

Kimball City Council
Regular Meeting
July 18, 2017

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on July 18, 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, Street Superintendent Shoup, 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.

At 6:01 p.m. Prunty opened a public hearing to consider an application for rezoning Maginnis Addition Tract 149' x 92' in Block 11, an addition to the City of Kimball, Kimball County, Nebraska, also known as 414 W. 2nd Street, from Heavy Commercial District (C-5) to Single Family Residential District (R-1).

The request is for rezoning of the location that was formerly operated as a daycare. It is adjacent to the Single Family Residential District (R-1) so it is not spot zoning and daycare facilities are allowed by conditional use. Lindsay Lynch, Pine Bluffs, Wyoming, will be the director of the daycare, Alphabet Academy. They have been working very hard to get this in place and make things happen. Lynch said they understand the great need for a daycare facility in Kimball. She has had nothing but positive feedback. Alphabet Academy currently has three centers and just opened another one in Cheyenne. Lynch said they are very successful in all of the centers and most of their staff members have attained their CDA. The owner of the Alphabet Academy has a Master's Degree in early childhood education.

The building will be secure and there will be security cameras in place and a key pad on the door. Lynch said they are very excited for this opportunity and to be a part of the Kimball community. There will be capacity for 52 children. Lynch has already begun enrollment and commented that they will be able to hire employees from within Kimball.

Lynch will be the director of the Kimball daycare and possibly Pine Bluffs as well. However, she will most likely just focus on Kimball. They are hoping to have at least six full time employees. The facility will have a commercial kitchen and they will do all the food preparation and service. Pre-school and education is their number one focus and

Lynch has experience teaching pre-school. Baliman welcomed Lynch to the community and inquired if kids can just attend the pre-school and Lynch said they can. Schnell inquired about after-school programs and Lynch said they are working on that. They do offer before school and after school daycare and commented on the operating hours of 5:00 a.m. to 6:00 p.m.

There being no further comments, Prunty declared the public hearing closed at 6:08 p.m.

Baliman moved and Warner seconded to introduce Ordinance 748 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 748 by title only.

ORDINANCE NO. 748

AN ORDINANCE AMENDING THE ZONING OF CERTAIN PARCELS FROM HEAVY COMMERCIAL DISTRICT (C-5) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND PUBLICATION IN PAMPHLET FORM.

Baliman moved and Warner seconded to pass and approve Ordinance 748. 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.

At 6:10 p.m. Prunty opened a public hearing to consider an application for conditional use for a daycare located at 414 W. 2nd Street. Warner said this is a great use. There being no further comments, Prunty declared the public hearing closed at 6:11 p.m.

Schnell moved and Warner seconded to approve the conditional use permit for a daycare located at 414 W. 2nd Street. 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 authorizing the Airport Authority property tax request, Airport Authority Resolution 2017-03. Dean indicated the property tax request is the same as last year; \$25,355.26 of property tax to be used towards the payment of interest and principal on outstanding bonded indebtedness that is outside of the current lid laws and \$20,000 of property tax to be used towards the operations and capital projects, for a total request of \$45,355.26. Matthew Shoup, Airport Authority Boardmember indicated the capital projects include new taxiway lighting and a new beacon.

There being no further discussion, Baliman moved and Schnell seconded to authorize

the Airport Authority property tax request of \$45,355.26 for the 2017/2018 budget. 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 chip seal project bids. Jim Shoup, Street Superintendent, indicated one bid was received from Topkote for \$73,013.75. The engineer's estimate was \$74,675.00 and the budget for the project was \$75,000.00. Shoup said the project will encompass 14 blocks, or 23,000 square feet.

There being no further discussion, Baliman moved and Schnell seconded to accept the seal coat bid from Topkote, Inc. for \$73,013.75. 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.

Schnell moved and Warner seconded to approve the Mayor's appointment of Stephanie Risk-McElroy to the Economic Development Loan/Citizen's Advisory Committee to fill Josh Enevoldsen's unexpired term. 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 extending the economic development grant to the Visitor's Center. Sapp explained the Economic Development Committee met and has recommended to continue to grant the Visitor's Center \$1,000 per month for five years from October 1, 2017 subject to the County Commissioners matching the commitment. Schnell commented that he has been told it should be a boom for tourism this year. The Tourism Director was very thankful for the compensation for the utilities. Warner asked Sapp how she felt the Visitor's Committee is doing and Sapp said they could be doing more and that it would be nice to have some sort of a tracking mechanism. She commented on the requirements for hotel accommodations for the bus tours and that there could be more tourism events.

