

Kimball City Council
Regular Meeting
June 20, 2017

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on June 20, 2017 in the City Council Chambers. Mayor Prunty and Council members Shields, Schnell, Warner and Baliman were present. Also present were City Attorney Hadenfeldt, City Administrator Dean, Police Chief Bremer, Wastewater Treatment Plant Supervisor Quicke, Special Projects Coordinator Sapp, 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. The Pledge of Allegiance was recited and the posted Open Meetings Act poster was acknowledged.

Ruth Knicely, 313 Locust Street, presented information on the proposed dog park at Janicek Dam. She presented some sketches and photos of what she would like to see for the dog park and indicated it would require the assistance of the City Council and the volunteers. Knicely also indicated that the parking lot should be shared with the dog park and the RC track.

Shields inquired of the time line and Knicely indicated she doesn't have one at the moment. Warner said she likes the idea of having a large dog area separate from a small dog area. She would like to see this move forward. Schnell commented on the budget and asked Knicely to get some numbers together of what needs to be shared with the City. Knicely said \$5,000 would start it and Warner said it is better to give a more realistic number because if it is not in the budget, it cannot be spent.

Schnell suggested Knicely talk to Union Pacific because they are very good about giving donations to Kimball.

Prunty opened discussion on Gotte Park basketball and tennis courts. Heather Entingh, 119 E. 9th Street, said the basketball and tennis courts in Gotte Park are in horrible shape and wondered where funding comes from for the parks. She asked for Council permission to look for grants to help with the parks. Prunty indicated the parks fall under the Street Department responsibility. Schnell commented that budget numbers come through the City Council. In the past the tennis courts were used as an ice skating rink. A new basketball court was installed in 2006. The playground equipment for Gotte Park and City Park have been purchased with ACE funds.

Entingh said she has never seen a new piece of playground equipment in the park. Warner said it comes down to the City Council and their budget decisions every year. The City Council keeps track of sales tax dollars and last year the taxes decreased considerably. Warner added that without community input, it is a matter of dollars and cents and community members' input is important.

Entingh inquired if it wasn't the duty of the Economic Development Department to get grants. Warner explained that the Economic Development Director position has not been filled. Community Development and Economic Development are different. With Economic Development, there are specific guidelines for the funds. Entingh indicated there are a lot of little towns that have great little parks. She believes they have someone writing grants and is dedicated to getting extra funding. Prunty said he would see no problem with Entingh getting grants and approaching the City.

Baliman commented on Peter Kiewett and Union Pacific grants. Baliman said Shoup does a great job but he doesn't have kids who frequent the parks. Baliman supports what Entingh is doing and will help her work on grants.

Dean expressed appreciation for the comments. The City has one person that spends about 40 percent of his time on the parks and he does a great job just getting the grass mowed. The idea of having a plan for the playground equipment works very well when putting a grant together. Dean said that frequently there needs to be local match funding for a grant. Dean agrees that the basketball and tennis courts are outdated. Dean said he would be glad to work with Entingh if she has some ideas and commented on a park development plan.

Prunty opened discussion on the application for corporation manager from Echo Kizzair for the City of Kimball dba Kimball Event Center. This is a change from Regan Hinton to Echo Kizzair.

There being no discussion, Baliman moved and Warner seconded to approve the application for corporation manager from Echo Kizzair for the City of Kimball dba Kimball Event Center. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the quote for replacement of electrical panels at the Wastewater Treatment Plant. Dean indicated that lightning struck the Wastewater Treatment Plant on May 26, 2017. The control panel and one of the VFD controller panels were destroyed. The City has been able to avoid discharging any waste material by letting it flow into the lagoon. However, it is critical to have repairs made as soon as possible so that the waste does not have to be discharged. Wastewater Superintendent Quicke has received a quote from Municipal Automation and Control, who has been the City's supplier of wastewater control systems for a number of years. Quicke has also sought a quote from Robinson's Electric but they have not been able to provide a quote as of yet.

