer-Meeting Notices-6.63.