There being no further discussion, Warner moved and Schnell seconded to continue to grant the Visitor's Center \$1,000.00 per month for five years from October 1, 2017 and let the Visitor's Committee know that they need to step up. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: Baliman. Absent: None. Motion carried.

Prunty opened discussion on the Business Façade Improvement Grant for the Goodhand Theater. Sapp indicated that recently the grant was changed to allow exterior doors as an eligible activity. The Business Façade Improvement Grant Committee recommended a grant of half of \$1,235.22 or \$616.17.

There being no further discussion, Baliman moved and Warner seconded to approve the Business Façade Improvement Grant for the Goodhand Theater for \$616.17. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Schnell, Shields, and Warner. Nay: Baliman. Absent: None. Motion carried.

Dean commented that since he has been in Kimball, there has been discussion about taking bids for City insurance and one of the prospective bidders is LARM. Dean felt it would be good to establish the relationship between the City Council and LARM. Nate Fox presented general information about the League Association of Risk Management (LARM).

LARM is a self-governing public insurance pool which began in 1995 with 13 participating municipalities. LARM provides coverage and risk management services to Nebraska cities, villages and other governmental agencies and currently has a total membership of 153. LARM is administered by the League of Nebraska Municipalities.

Fox indicated that about ten to twelve years ago, LARM brought the administration back to Lincoln. The LARM Board is made up of appointed and elected officials from LARM communities. Fox owns Fox Insurance and is an independent insurance agent and contracts with LARM. Approximately five or six years ago, the LARM Board decided to work with agents like him to promote and grow the pool. LARM has a retention rate of well over 95% and it has been a very stable pool.

Coverage at the city level includes workers compensation, property (building/contents and inland marine), boiler and machinery, general liability, public officials' liability, employee benefits liability, law enforcement liability, automobile liability and crime coverage.

There is an interlocal agreement with LARM that sets forth the guidelines and all LARM policies operate on a fiscal year basis, October 1st through September 30th. Kimball would be prorated the first year from the renewal date of January 1st to October 1st. There is a requirement to give a 90 day notice if the entity is going to go out for bids or if they were going to leave the pool. As a risk pool, LARM is not covered by Nebraska Guaranteed Fund. So if LARM were to ever go bankrupt, there could be an assessment on the members to cover the shortfall. However, currently LARM's financial surplus is strong enough they can give dividends. Also, they did not have a rate increase this fiscal year.

Fox said he feels the big difference between LARM and other insurance companies is the service they provide. LARM conducts field inspections and consultative surveys that may result in risk control recommendations; they assist in developing safety programs; they conduct building appraisals on all buildings over \$50,000. LARM assists with nuisance property abatement by writing up legal opinions to help provide some guidance to communities. The other big difference with LARM is typically they provide a cost savings to the city. They are a public entity so they have no profit incentive. Also, as a public entity, there are tax advantages they can take advantage of.

Baliman inquired if they work with local agents and Fox said they have on occasion. Dean inquired if there is a penalty for leaving the pool early and Fox indicated there is no penalty, just a restriction on the timing. With LARM, members can only leave on their renewal date and they have to give at least 90 days' notice. Dean inquired if there is any on-going liability if the City would decide not to continue after a year and would

the City be subject to an assessment. Fox said no; however, as a member of LARM the potential of assessability does exist. Fox commented on the reserves and surplus and indicated that LARM is very solid from a financial standpoint.

Dean gave a presentation on the underpass project. He recently met with individuals from HDR, Inc. to receive an update on the underpass project. Discussion during his meeting was on the final concept, benches and signage. Benches are not included in the grant. Warner and Baliman commented on the benches being an extra expense and Dean said they could be added later. Dean also commented that the sign is not included in the grant portion of the project. Shields stressed that whatever plantings are done need to be resistant to heavy truck traffic.