Dean indicated that it has been the goal to update the equipment for some time. He recommended City Council approve the proposal from Municipal Automation and Control to install a new panel interior relays, timers, bases and wiring for \$32,085 and replace the pump and valve controllers for the VFD for \$10,507. The Board of Public Works has recommended City Council move forward with this. It is critical that this be replaced as soon as possible. Discussion was held on insurance and Dean indicated the City really doesn't have a choice but to go ahead and make the necessary repairs. Jim Cederburg, Board of Public Works Chair, said this project is one that has been discussed for a number of years. A few years ago when a parcel of land adjacent to the Wastewater Treatment Plant was sold, the \$20,000 was set aside for future use.

There being no further discussion, Warner moved and Baliman seconded to approve the quote from Municipal Automation and Control for new panel interior relays, timers, bases, and wiring for \$32,085 and replace the pump and valve controllers for the Variable Frequency Drives (VFD) for \$10,507. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the amendments to the Employee Handbook. Dean indicated the changes were made to the performance evaluations, worker's compensation, use of City property, equipment and vehicles, and the drug and alcohol use sections and are mostly for clarification.

After some discussion, Baliman moved and Shields seconded to approve the amendments to the Employee Handbook. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on his appointment of Josh Enevoldsen to the Planning Commission. Prunty indicated that with new legislation Enevoldsen cannot serve on the Economic Development Committee and the Planning Commission and since he will be moving out of the City limits, Enevoldsen has elected to resign from the Economic Development Committee.

There being no further discussion, Schnell moved and Baliman seconded to approve the Mayor's appointment of Josh Enevoldsen to the Planning Commission. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the bid for Block 1, Lot 1, Frederick Addition. Dean said the City received one bid for \$20.00 from Eatmon Well Service for the purchase of the property.

There being no further discussion, Baliman moved and Schnell seconded to accept the bid for \$20.00 from Eatmon Well Service for the purchase of property at Block 1, Lot 1, Frederick Addition. On roll call vote, the following votes were recorded on the electronic

voting board. Aye: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried

Baliman moved and Warner seconded to introduce Ordinance 747 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: Schnell, Shields, Warner and Baliman. Nay: None. Absent: None. Motion carried.

Mayor Prunty read Ordinance 747 by title only.

ORDINANCE NO. 747

AN ORDINANCE AUTHORIZING THE SALE OF REAL ESTATE OWNED BY THE CITY OF KIMBALL, NEBRASKA, DESCRIBED AS LOT 1, BLOCK 1, FREDERICK ADDITION TO THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA.

Schnell moved and Baliman seconded to pass and approve Ordinance 747. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the Main Street Design and Improvement Grant application for IOS-LB Foster. Sapp explained that LB Foster is installing signage and an awning for the shipping/receiving department. The total request was in the amount of \$5,700.50 and the Main Street Design and Improvement Committee recommended approval of 50% in the amount of \$2,850.25.

There being no further discussion, Schnell moved and Warner seconded to approve the Main Street Design and Improvement Grant for IOS-LB Foster for \$2,850.25. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on renaming the Main Street Design and Improvement Grant to Business Façade Improvement Grant. Sapp said that there are a few reasons for renaming the grant: one is for the Leadership Certified status; and another is that the current name takes away from the businesses that believe that the grant is only for Main Street businesses. The grant is for any business within the corporate limits of the City. If the City moves forward with the Downtown Main Street Project, it is important to keep those separate.

After further discussion, Warner moved and Baliman seconded to rename the Main Street Design and Improvement Grant to the Business Façade Improvement Grant. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner and Baliman. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on creating a Business Infrastructure Improvement Loan Program for the City of Kimball. Sapp said that 80 percent or more of the economic

growth in a community is based on incentives. Based on some of the Business Retention and Expansion visits and discussion with local realtors, a big issue that has been brought up is infrastructure. The new business incentive would be used for code related issues or building improvements. Eligible items would be ADA bathrooms, updated plumbing, updated heating, new heating and air conditioning units and any activities deemed essential to own or operate a business.

