

Kimball City Council  
Regular Meeting  
May 17, 2016

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on May 17, 2016 in the City Council Chambers. Mayor Prunty and Council members Warner, Schnell, Shields, and Morrison were present. Also present were City Attorney Hadenfeldt, City Administrator Ortiz, Police Chief Huff, Power Plant Superintendent Terrill, 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.

Prunty called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.

Prunty acknowledged the posted Open Meetings Act poster.

Ortiz presented a check to Adrian Foos, Chair of the Friends of the Goodhand Theater for the ACE door hanger campaign. Friends of the Goodhand Theater were gracious enough to go door to door and hang ACE information during the Choice Gas Program campaign and ACE provided a check to the Friends for \$325.00. Foos expressed the Friends' appreciation for the check and indicated they are gradually updating the theater. Another movie will be shown on Memorial Day weekend.

Prunty opened discussion on the City of Kimball and Terry and Hazeldeane Carpenter Intergenerational Center lease agreement for use of the Event Center Meadowlark Room. Ortiz explained the City was approached by the director of the Carpenter Center to conduct a tumbling program in Kimball. They would like to use the Event Center as a starting point for three days a week, Monday through Wednesday. They are not able to use their trampoline due to the ceiling height. Ortiz said over the past few years there have been a number of community forums where there have been requests for community activities in the Event Center. This will highlight the activities.

Ortiz said this is a long-term process and they hope to start on June 6<sup>th</sup>. They will have a separate key and will employ a part time person. Warner said it is nice to see some other things happen at the Event Center.

There being no further discussion, Shields moved and Warner seconded to approve the lease agreement between the City of Kimball and Terry and Hazeldeane Carpenter

Intergenerational Center for use of the Event Center Meadowlark Room. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Prunty opened discussion of remedy of unsafe building at 301 S. Webster. Ortiz indicated this is the property that was owned by Rick Soper that was deemed unsafe by the City Council last year. The building has since changed hands and the new owners have been working on the building and repairing the structural issues. John Heidemann has looked at the structure and is satisfied with what they have done. Ortiz recommended removing the unsafe building declaration. The litigation matter has been dismissed with the new owners acquired the building.

Shields moved and Morrison seconded to approve the following resolution.

### **RESOLUTION 2016-05**

WHEREAS, the premise located at Lots 9, 10 & 11, Block 1, Clarkson Addition to the City of Kimball, Kimball County, Nebraska; more commonly known as 301 S. Webster Street, Kimball, Nebraska, was determined unsafe; and

WHEREAS, the unsafe conditions of the aforementioned premise has been remedied.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Kimball that:

1. The premise at 301 S. Webster Street is no longer determined to be an unsafe building and nuisance and release the premise from the prior determination.

Dated this 17<sup>th</sup> day of May, 2016.

/s/Keith B. Prunty, 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, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Prunty opened discussion on the surplus property list. Ortiz indicated it has been two years since the last surplus property items were disposed of and there will also be a list for the Board of Public Works. Ortiz would like to place the items in an on-line auction and he is currently looking at a web based public surplus auction so reserves can be placed on some items and there will be some flexibility with deadlines.

Discussion was held on the prior surplus property procedures. Prunty suggested Ortiz speak with the County and discuss the possibility of conducting a joint auction.

There being no further discussion, Warner moved and Morrison seconded to declare the property on the list as surplus and City Administrator Ortiz auction as he sees fit. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Prunty opened discussion on amending Kimball City Code regarding fireworks. Ortiz indicated this is to update the existing code. Hadenfeldt commented that the main change is to change the word "common" to "consumer" and the other change is to allow fireworks allowed under State Statute.

There being no further discussion, Warner moved and Shields seconded to introduce Ordinance 735 and waive the requirement of reading on three different days. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Mayor Prunty read Ordinance 735 by title only.

#### ORDINANCE NO. 735

AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS, CHAPTER 92, SECTIONS 92.35 AND 92.36 OF THE MUNICIPAL CODE OF THE CITY OF KIMBALL, NEBRASKA, PROVIDING FOR THE REPEAL OF ORDINANCES AND SECTIONS IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Morrison moved and Warner seconded to pass and approve Ordinance 735. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Ortiz provided an update on the swimming pool season. It is anticipated to open the pool on June 6<sup>th</sup>. Sisk and his crew will begin to fill the pool and Pool Manager Carla Goranson has a good applicant pool of lifeguards. Discussion was held on the equipment purchased with the ACE funds and storing it.

