

Kimball City Council
Regular Meeting
April 19, 2016

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on April 19, 2016 in the City Council Chambers. Mayor Prunty and Council members Schnell, Shields, and Warner were present. Council member Morrison was absent. Also present were City Attorney Hadenfeldt, City Administrator Ortiz, Police Chief Huff, Electric Superintendent Hinton, 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 Maddison Merryfield, David Selves, and Sarinda Bateman lead the Pledge of Allegiance.

Prunty called the meeting to order at 6:01 p.m.

Shields moved and Warner seconded to excuse the absences of Council members Schnell and Morrison from the meeting. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Warner and Prunty. Nay: None. Absent: Schnell and Morrison. Motion carried.

Prunty acknowledged the posted Open Meetings Act poster.

At 6:03 p.m. Prunty opened a public hearing on a conditional use permit for a garage at 211 N. Elm Street. Ortiz indicated this is for a residential garage at 211 N. Elm Street which is adjacent to the residence at 205 N. Elm Street. The Planning Commission met on April 18, 2016 and recommended approval. Mr. and Mrs. Kennedy, owners of the property, indicated it is for their personal use.

There being no further comments, Prunty declared the public hearing closed at 6:05 p.m. Warner moved and Shields seconded to approve the conditional use permit for a garage at 211 N. Elm Street. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Warner and Prunty. Nay: None. Absent: Schnell and Morrison. Motion carried.

Prunty opened discussion on the ACE revenue return for FY 2015-2016. ACE is distributing \$3,925.14 to the City of Kimball as its share of more than \$200,000 being distributed to the 72 Nebraska member communities of the not-for-profit, community owned natural gas supplier. To date, ACE has given \$42,681.53 back to the City of Kimball and the Choice Gas selection period will run from April 15th to April 28th.

Ortiz indicated that in the past it has been mentioned that the swimming pool could use some more seating; therefore, Water Superintendent Sisk received a quote for lounge chairs, stacking chairs, tables and umbrellas for \$2,683.65. In addition, they are looking at a pool basketball set. Shields inquired about storage and Ortiz indicated they would like to put up a shed to store everything.

Ortiz said that last year the City Council pledged the ACE revenue return to the Cemetery and it is being used to construct a gazebo over the kiosk.

Warner said she likes the idea of using the money for the swimming pool. It is important to make sure the kids have something constructive to do.

There being no further discussion, Shields moved and Warner seconded to approve the ACE revenue return of \$3,925.14 be used for the items identified in the council packet for the swimming pool. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Warner and Prunty. Nay: None. Absent: Schnell and Morrison. Motion carried.

Prunty opened discussion on the Keno grant application for the Andy Shaw Memorial Softball Game. No one was present to speak about the application. Prunty commented that this is a milestone year for the tournament and they want to make it a 2-day tournament and therefore need extra money for food, advertising, equipment, and prizes.

There being no further discussion, Warner moved and Shields seconded to approve the Keno grant application for the Andy Shaw Memorial Softball Game for \$1,000.00. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Shields, Warner and Prunty. Nay: None. Absent: Schnell and Morrison. Motion carried.

Prunty opened discussion on the Keno grant application from Kimball Ranch Rodeo. Colby Lukassen indicated the request is what they normally request every year for the production and marketing costs of the 8th Annual Kimball Ranch Rodeo and Dance scheduled for June 11, 2016. This is a good event for the community and helps bring in travelers.

Shields inquired if they are getting their funds built up and Lukassen indicated they are getting closer to their goal where they won't have to request Keno funds. Warner inquired about fundraisers and Lukassen said their fundraiser is when they charge for admission and team entries. Discussion was held on the \$4,000 requested and Lukassen said they are grateful for any amount that can be given.

Schnell arrived at 6:13 p.m.

There being no further discussion, Shields moved and Warner seconded to approve the Keno grant application from Kimball Ranch Rodeo for \$3,000. On roll call vote, the

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

Prunty opened discussion on his appointment of Meg Strauch to the Tree Board. Danessa Terrill has moved out of City limits and can no longer serve on the Board and Meg Strauch volunteered to serve Terrill's remaining term.

There being no discussion, Schnell moved and Shields seconded to approve the Mayor's appointment of Meg Strauch to the Tree Board. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Prunty opened discussion on approving and accepting the grant award for the Senior Handyman Project. Wendy Baker, Director of the Kimball Handyman Project, explained the services the Handyman Project provides. This project is funded with a grant from the Aging Office of Western Nebraska to help coordinate services to citizens 60 years of age and older in the Kimball community. The project provides three basic chore areas: lawn mowing, snow removal and housekeeping. By approving the grant, it will ensure the project continues through the upcoming fiscal year. Baker asked the City Council to approve the grant award as well as the contract for FY 16-17.

