

Kimball City Council
Regular Meeting
March 5, 2013

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on March 5, 2013 at the City Council Chambers. Mayor Schnell and Council members Warner, Morrison, Merryfield and Christensen were present. Also present were City Administrator Ortiz, Deputy City Attorney Hoesig, Police Chief Simpson, City Clerk/Treasurer Russell and Deputy City Clerk/Treasurer Strauch. 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 the Pledge of Allegiance was recited.

Schnell acknowledged the posted Open Meetings Act poster.

Schnell opened discussion on the Memorandum of Understanding for Site Use in the Event of a Medical Disaster. Ortiz indicated this is a MOU with the hospital to allow them to use the Event Center in the event of a disaster. There are certain criteria required for the use of facilities. Hadenfeldt had previously reviewed the MOU and had no issues with it. It is just a matter of the City agreeing to it.

Laura Bateman, Kimball Health Services, said they have a similar agreement with the school and the Manor. Ortiz inquired about supplies in in the event of an emergency, and Bateman said the hospital would bring their own supplies and equipment. They just need a place to go. The hospital had previously utilized the Event Center for their flu shot clinic and some different health fairs. Christensen said it sounds like a very reasonable request. Merryfield inquired about utilizing West Elementary rather than the Event Center and Bateman said they are just looking at sites. They would have to look at the exact situation and determine what is available. Merryfield again commented on utilizing the elementary school and said it would give it a purpose. Bateman said that the elementary school is included in the agreement that they have with the schools. Morrison feels City property should be made available.

There being no further discussion, Morrison moved and Christensen seconded to approve the Memorandum of Understanding for Site Use in the Event of a Medical Disaster. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Morrison, Merryfield and Christensen. Nay: None. Absent: None. Motion carried.

Schnell said Mr. Lindsey, the individual who is requesting Keno funds for the Kimball County Community Emergency Response Team (CERT), had requested this item be tabled until the April meeting because he was not able to attend this meeting. There being no further discussion, Warner moved and Merryfield seconded to table the Keno grant application from Kimball County Community Emergency Response Team (CERT). On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Morrison, Merryfield and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on nuisance abatement property at 207 South Walnut Street. Simpson has spoken with Mr. Schadegg. He has moved three of the vehicles out of there. The tires are still on the property and Simpson has asked him to put the tires in a trailer. Schadegg continues to work on the property. Morrison indicated that similar operations in other cities look the same as that property. As long as Schadegg keeps working on the property, he doesn't have any issues with it. Christensen commented that Schadegg has shown in good faith that he is continuing on this and doing what has been requested. There being no further discussion, Warner moved and Christensen seconded to remove the property at 207 South Walnut as a nuisance property. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Morrison, Merryfield and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on nuisance abatement property at 4152 E. Front Street. Simpson said nothing has been done on this property. He has not seen any improvement or movement of any of the items that had been discussed previously. Sallie Behnke commented on not being able to build a pole barn because the ground is frozen. She also commented on the firewood and said the gentleman who took down the trees left the firewood. Morrison said something has to be done.

Christensen moved and Merryfield seconded to proceed with citations on this property and if at such time progress is made and things get better, the citations will quit. Simpson indicated the citations can be \$100 a day and if the Behnkes are not able to pay, a lien will be manufactured by the City. Eventually, the Behnkes will become subject to court. Hoesig said the judge will give them time and give them an order to clean it up. This is the first step that needs to be taken.

Behnke has a blood clot in her leg and is not supposed to be on it. Her sister is working her second job. Christensen commented that the offer was made by a former council person to assist them and it was refused. Simpson told her that she has been given lots of chances. He inquired what would it take to get them to get it cleaned up so the City doesn't have to cite them. There needs to be an end. Citizens have rights to not have to see an eyesore. Behnke said she needs time for the ground to thaw to get the holes dug and get the shed up. Simpson said there needs more than the shed done and Behnke said they just need a little more time. Simpson wants to give them every chance but wants to see progress. Christensen inquired if the City has the manpower to assist in cleaning this property up and Ortiz said the City does have the equipment but the liability aspect needs to be considered. He also commented on the cost and inquired if that is something the City is willing to absorb. Schnell commented on metal recycling and their vehicles. He said if the Behnkes would get the information to the

City, the City could find out from the banks if they can be released to the salvage yard. He also said he would contact the gentleman regarding the firewood to see if he can finish up the job. Christensen said those are things that can be done regardless of the cold. She said she would be willing to allow until the next council meeting for progress in that form. Simpson commented on enacting the citations at his discretion.

