

Kimball City Council
Regular Meeting
July 15, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on July 15, 2014 in the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Christensen, and Morrison were present. Also present were City Attorney Hadenfeldt, City Administrator Ortiz, Police Chief Huff, Economic Development Director Bowling, Park & Recreation Superintendent Williams, Library Director Sears, Water Superintendent Ford, Landfill Superintendent Schulte, City Treasurer Strauch 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.

Schnell called the meeting to order at 7:00 p.m. and acknowledged the posted Open Meetings Act poster.

Schnell opened discussion on Supplemental Agreement #1 to Program Agreement between NDOR and the City of Kimball for the Kimball Underpass Renovation project. Ortiz indicated this increases the federal share payable from 60%-40% to 80%-20%.

There being no further comments, Morrison moved to approve Supplemental Agreement #1 to the Program Agreement between NDOR and the City of Kimball for the Kimball Underpass Renovation project, authorize the Mayor to sign the agreement and approve the following resolution.

RESOLUTION
SUPPLEMENTAL PROJECT PROGRAM AGREEMENT NO. 1 – BM1208

City of Kimball
Resolution No. 2014-07

Whereas: City of Kimball and Nebraska Department of Roads (NDOR) have previously executed Project Program Agreement BM1208 for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Kimball understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Kimball and NDOR wish to enter into Supplemental Project Program Agreement No. 1 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Kimball, Nebraska that:

James Schnell, Mayor of the City of Kimball, Nebraska is hereby authorized to sign the attached Project Program Supplemental Agreement No. 1 between the City of Kimball and the NDOR.

City of Kimball is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: STPB-71-2(110)

NDOR Control Number: 51242

Project Location: Kimball Underpass Renovation

Adopted this 15th day of July, 2014 at Kimball, Nebraska.

Attest:

/s/Rosemarie D. Russell, City Clerk

Seconded by Christensen. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on Supplemental Agreement #2 for Preliminary Engineering Services between the City of Kimball and MC Schaff for the Kimball Underpass Renovation project. Ortiz indicated this is tied to the underpass project as well. M.C. Schaff is the engineer working on the project and this agreement memorializes that. Hadenfeldt commented on the projected costs increase.

There being no further discussion, Shields moved to accept and authorize the Mayor to sign the Supplemental Agreement #2 for Preliminary Engineering Services between the City of Kimball and M.C. Schaff for the Kimball Underpass Renovation project and approve the following resolution.

**RESOLUTION
PRELIMINARY ENGINEERING SERVICES AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 2 – BK1435**

**City of Kimball
Resolution No. 2014-08**

Whereas: City of Kimball and M. C. Schaff & Associates, have previously executed a Preliminary Engineering Services Agreement (BK1435) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Kimball understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Kimball and M.C. Schaff & Associates, wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Kimball, Nebraska that:

James Schnell, Mayor of the City of Kimball, Nebraska is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 2 between the City of Kimball and M.C. Schaff & Associates.

City of Kimball is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: STPB-71-2(110)

NDOR Control Number: 51242

Project Location: Kimball Underpass Renovation

Adopted this 15th day of July, 2014 at Kimball, Nebraska.

Attest:

/s/Rosemarie D. Russell, City Clerk

Seconded by Christensen. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on the keno grant application from Kimball Recruitment Coalition for \$1,200. Bowling said Kimball Recruitment Coalition and Economic Development were selected to receive two interns from the University of Nebraska at Lincoln to assist with research, development of a community recreation plan and production of local videos. The responsibilities of KRC and Economic Development were to provide housing and the stipend of \$2,400 for the two interns. \$1,200 of the stipend has been paid out of Economic Development funds and KRC is requesting the remainder of \$1,200 out of Keno funds. Ortiz commented that the Keno grant application states that funds will not be awarded for operating costs of any organization and recommended to approach the Economic Development Committee to grant the remaining \$1,200 out of Economic Development funds.

Discussion was held on community betterment purposes and education and Hadenfeldt indicated that the education as relating to the interns would most likely not fit within the "community betterment" guidelines.