The goal of the Handyman Project is to help individuals remain in their home as long as they can. This is not based on income and is on a sliding scale. There are currently 22 clients enrolled in the program and there are eight providers that help with the services. Shields inquired if the eight providers are enough to cover the scope of the work that needs to be done and Baker said currently it is enough. There are five people that work full time, two students and one person that works part time. The criterion for the individuals working for the project includes a background check through the Health and Human Services system as well as references.

There being no further discussion, Warner moved and Shields seconded to accept the contract and grant award from the Aging Office of Western Nebraska for the Kimball Senior Handyman Project. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Prunty opened discussion on dog kennel licenses. He suggested establishing a notification process when individuals apply for a kennel license. Ortiz said currently when someone wants a kennel license, no notification is given to the neighbors and there is no public hearing. Warner inquired if there were issues or complaints and Prunty indicated he has had complaints.

Ortiz said some of the issues could be alleviated by notifying residents of someone bringing in a kennel. He commented that it could be like what is done for the mobile home permits, which is, schedule a public hearing and notify neighbors that they have the option to voice their concerns. Discussion was held on how it would be determined who would get the kennel permit and Schnell commented that it could be by zoning. Further discussion was held on the fee.

Schnell made a motion to come back next month with the suggested changes. Warner inquired of Chief Huff if he had problems with people who had kennel licenses and Huff said there were issues, specifically with barking dogs. Ortiz said City Code currently authorizes up to 10 dogs over nine months of age on the kennel license premises. He proposed adding that if the City receives more than two or three complaints, the kennel license could be revoked. Shields inquired about written complaints and Huff commented on State Statute and disturbing the peace.

Further suggestions were made with regard to notification of kennel licenses. It was suggested that no public hearing be held, however, notification of neighbors should be made when the application is filed. Warner requested to see the suggested changes in writing before action is taken. Schnell withdrew his motion.

Warner moved and Schnell seconded to table the discussion and action on dog kennel licenses until more information is received. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Ortiz provided an analysis of job vacancies as requested at the last meeting. He commented on changing or lifting the freeze from the positions that have been unfilled. The Electric Department lineman position is a critical position.

The Power Plant is another area where there will need to be a plan of what to do. There are three authorized positions and two are frozen. The timeline to hire a lineman is always tricky because of the schooling required so that would be a longer process to fill than most of the other positions. Ortiz recommended opening the lineman position up now. Hinton commented that the classes usually graduate in May and there will be at least two to two and a half years of training.

The Water Department can currently manage with the three man crew; however, Ortiz does not want to eliminate the fourth position entirely just in case.

Prunty opened discussion on the recommendation from the Compensation Committee. Ortiz said the Compensation Committee met last week to discuss where the City is financially and what the staffing needs are. The committee initially thought it would be prudent to look at a compensation increase split at 3% for the lower tier employees and 2% going to the upper tier employees.

Ortiz strongly encouraged the City Council to not take action on this until further notice. He commented on the sales tax being down 20 to 25% from last year and if the City continues at this rate, they are looking at a difference of \$90,000 down from last year. Budgeted projections for sales tax revenues were \$625,000 and Ortiz doesn't see the figures rebounding and the budget may have to be modified. The sales tax revenue primarily affects the General Fund, Street Department, Library, Pool, Parks, Cemetery, Event Center and Economic Development.

With the City being where they are with the sales tax revenues and utilities, Ortiz again suggested not to take action on this item until next month. There being no further

discussion, Schnell moved and Shields seconded to table the action on the recommendation from the Compensation Committee. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Ortiz provided information on the Rural Economic Development Loan and Grant Program (REDLG). During a recent conference, information was received on a funding program through the USDA for electric utility projects. This funding program required a letter application to be eligible for funding and the City sent a letter on April 13, 2016. A response was received from the USDA on April 15, 2016 which indicated that the City of Kimball Electric Department would be eligible to become a borrower and apply for assistance under the Rural Utilities Service (RUS) Electric Program for projects that serve rural areas. Ortiz said that research will be done for opportunities for some of the electric projects that have been on the back burner.

Ortiz provided an update on PADD and WNED. PADD is trying to determine how to better market and utilize their revolving loan fund. PADD will also assist communities involved with WNED to obtain the Certified Leadership Program designation. PADD has a new Executive Director, Jeff Kelley. Kelley and Daniel Bennett, Regional Planner, are trying to raise the profile of PADD. Ortiz indicated there are some housing resources available.