Prunty opened discussion on the Keno grant application from Dead Eye Shooters. Jaren Winstrom and numerous other students were in attendance to ask for money to go to National BB Gun Competition and Air Rifle Competition in Rogers, AR. This event is held July 1 to 4, 2016. A team consisting of Julia Winstrom, Jaren Winstrom, Bailie Brower, Jared Barnes and Taylor Terrill placed 3<sup>rd</sup> at the Nebraska 4H State BB Gun Competition and earned the right to participate. There are also two alternates, Jessica Terrill and Chris Foster. Winstrom said the estimated cost is \$7,500 and DAISY supplies them \$1,000 to go to the event and help with the cost. The Dead Eye Shooters

will also hold a fund raiser to help with costs by selling raffle tickets and working at the Kimball Ranch Rodeo event. Coach Nicole Snyder said they have about 30 youth that participate in the BB gun and air rifle program each year. This trip is a big motivator for them.

Snyder said she and her husband have coached this program for about 10 to 11 years and Shields said they are doing a great job.

There being no further discussion, Warner moved and Shields seconded to approve the Keno grant application from Dead Eye Shooters for \$1,000. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Ortiz provided information on the Park and Recreation baseball field scoreboard. Terrill and Hinton inspected the scoreboard and equipment on May 9<sup>th</sup> and 10<sup>th</sup>. Typically the Electric Department inspects the lighting at the baseball field prior to June yearly. This year they also inspected the scoreboard. The equipment is not in the greatest shape. Discussion will have to take place with some vendors to see if any of the equipment is salvageable. There was no idea when the equipment was last used and Ortiz said that this discussion will also be on the Park and Recreation Operating Board agenda. This is also discussion that will need to be brought to the Park and Recreation Executive Board. Ortiz said that the Electric Department gets pretty busy around spring and working on the scoreboard takes them away from other items they should and could be working on.

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

1. Minutes from the April 19, 2016 regular city council meeting;
2. Claims; and
3. Financial Statements.

Morrison 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, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Ortiz reported on the upcoming Memorial Day holiday and the Cemetery and maintenance. There will be events at the Cemetery hosted by the VFW on Memorial Day. The City Departments will be closed on Memorial Day and the Landfill will also be closed the Saturday prior to Memorial Day.

Ortiz reported it is planned to hold a budget workshop on June 14<sup>th</sup>. This will cover just the general fund side and the utility funds budget workshop will be held in early July.

Ortiz reported Russell and Sisk will be attending the IIMC Conference in Omaha next week.

Ortiz reported that WNEB will be conducting a strategic planning session. PADD held a strategic planning session last month and they are working towards getting more information out of what PADD does. PADD is also going to be assisting WNEB members with some of the Certified Leadership Program items.

Ortiz, Hinton and Terrill will be attending the quarterly MEAN Board meeting in North Platte later this week. One of the things to be discussed is the future of wind farms. He did make it clear to the MEAN directors that the wind farm passes through Kimball's system to get to WAPA. Whatever they decide will most likely be a one and a half to three year process.

Ortiz reported there were 110 requests for pick up during the annual spring clean up. There will be some changes implemented next year including limiting what can be picked up and ensuring that property owners understand that the City crews will not be entering private property to remove the items.

Prunty requested the budget workshop on June 14<sup>th</sup> be held at 7:00 p.m. and Council members agreed with this.

The next City Council meeting will be on June 21, 2016 at 6:00 p.m.

Shields moved and Warner seconded to enter into Closed Session at 6:34 p.m. for the purpose of evaluation of job performance and discussion of personnel matters. The closed session to include Mayor, City Council members, and City Attorney. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, and Morrison. Nay: None. Absent: Schnell. Motion carried.

Mayor Prunty stated a motion was made to enter into Closed Session at 6:34 p.m. for the purpose of evaluation of job performance and discussion of personnel matters.

Schnell arrived at 6:42 p.m.

Morrison moved and Warner seconded to end Closed Session and the evaluation of job performance at 7:37 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Schnell, Shields, and Morrison. Nay: None. Absent: None. Motion carried.

There being no further business to come before the Council, Warner moved and Schnell seconded to adjourn at 7:37 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Schnell, Shields, and Morrison. Nay: None. Absent: None. Motion carried.

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Keith Prunty, Mayor

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Rosemarie Russell, City Clerk