Sapp indicated she originally thought of this as a grant, however, some Economic Development Committee members discussed it as a forgivable loan. The process would be that it would be a loan and for the first 2 ½ years the business would pay the loan and the next 2 ½ years, the loan would be forgiven. Warner inquired why it wouldn't be a grant to improve the infrastructure. Prunty said it is a forgivable loan and an upfront payment would be made. Warner said if the City is granting money for signs, why would they not grant money for infrastructure. Businesses would have to provide their quotes and estimates and wondered why make them go through a loan process and charge them interest. Warner commented on figuring a way that the City can make the payment for the business and if it is less than \$5,000 and it is done instead of keeping track of all the payments. In addition, to make sure the business is meeting all of their goals. The more hoops a business has to jump through, the less likely they are to use the funds.

Hadenfeldt commented that the Business Infrastructure Improvement Program is based upon a loan and on FTE's and getting part of the loan forgiven.

After some discussion Sapp indicated it could be mirrored after the Business Façade Improvement Grant. Schnell believes it is more of someone coming into the community and buying a building. Warner said to figure out a way to spend the money to help people move into the buildings. Hadenfeldt said that the City Council cannot grant funds through the Economic Development loan and discussion was held on oversight.

Further discussion was held and Baliman indicated there should be some clarification on the timely payments. It was indicated that the business will have to have a quote up front and turn in receipts. Cederburg commented on a closed line of credit and also suggested reconsidering the \$5,000 amount. Baliman suggested \$15,000. Warner asked Cederburg if he felt the application would hinder some of the business owners from participating in the program. Cederburg indicated that for a good business rate of 2%, businesses would jump at it. Hadenfeldt said the City doesn't want to take the business away from the bank; the City is here to supplement. Baliman suggested adding a stipulation that the business can apply for another loan when their note is paid.

Jamie Carpenter, Kimball, indicated that some businesses have had difficulty getting loans from banks.

Sapp will revise the plan and bring it back to the City Council at the next meeting.

Prunty opened discussion on acquisition of the Longhorn building. Dean indicated the City had a number of issues with hazardous buildings and the Longhorn building is way

beyond redemption. The owner recently passed away and the building is in a trust as of now. Prunty and Dean spoke with the trustees and they have no interest in the building. Dean said the Longhorn building presents some problems to the downtown area. It has been determined that there is asbestos in the building and it is a hazard and a danger. The City can proceed with the legal action to require the owners to abate the danger and go through the process; or the City can accept the building and cut out the legal fees; or the City can do nothing.

Dean indicated if the City acquires the building, there does need to be a public hearing held. The City would not pay for the building but would assume liability, which would include remediation and demolition. Schnell indicated there needs to be a dollar amount provided before the public meeting. Schnell said he wouldn't take any action on the Longhorn building until the issue with Mike Schadegg is wrapped up. Shields commented on the City cleaning up the property because the owners have not taken responsibility for it. He inquired what protection the City has to provide to the individuals on the other sides of the building if the City demolishes the building. Schnell indicated that the City should be able to get a rough estimate of the cost of demolition.

Prunty opened discussion on the clarifications to the Remote Control Car Track. Dean indicated that from the May City Council meeting staff was under the impression that Z & S Construction wanted to construct and operate the track. Dave Haack, President of Z & S Construction, provided a letter/agreement indicating Z & S Construction did not want to operate the facility or be responsible for operating the facility, but wanted to donate it to the City for community use under the terms that they would maintain and repair the track as needed at no cost to the City. If, for some reason the site was no longer needed, they would also remove the facility.

There being no further discussion, Baliman moved and Warner seconded to approve the agreement/letter from Z & S Construction, Inc. regarding the Remote Control Car Track. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, Warner and Baliman. Nay: None. Absent: None. Motion carried.

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

1. Minutes from the May 16, 2017 regular city council meeting;
2. Claims;
3. Financial Statements;
4. Authorize Mayor to sign Stipulation for Entry of Judgment and Covenant Not to Execute between City of Kimball and High Point Manufacturing, LLC;
5. Authorize Mayor to sign a Mutual Release Settlement Agreement between Stacie L. Schadegg and the City of Kimball.

After some discussion, Baliman 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: Schnell, Shields, Warner, and Baliman. Nay: None. Absent: None. Motion carried.