Russell presented information on the Mobile Children's Museum held in the Kimball Event Center parking lot on June 1st and 2nd. The Event Center was open both days for bathroom accessibility and concessions. There were a number of employees who assisted in the set up on May 31st. The museum and outdoor "chore challenges" were open from 10:00 a.m. to 5:00 p.m. on June 1st and there were a total of 25 volunteers. The museum and outdoor "chore challenges" were open from 10:00 a.m. to 2:00 p.m. on June 2nd and there were a total of 13 volunteers. High West Energy set up an electricity demonstration on June 1st and the City's Electric Department set up a demonstration on June 2nd.

The final number of individuals who visited the museum itself was 607 and Russell indicated this was due, in part, to the busload of kids each day from the Cool Kids Club in Sidney.

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

1. Minutes from the June 20, 2017 regular city council meeting and July 11, 2017 special city council meeting;
2. Claims; and
3. Financial Statements.

After discussion, Baliman moved and Schnell 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 there have been a number of inquiries regarding dead trees and tree removal. The City has sent out letters for a number of years. In 2015, 114 letters were sent out, 32 trees were removed and of the 32, five used the tree grant and an additional 19 individuals utilized the tree grant. In 2016, 109 letters were sent out, 54 trees were removed and of the 54, 11 used the tree grant and an additional 32 individuals utilized the tree grant. In 2017 to date, 83 letters have been sent out, 24 have been removed and of the 24, 10 used the tree grant and an additional 31 individuals utilized the tree grant. Dean indicated the City is making progress but

individuals who have received letters and have done nothing still need to be addressed. The City is not selective on who the letters are sent to.

Dean distributed a revised budget timeline. Dean distributed a letter from Library Director Sears regarding the Library budget. He also distributed and gave a synopsis of the draft budget and indicated it is still a work in progress. His budget approach is there is an ending fund balance that will have a beginning fund balance in the future. Dean has tried to keep the budget pretty much the same for the coming year in terms of what the City is doing.

Dean reported he is working with Kimball Recycle Center (KRC) on a revised agreement and plans to bring it to the City Council in August. KRC has also supplied the requested financial information.

Dean reported he will meet with the owners of the Longhorn building later in the week as well as the contractor to review demolition and remuneration.

Dean reported on the trail project. He met with Mr. Atkins and is working with the State inspector.

Dean has been asked to serve on the small cities legislative committee through the League and he wanted to make sure Council members had no issue with that.

Dean reported two cameras have been installed at the pool and park and two more will be installed soon. The City received an anonymous donation of \$500 to use towards the purchase of the cameras.

Dean reported he will attend the ICMA Conference in October.

Prunty reported he is dealing with abatements and working with Dean.

There will be a Budget Workshop on August 8, 2017 at 5:00 p.m., a Park and Recreation Executive Board meeting on August 15, 2017 at 5:00 p.m., and a joint meeting with the Kimball County Commissioners, on August 15, 2017 at 5:30 p.m. The next City Council meeting will be held August 15, 2017 at 6:00 p.m.

There being no further business to come before the Council, Warner moved and Baliman seconded to adjourn at 7:27 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-July 18, 2017-Arrowhead Distributing Inc.-Liquor Purchase-59.40; Black Hills Energy, LLC-Gas Service-214.49;