City of Kimball-City Council Meeting-General Claims-May 17, 2016-ICMA-Membership Renewal-665.17; NLA/PLTS- Registration-60.00; Chris Rowley-Tree Grant-375.00; SourceGas, LLC/Black Hills Energy-Gas Service-963.71; Staples- Charges-60.84; Affordable Tree-Tree Replacement-200.00; Combined Utilities-Utilities-3,156.10; EMC National Life Company-Premium-233.76; The Thompson Company-Supplies-729.69; Autumn Uglow-Contract Cleaning-75.00; CenturyLink-Telephone-94.77; Danko Emergency Equipment-Equipment-1,844.78; Frenchman Valley Coop-Fuel-108.08; SourceGas, LLC/Black Hills Energy-Gas Service-375.41; Windstream-Long Distance-6.18; Affordable Tree-Tree Removal- 700.00; 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-256.43; Frenchman Valley Coop-Fuel-1,086.83; Midwest Restaurant Supply-Equipment-4,517.00; Frenchman Valley Coop-Fuel-930.84; Affordable Tree-Tree-1,450.00; Almquist Maltzahn Galloway & Luth-Audit-4,636.80; Amazon-Parts-81.96; Arnold Pool Company-Supplies-2,503.10; Baker & Taylor Books-Book Purchase-541.92; Sheryl Biesecker-Contract Cleaning-412.50; Bluffs Sanitary Supply, Inc.-Supplies-187.97; C & M Air Cooled Engine, Inc.-Parts-89.38; Center Point Large Print-Book Purchase-88.68; CenturyLink-Telephone-94.64; CenturyLink-Telephone-523.15; Charter Communications-Internet-287.59; Combined Utilities-Utilities-337.52; Combined Utilities-City Utilities-2,439.89; Connecting Point-Copy Usage-91.81; Demco-Supplies-402.14; Dollar General Corporation- Supplies-26.50; Enterprise-Car Rental-185.00; Enviro Service Inc.-Water Sample-18.00; Fastenal Company-Parts-15.38; Frederick Construction-Contract Labor-5,610.32; Michael Frederick-Book Purchase-24.00; Frenchman Valley Coop- Fuel- 1,926.90; Friends of the Goodhand Theater-Ace Hangers-75.00; Furniture Leisure-Supplies-1,341.82; Gale/Cengage Learning-Book Purchase-452.34; Lindsey Gillette-Tree Grant-89.99; Grey House Publishing-Book Purchase-433.25; Dorothy Griffith-Tree Grant-53.50; High West Energy-Utilities-1,596.00; Hometown Hardware-Supplies-862.80; IIMC-Membership Fee-155.00; Ideal Linen Supply, Inc.-Supplies-366.39; In The Swim-Supplies-869.93; Intralinks, Inc.- Computer Support-344.52; Kimball Auto Parts-Parts-112.35; Kimball County Register of Deeds-Filings-20.00; Kimball Handyman Project-Handyman Project-874.05; Kimball Insurance-Renewal-22,977.00; Kimball Service Center-Repairs- 326.02; L.L. Johnson Distributing Co.-Supplies-300.79; LorRon Department Store-Rugs-45.00; M.C. Schaff & Associates, Inc.-Services-150.00; MITINET Inc.-Renewal-329.00; Marketing Consultants-Supplies-112.00; Micro Marketing, LLC-Supplies-594.75; Napa Auto Parts-Parts-761.24; Off Broadway Business Products-Supplies-385.56; Pack Rat Enterprises-Disposal-100.00; Panhandle Clerk's Association-Membership Dues-40.00; Panhandle Coop-Propane-208.48; Panhandle Coop Association-Supplies-872.25; Prairie Animal Hospital-Boarding-131.25; Praise Windows Inc.-Window Cleaning-100.00; Presto-X-Monthly Contract-83.37; Quality Books Inc.-Book Purchase-9.95; STP Auto Service-Vehicle Maintenance-85.87; Safetyline Consultants, Inc.-Safety Training-750.00; Sandberg Implement Inc.-Parts-88.96; Simmons Olsen Law Firm, P.C.-Professional Services-37.50; Simmons Olsen Law Firm, P.C.-Professional Services-554.00; Simmons Olsen Law Firm, P.C.-Professional Services-1,519.50; Star-Herald Newspaper-Meeting Notice- 26.50; State Industrial Products-Supplies-254.19; Stotz Equipment-Parts-158.35; The Right Impression-Supplies-336.25; Russ Thompson-Contract Cleaning-130.00; Autumn Uglow-Contract Cleaning-150.00; Viaero-Cell Phone-205.14; Viaero- Cell Phone-44.20; Vince's Corner-Fuel-72.21; Visa-Firstier Bank-Charges-1,085.55; Voyager Fleet

Systems-Fuel-35.74; Westco-Chemicals-3,431.12; Western Nebraska Observer-Meeting Notices-384.91; Brian White-Tree Grant-758.18; Winter Equipment Company, Inc.-Equipment-1,741.68; Wolfe Sand & Gravel Co.-Sand-40.80.

City of Kimball-Economic Development Claims-May 17, 2016-Chamber of Commerce-Monthly Grant-450.00; Kimball County Treasurer-Fund 990/995-1,000.00; Almquist Maltzahn Galloway & Luth-Audit-1,987.20; Amazon-Supplies-111.98; CenturyLink-Telephone-61.55; Charter Communications-Internet-42.83; Intralinks, Inc.-Computer Support-68.75; Simmons Olsen Law Firm, P.C.-Professional Services-112.50; Western Nebraska Observer-Meeting Notices-66.88.