Dean reported he met with the Janicek Dam safety engineer to discuss the proposed walking trail. The engineer will be sending drawings with regard to developing the trail. Dean reported the Landfill bailer repairs are underway. Dean reported the Board of Public Works has had discussion on the wheeling fees from Sandhills Energy. Mike Mansour, EEC, has sent Sandhills Energy a draft interconnection agreement and Sandhills Energy will have to work with WAPA.

Dean reported he and the department supervisors are working on the budget and commented on the budget timeline included in the Council packets. He indicated the budget retreat will not be held as there are conflicting schedules.

Dean reported he met with Mobilitie, a company that is looking for sites for communication towers. They had indicated they wanted to construct a tower within the Highway 71 right of way and he informed them that would not work for the City. Dean indicated he is looking for other options for them but the burden is not on the City to find it for them.

Dean reported the Heartland Expressway has been through the process of installing some signs identifying the Heartland Expressway.

Prunty reported he is setting up a meeting with Kimball Recycling Center. Prunty reported he is working with Bremer and Rutt on nuisances.

The next City Council meeting will be held on July 18, 2017 at 6:00 p.m.

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

Keith B. Prunty, Mayor

Rosemarie D. Russell, City Clerk

City of Kimball-City Council Meeting-General Claims-June 20, 2017-High Plains Budweiser-Liquor Purchase-204.50; Arrowhead Distributing Inc.-Liquor Purchase-165.20; West Gate Bank-TIF Project-17,006.33; Affordable Tree-Tree Removal-450.00; Paul Anderson-Tree Grant-171.71; Black Hills Energy, LLC-Gas Service-668.10; Connecting Point-Office Supplies-66.98; Dietrich Distributing-Liquor Purchase-285.10; Frenchman Valley Coop-Fuel-1,126.47; High Plains Budweiser-Liquor Purchase-140.00; Regan Hinton-Reimbursement-40.00; Keep Kimball Beautiful-Downtown Planters -194.96; Kimball Insurance-Premium-21,097.00; Kimball Tree Service-Tree Removal-1,300.00; Panhandle Coop Association-Flowers-128.11; The Right Impression-Sign-15.00; Wolf Automotive Center, Inc.-Repairs-1,264.22; Sandberg Implement Inc.-Parts-30.47; Staples-Charges-136.21; Zachary L. Rockhold-O'Brien-