There being no further discussion, Morrison moved and Christensen seconded to deny the keno grant application from Kimball Recruitment Coalition. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on his appointment of two Compensation Committee representatives. He has asked John Morrison and James Shields to be on the Committee and they have agreed. There being no further discussion, Christensen moved and Warner seconded to approve the Mayor's appointment of John Morrison and James Shields to the Compensation Committee. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Ortiz reviewed and explained the Capital Improvement Program. This program outlines each capital asset individually and each supervisor listed the anticipated needs within their departments. The supervisors were asked to think long-term to understand what their capital assets were going to be. Ortiz asked the supervisors to look at each asset individually with their life expectancy and estimated projected cost. In a community of Kimball's size, capital assets are anything over \$1,000 that has a life expectancy of over three years.

Ortiz has provided a summary and overview with each asset and he has assigned priority ranking on a scale of 1 to 5. Warner inquired if there is a set criterion that this has been based on and Ortiz said he just wanted to get the City moving forward. Ortiz said this program gives the City Council and Board of Public Works information of the type of projects that the City wants to do within the next five years and provides a snapshot to assist in the budgeting process.

Further discussion was held and Morrison inquired if there are amounts available of what the City wants to spend each year and Ortiz commented that the income statements do have a capital line item. It is also explained in the budget, but not as detailed as the Capital Improvement Program.

Christensen inquired if each of these project costs are identified, is this limiting the City's ability to deviate from the plan. Ortiz answered no and commented that if a piece of equipment has failed, the funds would be re-directed and another project would start over or be put on hold.

After further discussion, council members asked for the actual amount of capital expenditures and Ortiz will provide the amount at the next meeting.

Ortiz also provided a general summary of the Capital Improvement Program from the utility five year plan. He commented that MEAN will be performing a rate study. Discussion was held on the Landfill cell closure and Warner asked about providing a figure of how much the City has on hand to pay for the specific projects. Morrison said it would be nice to know how much the City could borrow and if they have the ability to borrow.

Discussion was held on the roundabout beautification and Ortiz indicated he added that to the list because something needs to be done to improve that area.

Warner would like to see a list of the ratings from all the departments from No. 1 and down that need to be taken care of this year. Ortiz said this can be done as part of the budget process. He will prepare a list of what the City can afford and the priority of it over the next few years. Ortiz sat down with the supervisors and received their input. Ortiz will prepare the priority list for the council members.

Schnell opened discussion on Resolution 2014-09. Bowling indicated that the City of Kimball is a member of the Heartland Expressway Association and the Heartland Expressway Association is a member of the Ports to Plains Alliance. The Highway Trust Fund is going bankrupt and many of the roads projects will come to a halt. This resolution urges the Nebraska to urge Congress to pass both short and long term fixes.

There being no further discussion, Morrison moved and Christensen seconded to pass the following resolution and authorize the Mayor to sign.

RESOLUTION 2014-09

A RESOLUTION ENCOURAGING CONGRESS TO ADDRESS THE SHORTFALLS IN THE FEDERAL HIGHWAY TRUST FUND AND COMPLETE A LONG-TERM TRANSPORTATION REAUTHORIZATION BILL PRIOR TO ITS EXPIRATION ON SEPTEMBER 30, 2014.

WHEREAS, transportation is a critical factor in our economy. This is true locally, statewide and nationally. The United States has been nearing a crossroads in surface transportation for many years but this year the crossroads could result in a roadblock; and

WHEREAS, the City of Kimball via the Ports-to-Plains Alliance has provided Ports-to-Plains' Congressional delegation with its Federal Priorities of the Ports-to-Plains Alliance for MAP-21 Implementation and Reauthorization and these Federal Priorities describe a short term and a longer term funding issue; and

WHEREAS, the City of Kimball supports a user fee increase and indexing required to meet current funding levels and to expand transportation funding lost due to inflation in the past twenty years since the user fees were last changed; and

WHEREAS, the City of Kimball supports a five or six year reauthorization bill, which is consistent with previous surface transportation bills and necessary for proper long-term planning. Operating under a series of short-term extensions is problematic and difficult on federal and state transportation agencies; and

WHEREAS, the City of Kimball wishes to see two priorities to ensure projects like the Ports-to-Plains Corridor, North America's Energy Corridor, and other critical transportation projects can continue.