Christensen amended her motion to allow Chief Simpson to act at his discretion on whether or not to cite the Behnkes and provide Schnell information regarding the vehicles. Seconded by Merryfield. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Morrison, Merryfield and Christensen. Nay: Warner. Absent: None. Motion carried.

Schnell opened discussion on the School Resource Officer. School Resource Officers Curtis Hofrock, of the Sidney Police Department, and Scott Mascher, of the Bayard Police Department, spoke on the benefits of having a School Resource Officer and the potential benefit for Kimball Public Schools. Hofrock indicated there has been a decrease in school violence and truancy rates have also decreased. They have gone from an 85 to 88% attendance rate to a 97% attendance rate. SRO's build relationships with the children which makes it easier to deal with the children because they are used to seeing a police officer every day. He has access to the County Attorney's office and direct links to HHS personnel. Hofrock spends time in all six school buildings throughout the week; however, the majority of his time is in the high school and middle school.

Mascher said the SRO program in Bayard is in its second year and has had a huge impact on their community. There is marked decrease in crime both in school and outside of the school. He has been able to talk to the students and get them help if they needed it. Mascher commented on the decrease in incidents/citations and that his presence had a correlation to that.

Programs provided to the children include "Stranger Danger", drug and alcohol awareness, a type of "DARE" program, simulated impaired driving with the juniors which also includes texting and driving, seat belt simulators, teaching senior girls how to be safe on college campuses. Instruction and education takes up a good portion of the SRO's time. The children are always asking them questions. The SRO spends a good portion of their days educating, teaching and interacting with the children.

Both individuals are full time SRO's; however, during the summer time, they go back to their police duties. They usually attend school events in the school. Hofrock said he reviews the safety and security plan with school officials every year.

Warner has read that there are several different towns that are getting rid of the SROs because they felt they could do it better and inquired if there have been any suspensions from school. Hofrock said Sidney did have 15 to 20 children suspended this year and Mascher said Bayard had 1 or 2. He added that it is the school's responsibility to enforce the discipline. He is there to enforce the law.

Christensen doesn't see a downside to the SRO program. Simpson thanked Major Atkins, and Officers Mascher and Hofrock for attending the meeting and providing

information to the City Council members. It shows it is very important to those communities to have a SRO. The program is about serving the community. There are so many other things that a SRO has to offer the community and Simpson asked the council members to consider the program.

Warner said she is not against the program, but thinks it should be done with staff already on board. She commented on the per capita police officer ratio. Ortiz indicated that the police officer will continually be pulled out of school to answer calls. Morrison said that using population alone is not very valid. When talking about a Police Department, you are talking about man hours. If individuals want 24-hour coverage in Kimball, that is a lot to ask of six people; it has nothing to do with population.

Simpson is looking into financing the position for three years through a grant. He will try to do everything he can and will ask the school to furnish 50% of the cost. Simpson is trying to minimize the cost issues. Christensen said it is the council's duty to provide Kimball with the best scenario possible. She cares what happens in Kimball and thinks the SRO Program is needed in Kimball's school system. Hofrock said if he was asked to do the SRO job and then work the street, it would definitely take a toll. He feels he couldn't do his job if he was combining that with working the street as well. Mascher does get pulled to do other shifts and feels he could do a better job if they had one more person to pick up the load. It does wear on him. Hofrock said it is not possible to be an effective SRO on a part time basis.

Major Atkins commended the City Council and Chief Simpson with trying to maintain 24-hour law enforcement with the number of officers they have.

Laura Bateman appreciates the officers being around the schools.