Prunty opened discussion on the Keno grant application for Kimball Youth Football. Chris Rowley explained he took over the Kimball Youth Football organization a year ago. Their equipment is old and they are required to have concussion-proof helmets. They currently have \$2,600 in their bank account. There are about 40 – 45 kids in the program. The Carpenter Center Football League does not provide them funds so they need to raise their own money. The entry fee for Kimball Youth Football is \$70 per child and, in addition, every child will have to sell \$30 in raffle tickets.

Schnell inquired what the plan is for the helmets and Rowley said he is trying to put them in for the specialty players for now. He will be phasing the concussion-proof helmets in as much as possible. Warner inquired if the \$2,500 requested will cover the cost of the helmets and uniforms and Rowley indicated it will cover some of the costs. He will be asking some businesses for donations as well. Rowley commented on the teams and said that the third and fourth graders will probably have to “play up”. Schnell said he would like to see them use the Keno money on the helmets and uniforms with at least half or better going towards the helmets.

There being no further discussion, Schnell moved and Warner seconded to approve the Keno grant application for Kimball Youth Football for \$2,500. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Prunty indicated that the City has received the financial information from Keep Kimball Beautiful therefore the agenda item on issuing a 90-day Notice to Vacate will not be discussed. Spud Rowley, KKB Manager, inquired if the City Council has any further issues or concerns that have been brought to their attention. Schnell indicated the alley

situation is definitely back to what it should be. Rowley commented on commercial versus residential and on nuisances and appearances. He also commented on litter control and volunteers. Schnell said that the most complaints are received whenever there is wind blowing. Chief Huff indicated the Recycle Center area looks 100% better. Warner said she appreciates the hard work and KKB providing the financial information to the City.

Prunty opened discussion on the employment approval of Julie Schnell as Special Projects Coordinator. Ortiz indicated the City Council and Economic Development Committee held a joint meeting and discussed this position. Both entities agreed that this was a needed position. Three individuals were interviewed and Julie Schnell was the number one pick from the group because of her background and her ability to fit right in to get started on the immediate projects. Ortiz commented on the CDBG grants and downtown improvement grants. Ortiz said that Julie Schnell wished to do this on a part time basis and he feels that she would be able to get more done in the next month or two than if someone else were hired. Typically, hiring doesn't require City Council approval but since Julie is an immediate family member of a Council member, this does require approval. Hadenfeldt indicated that Council member Schnell will have to abstain from the approval and any action directly affecting Julie.

There being no further discussion, Warner moved and Shields seconded to approve the employment of Julie Schnell as the Special Projects Coordinator. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Prunty, Shields, and Warner. Nay: None. Abstaining: Schnell. Absent: Morrison. Motion carried.

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

1. Minutes from the March 15, 2016 regular city council meeting and April 5, 2016 joint meeting with the Economic Development Committee;
2. Claims;
3. Financial Statements; and
4. Ratify the Kimball Volunteer Fire Department members

Schnell moved and Shields seconded to approve the consent agenda items as presented and add Taylor Brown to the Kimball Volunteer Fire Department roster. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Ortiz reported on the potential golf course housing and indicated this includes looking at developing the Janicek Dam area into a recreation area. He commented on altering the topography of the area. A group of residents are pushing for a walking trail and they would really like to see a trail built. Ortiz reported the spring clean-up is underway and commented on individuals taking their own loads out to the Landfill. Ortiz reported Fire Chief Wynne will demolish the building the Fire Department purchased to the south as soon as the asbestos inspection is signed off.

Prunty reported on the PADD conference on Redevelopment Resources for Panhandle Communities and the set-up at the Main Street Market. There were a number of

properties marked on the map and the information was sent to PADD to compile a list. Prunty reported on the walking trail and a letter received from Howard and Peggy Akins.

The next City Council meeting will be held on May 17, 2016 at 6:00 p.m.

There being no further business to come before the Council, Shields moved and Warner seconded to adjourn at 7:05 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: None. Absent: Morrison. Motion carried.