Payroll-526.41; Black Hills Energy, LLC-Gas Service-181.01; Brown Transfer Co.-Liquor Freight-80.00; EMC National Life Company-184.89; Frenchman Valley Coop-Fuel-47.86; Fun Pianos-176 Keys-Deposit-1,495.00; Panhandle Coop-Fuel-148.68; Points West Ins.-Premium-2,790.00; Republic National Distributing Co.-Liquor Purchase-153.97; STP Auto Service-Vehicle Maintenance-959.11; Southern Glacier's of NE-Liquor Purchase-104.22; Russ Thompson-Contract Cleaning-120.00; Viaero-Cell Phone-0.57; Western Nebraska Observer-Meeting Notice-130.95; Windstream-Long Distance-6.08; C. W. Golf Management, LLC-Management Fees-4,735.00; Great America Financial Services-Lease-116.00; Kimball Event Center-Rent-500.00; Kimball Swimming Pool-Startup Cash-280.00; Kimball Baseball Board-Baseball Program-1,854.19; Visa-Firstier Bank-Charges-871.28; Voyager Fleet Systems-Fuel-24.78; A & L Sales and Service-Contract, Repairs-812.18; Action Communications-Data Backup-99.96; Affordable Tree-Grant-Tree Removal-2,512.50; Amazon-Charges-79.05; Arnold Pool Company-Supplies-722.65; Baker & Taylor Books-Book Purchase-479.49; Black Hills Energy, LLC-Gas Service-506.01; Bluffs Sanitary Supply, Inc.-Supplies-449.13; Brown Pump and Septic-Trenching-200.00; Center Point Large Print-Book Purchase-136.97; CenturyLink-Telephone-536.36; CenturyLink-Telephone-100.98; CenturyLink-Telephone-72.89; Charter Communications-Internet-298.12; City of Kimball-Children's Museum-38.00; Combined Utilities-Utilities-399.52; Combined Utilities-City Utilities-2,310.27; Connecting Point-Copy Usage-45.93; Creative Product Source, Inc.-Supplies-250.00; DP Electronic LLC/Radio Shack-Security-21.49; Demco-Supplies-103.31; Doheny's Commercial-Supplies-173.72; Dollar General Corporation-Supplies-74.71; Enviro Service Inc.-Water Sample- 18.00; Frenchman Valley Coop-Fuel-2,563.70; Gale/Cengage Learning-Book Purchase-7.49; Galls, LLC-Supplies-166.86; Carla Goranson-Reimbursement-324.00; Christina Grubbs-Refund-150.00; High West Energy-Utilities-4,573.00; Hometown Hardware-Supplies-691.17; Ideal Linen Supply, Inc.-Supplies-190.95; Intralinks, Inc.-Computer Support-46.89; Tom Janicek-Tree Grant-710.80; Kimball County Clerk-Dispatchers Fee-23,250.00; Kimball Auto Parts- 110.97; Kimball County Register of Deeds-Recordings-10.00; Kimball Handyman Project-Handyman Project-1,850.58; Kimball Health Services-Screening-157.50; Kimball Insurance-Premium-999.00; Kimball Plumbing-Services-93.99; Kimball Public Schools-Book-45.00; Kimball Service Center-Tire Repair-18.00; Kimball Tree Service-Tree Removal-1,300.00; Kriz-Davis Company-Supplies-254.80; L.L. Johnson Distributing Co.-Parts-124.06; Longhorn Booster Club-Advertising- 100.00; Dawn Maier-Training-260.00; Joseph Medill-Tree Grant-13.29; MicroMarketing, LLC-Book Purchase-344.51; NE DOL/Boiler Inspection Program-Certificate-72.00; Napa Auto Parts-Parts-533.52; Nebraska Environmental Products-Parts-174.02; Nebraska Library Association-Renewal-100.00; Off Broadway Business Products-Supplies-61.29; Panhandle Coop Association-Supplies-148.48; Penguin Random House LLC-Book Purchase-320.25; Prairie Animal Hospital-Pound Fees- 183.75; Prestige MFG.-Flat Metal-3.58; Presto-X - Monthly Contract-176.12; R & R Products, Inc-Supplies-295.86; Shopko Stores Operating Co.-Supplies-176.77; Jim Shoup-Reimbursement-70.95; Simmons Olsen Law Firm, P.C.-Professional Services-1,869.50; Star-Herald Newspaper-Subscription-166.40; Stotz Equipment-Parts-127.43; The Right Impression-Vehicle Lettering-305.00; The Smoke-Eater Publications-Subscriptions-248.00; Autumn Uglov-Contract Cleaning-150.00; Viaero-Cell Phone Usage-232.56; Vince's Corner-Concessions-591.97; WPCI-Screening-28.50; Windstream-Long Distance-6.15; Wolf Automotive Center, Inc.-Repairs-712.58.

City of Kimball-Economic Development Claims-June 20, 2017-EMC National Life Company-Premium-15.36; Chamber of Commerce-Monthly Grant-450.00; Kimball County Treasurer-990/995-1,000.00; Visa-Firstier Bank-381.00; CenturyLink-63.12; Charter Communications-Internet-42.34; City of Kimball-Miscellaneous-36.00; Connecting Point-Copy Usage-43.92; Dollar General-Supplies-11.72; Ferguson Title Services, LLC-Title Search-150.00; Intralinks, Inc.-Computer Support-23.43; PADD-Training-24.59; Panhandle Coop Association-Supplies-78.86; Panhandle Partnership-Registration-25.00; Plaza Antique Mall L.L.C.-Loan-22,500.00; Simmons Olsen Law Firm, P.C.-Professional Services-648.00; Simmons Olsen Law Firm, P.C.-Professional Services-621.00; VFW Post 2243-Main Street Grant-918.54; Western Nebraska Observer-Meeting Notice-3.00.