Chamber of Commerce-Dues-100.00; Dollar General Corporation-Supplies- 46.35; EMC National Life Company-Premium-182.42; Holiday Inn-Lodging-343.80; Ideal Linen Supply, Inc.-Supplies-100.96; League of NE Municipalities-Conference-932.00; Nebraska Safety & Fire Equipment, Inc.-Supplies-250.00; Panhandle Clerk's Association-Annual Dues-40.00; Staples-Charges-182.05; Autumn Uglow- Contract Cleaning-75.00; Vince's Corner-Concessions-123.50; High Plains Budweiser-Liquor Purchase-105.25; High Plains Budweiser-Supplies-19.80; Judy Anderson-Tree Grant-460.00; Gilbert Carmichael-Tree Grant-18.09; Combined Utilities-Utilities-1,309.28; Ideal Linen Supply, Inc.-Supplies-58.86; The Right Impression-Sign-15.00; Darcee Wheeland-Tree Grant-84.50; C. W. Golf Management, LLC-Management Fees-4,735.00; Kimball Event Center-Rent- 500.00; GreatAmerica Financial Services-Lease-172.84; A & L Sales and Service-Repairs-201.74; Affordable Tree- Tree Removal-212.50; Amazon-Charges-599.92; Arnold Pool Company-Filters-192.90; Baker & Taylor Books-Book Purchase- 231.04; Barco Municipal Products, Inc.-Signs-191.82; Black Hills Energy, LLC-Gas Service-2,483.37; Bluffs Sanitary Supply, Inc.-Supplies-148.83; C & M Air Cooled Engine, Inc.-Parts-70.27; CenturyLink-Telephone-537.60; CenturyLink-Telephone-101.02;CenturyLink-Telephone-86.88; Charter Communications -Internet-298.12; Check's Ice Co., LLC-Ice- 58.00; Combined Utilities-Utilities-321.77;Combined Utilities - City Utilities - 5038.18; Connecting Point - Copy Usage - 35.76; Contractors Materials, Inc-Supplies-160.00; Croell Redi-Mix, Inc.-Concrete Blocks-1,040.75; DP Electronic LLC/Radio Shack-Security-21.49; Dollar General Corporation-Supplies-15.00; Farm Plan-Blades-113.68; FireGuard, Inc.-Gas Detector-1,509.93; Frenchman Valley Coop-Fuel-3,277.63; High West Energy-Utilities-7,827.00; Hometown Hardware-Supplies-1,820.90; Ideal Linen Supply, Inc.-Mats-91.36; Kimball Auto Parts-Parts-221.52; Kimball Handyman Project-Handyman Project-1,088.68; Kimball Service Center-Tire Repair-370.09; Kriz-Davis Company-Parts-118.00; L.L. Johnson Distributing Co.-Parts-903.09; Linda's Monograms & Beyond-Monogramming-843.06; MicroMarketing, LLC-Book Purchase-67.93; Mid-American Research Chemical-Supplies-359.33; Miller Office Supply-Supplies-42.99; NMC Exchange LLC-Parts-1,728.57; Napa Auto Parts-Parts-260.85; Nebraska Public Health Enviro Lab-Water Sample-16.00; Nebraska Safety & Fire Equipment, Inc.-Contract Labor-219.65; Northern Safety Co.,Inc.-Supplies-142.78; Omaha World Herald- Subscription-176.28; Panhandle Coop-Fuel-145.58; Panhandle Coop Association-Supplies-24.16; Prairie Animal Hospital- Boarding Fee-112.50; Praise Windows Inc.-Window Washing-205.00; Presto-X-Pest Control-92.00; STP Auto Service- Maintenance-602.59; Shopko Stores Operating Co.-Prizes-474.68; Simmons Olsen Law Firm, P.C.-Professional Services-2,678.00; Simmons Olsen Law Firm, P.C.-Professional Services-93.00; Simmons Olsen Law Firm, P.C.-Professional Services-668.00; Carl Stander-Tree Grant-57.73; Marvin J. Tabor-Tree Grant-200.00; The Right Impression-Dog Tags- 57.20; Autumn Uglow-Contract Cleaning-75.00; United Rotary Brush Corporation-Brushes-1,018.22; V & V Manufacturing, Inc.-Supplies-127.95; Viaero-Cell Phone-176.50; Vince's Corner-Car Washing-5.00; Visa-Firstier Bank-Charges-738.20; Westco-Chemicals-1,288.10; Western Nebraska Observer-Subscription-38.00; Western Nebraska Observer-Meeting Notices-615.75; Windstream-Long Distance-6.07; Wolf Automotive Center, Inc.-Repairs-103.96; Viaero-Cell Phone-44.52.

City of Kimball-Economic Development Claims-July 18, 2017-EMC National Life Co.-Premium-15.36; Vince' Corner-Main Street Grant-4,000.00; Chamber of Commerce-

Monthly Grant-450.00; Kimball County Treasurer-990/995 Funds-1,000.00; CenturyLink-Telephone-63.24; Charter Communications-Internet-42.34; Connecting Point-Copy Usage-26.20; Kimball County Register of Deeds-Recording-58.00; Lending Pro Software-Support Fee-75.00; Simmons Olsen Law Firm, P.C.- Professional Services-1,228.50; Visa-Firstier Bank-Charges-30.69; Western Nebraska Observer-Meeting Notices-676.19.