Keith Prunty, Mayor

Rosemarie Russell, City Clerk

Kimball City Council Meeting-General Claims-April 19, 2016-Combined Utilities-Utilities-2,683.76; Ideal Linen Supply, Inc.-Supplies-55.98; Kimball Rural Fire District-Workman Comp Ins.-2,008.50; Mid-American Research Chemical-Freight-44.05; Panhandle Coop-Propane-139.70; Scottsbluff Screenprinting-Shirts-225.00; Janet Sears-Reimbursement-899.98; SourceGas, LLC/Black Hills Energy-Gas Service-946.97; Staples-Office Supplies-34.56; U.S. Treasury-Updating Retirement-480.00; Autumn Uglow-Contract Cleaning-75.00; Arrowhead Distributing Inc.-Liquor Purchase-216.00; C. W. Golf Management, LLC-Management Fees-4,735.00; Kimball Event Center-Rent-500.00; L.W. Cartage Co.-Lot Rent-100.00; GreatAmerica Financial Services-Lease-124.12; Nebraska Department of Revenue-License Renewal-100.00; A & L Sales and Service-Repairs-1,674.58; ALSCO-Supplies-46.80; Affordable Tree-Tree Removal-2,875.00; Amazon-Shipping-174.18; Baker & Taylor Books-Book Purchase-299.81; Sheryl Biesecker-Contract Cleaning-330.00; Zeb Brown-Tree Grant-750.00; C & M Air Cooled Engine, Inc.-Parts-339.72; Center Point Large Print-Book Purchase-86.28; CenturyLink-Telephone-523.15; CenturyLink-Telephone-94.64; CenturyLink-Telephone-80.79; Certified Laboratories-Supplies-349.24; Charter Communications-Internet-235.89; City of Kimball-Liquor License-261.20; Combined Utilities-Utilities-401.75; Combined Utilities-City Utilities-2,265.25; Connecting Point-Copy Usage-24.27; Connecting Point-Copy Usage-33.14; Danko Emergency Equipment-201.73; Dollar General Corporation-Supplies-66.80; Eagles-Appreciation Dinner-483.00; Hal Enevoldsen-Tree Replacement-489.99; Enviro Service Inc.-Water Samples-180.00; Frenchman Valley Coop-Fuel-591.93; Furniture Tech-Chairs-170.00; Gale/Cengage Learning-Book Purchase-46.48; Hanna:Keelan Associates, P.C.-Comprehensive Plan-9,000.00; High West Energy-Utilities-1,098.00; Hometown Hardware-Supplies-861.10; Ideal Linen Supply, Inc.-Supplies-273.23; Ingram Library Services-Book Purchase-7.29; Intralinks, Inc.-Computer Support-325.00; Jirdon Agri Chemicals, Inc.-Chemicals-1,494.80; Kimball Auto Parts-Parts-241.29; Kimball County Register of Deeds-Recording Fee-6.00; Kimball Handyman Project-Handyman Project-843.01; Kimball Health Services-Medical-88.20; Kimball Insurance-Work Comp/Liability Audit-2,285.03; Kimball Service Center-Vehicle Maintenance-961.60; L.L. Johnson Distributing Co.-Parts-135.58; Linda's Monograms & Beyond-Screen Printing-37.00; MicroMarketing, LLC-Book Purchase-704.38; Mobius Communications Company-Monitoring-147.29; Modern Marketing-Supplies-168.58; Napa Auto Parts-Parts-1,074.07; Nebraska U.C. Fund- Benefit Charges-1,480.19; Marvin & Susan Nelson-Tree Grant-575.00; Northern Safety Co., Inc.-Supplies-339.41; Northwest Pipe Fitting, Inc. of S.B.-Parts-93.93;

Panhandle Coop Association-Supplies-314.34; Powerplan-Parts-478.19; Prairie Animal Hospital-Boarding-174.75; Prestige MFG.-Repairs-42.50; Presto-X-Monthly Contract-83.87; Quill Corporation-Supplies-113.98; Rob Moorehouse-Tree Replacement-280.00; Safetyline Consultants, Inc.-Safety Training- 750.00; Sandberg Implement Inc.-Parts-989.91; Shopko Stores Operating Co.-Supplies-49.98; Simmons Olsen Law Firm, P.C.-Professional Services-1,800.50; Simmons Olsen Law Firm, P.C.-Professional Services-283.00; SourceGas, LLC/Black Hills Energy-Gas Service-327.44; Linda Stahla-Tree Removal Grant-750.00; Stotz Equipment-Parts-1,051.90; The Right Impression-Notary Stamp-10.75; Autumn Uglow-Contract Cleaning-37.50; Viaero-Cell Phone Usage-205.14; Viaero-Cell Phone Usage-88.48; Vince's Corner-Car Washing-96.81; Visa-Firstier Bank-Charges-983.08; Western Nebraska Observer-Meeting Notices-262.35; Windstream-Long Distance-6.18.

City of Kimball-Economic Development-Claims-April 19, 2016-Norberg Auto & Diesel Inc.-Main Street Improvement Grant-1,289.00; Chamber of Commerce-Monthly Grant-450.00; Kimball County Treasurer-Funds 990/995-1,000.00; PADD-Conference-30.00; CenturyLink-Telephone-61.54; Charter Communications-Internet-45.55; Dollar General Corporation-Supplies-21.80; Simmons Olsen Law Firm, P.C.-Professional Service-123.00; Simmons Olsen Law Firm, P.C.-Professional Services-925.00; Western Nebraska Observer-Meeting Notices-22.74.