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

1. We urge you, as the Member of Congress representing the City of Kimball, to work to ensure that Congress:
 - a. Passes a short-term fix immediately so that the Trust Fund does not run out of money in August, 2014; and
 - b. Passes a long-term fix by September 31, 2014, or as soon thereafter as possible, that accomplishes the following:
 - i. Reauthorizes Federal transportation programs (MAP-21) for five or six years in accordance Ports-to-Plains Alliance priorities; and
 - ii. Provides the user-fee-based, sustainable revenues for the Highway Trust Fund necessary to support the higher levels of investment needed to modernize the America's national transportation network, including rural freight corridors important to energy development and agricultural production like Heartland Expressway.

This Resolution shall become effective upon its passage and approval.

Passed and approved this 15th day of July, 2014.

/s/James W. Schnell, 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, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

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

1. Minutes from the July 1, 2014 regular meeting;
2. Claims; and
3. Financial Statements.

After discussion, Warner moved and Shields 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, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Ortiz reported that the substation project is moving forward and the plan is to get RFP's done and get the project started by September.

Ortiz commented on an issue of overgrown trees in the power lines and conversation has taken place with regard to better addressing this in the future. He mentioned the possibility of doing an RFP for tree trimming and clearing vegetation in alleyways and other places as needed.

Ortiz commented on the budget timeline and indicated the Compensation Committee will meet on July 30, 2014. The Compensation Committee members from the Board of Public Works will be the same individuals as last year, Jim Cederburg and Dawn Moeser.

Schnell commented on his frustrations when there are citizens who put so much time and effort into bringing developers into the community and then some citizens put the community into a negative light. He would like to see people have a more positive attitude about themselves and the community.

There will be a Kimball Underpass Renovation Stakeholders meeting on July 29, 2014 at 5:30 p.m. at the Event Center. The next regular City Council meeting is August 5, 2014 at 7:00 p.m.

There being no further business to come before the Council, Shields moved and Christensen seconded to adjourn at 8:12 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

James Schnell, Mayor

Rosemarie D. Russell, City Clerk

City of Kimball-City Council Meeting-General Claims-July 15, 2014-Prairie Animal Hospital-Boarding-45.00; ALSCO- Supplies-73.28; Arnold Pool Company-Supplies-38.04; Audio Editions-CD Purchases-132.37; Baker & Taylor Books-Book Purchase-525.77; Center Point Large Print-Book Purchase-127.02; Charter Communications-Internet-223.00; Check's Ice Co.-Ice-46.50; Connecting Point-Copy Usage-42.49; Culligan-Salt-39.80; Dollar General Corporation-Supplies-67.00; Daria Faden-Supplies-62.50; FirstTier Bank-Loan Payment-8,122.79; Frenchman Valley Coop-Fuel-1,700.55; Carla Goranson-Reimbursement-170.62; High West Energy-Utilities-6,527.33; Hometown Hardware-Supplies-206.75; Kimball Handyman Project-Handyman Project-1,622.38; Kimball Service Center-Service Call-45.00; L.L. Johnson Distributing Co. - Parts-175.63; League of NE Municipalities-Conference-276.00; Dawn Maier-Renewal-

25.00; Miller Office Supply-Office Supplies-102.96; Nebraska U.C. Fund-Unemployment Insurance-470.15; Daniel Ortiz-Reimbursement-46.91; PADD- Membership-1,934.63; Panhandle Coop Association-Supplies-66.79; Panhandle Library System-Registration-30.00; Pepsi-Cola of Western Nebraska-Concessions-19.65; Sandberg Implement Inc.-Parts-48.80; Janet Sears-Reimbursement -38.32; Shopko Stores Operating Co.-Supplies-247.32; Simmons Olsen Law Firm, P.C.-Professional Services-5,078.55; Sysco Denver, Inc.-Supplies-537.54; The United States Life Insurance Company-Premium-426.29; U.S.Toy Co., Inc.-Supplies-284.95; Viaero-Cell Phone Usage-32.24; Vince's Corner-Car Washing-15.00; Visa-Firstier Bank-Charges-2,794.90; Voyager Fleet Systems-Fuel-173.21; Chad Wise-Credit Cards-2,454.93; Wolf Car Wash-Car Washing-54.00.

City of Kimball-Economic Development Claims-July 15, 2014-Charter Communications-Internet-29.75; Simmons Olsen Law Firm, P.C.-Professional Services-150.00; The United States Life Insurance Company-Premium-35.40; Viaero-Cell Phone Usage-32.29.