Merryfield inquired of the cost and Simpson said it is around \$42,000 a year with equipment and another vehicle will be needed. Atkins said Sidney pays 50% of the SRO's entire benefit package. He provides a monthly report to the school and they write a check.

Simpson said the response from the school has been very positive. He did approach them first to gauge their reaction. Simpson said he is up at the schools at least three to five times a day. It is crucial to show his face to the kids in the schools. The teachers and the SRO would have a relationship and be able to talk to each other. Simpson said he is not prepared to go forward yet with the SRO; he is waiting for the grant. Warner said she would like to see the school's position on this. Schnell thanked all for their time and effort.

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

1. Minutes from the February 19, 2013 meeting;
2. Claims; and
3. Ratify the Kimball Volunteer Fire Department members.

Christensen moved and Merryfield seconded to approve the consent agenda items as presented. On roll call vote, the following votes were recorded. Aye: Warner, Morrison, Merryfield and Christensen. Nay: None. Absent: None. Motion carried.

The next regular City Council meeting is March 19, 2013.

Chief Simpson reported he is hiring a new police officer to take the place of Officer Shelly who is going to Scottsbluff. Currently, there are five full time officers and one in the Police Academy in Grand Island. There are three or four individuals that are interested in volunteering as reserve officers. They have gone through the interview stage and will be going through the testing stage. Simpson thanked council members again for allowing him the reserve officers.

There being no further business to come before the Council, Merryfield moved and Christensen seconded to adjourn at 8:16 p.m. On roll call vote, the following votes were recorded. Aye: Warner, Morrison, Merryfield and Christensen. Nay: None. Absent: None. Motion carried.

James Schnell, Mayor

Rosemarie Russell, Clerk/Treasurer

City of Kimball-City Council-General Claims-March 5, 2013-BARCO Municipal Products, Inc.-Signs-205.47; Bluffs Sanitary Supply, Inc.-Supplies- 66.00; CRS Advance-Services-5,046.00; Combined Utilities-Utilities-6,635.56; Community Internet Systems, Inc.-Internet-15.00; Connecting Point-Copy Usage-92.90; Consolidated Management Company-Meal Plan- 403.75; Crescent Electric Supply Co.-Supplies-358.64; Galls, LLC-Uniforms-89.99; John Heidemann-Expense Report- 12.00; Hometown Hardware-Supplies-325.51; Ideal Linen Supply, Inc.-Supplies-20.95; Interstate All Battery Center-Battery -15.22; Randy Jefferson-Expense Report-12.00; John E. Reid and Associates Inc.-Training-840.00; Judy Hoatson, CPA, LLC-Professional Services-300.00; Kimball Auto Parts-Parts-28.96; Kimball Event Center-Rent-500.00; Kimball Laundry- Services-13.35; L.W. Cartage Co.-Lot Rent-100.00; Main Street Designs, Inc.-Welcome Banners-819.00; Midwest Radar & Equipment-Parts-243.00; Miller Office Supply-Supplies-6.99; Napa Auto Parts-Parts-178.52; Nebraska Dept. of Health Human Services-Pool Permit-40.00; Nebraska Salt & Grain Co.-Salt-1,698.94; Petty Cash-Reimbursement-46.06; Presto-X -Monthly Contract-73.08; Sheri Roberds-Handyman Services-832.00; Rosie Russell-Expense Report-39.00; Jim Shoup-Expense Report-12.00; Simmons Olsen Law Firm, P.C.-Professional Services-495.00; Staples-Supplies-279.96; TLO- Background Checks-4.75; The Smoke-Eater Publications-Subscription-224.00; The United States Life Insurance Company -Long Term Disability-444.17; Vince's Corner-Fuel-100.36; Western Nebraska Observer-Subscription-38.00; Chad Wise- Golf Pro Compensation-2,835.00; Wolf Automotive Center, Inc-Vehicle Maintenance-31.65. City of Kimball-Economic Development-Claims-March 5, 2013-Connecting Point-Copy Usage-4.11; Kimball County Treasurer-990/995-1,000.00; The United States Life Insurance Company-Long Term Disability-34.70.