

Kimball City Council
Regular Meeting
April 22, 2013

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on April 22, 2013 at the City Council Chambers. Mayor Schnell and Council members Warner, Morrison, and Christensen were present. Also present were City Administrator Ortiz, City Attorney Hadenfeldt, Police Chief Huff, Water Superintendent Ford, 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 his appointment of James Shields for the vacant seat on the City Council. There being no discussion, Warner moved and Christensen seconded to accept the Mayor's appointment of James Shields for the vacant seat on the City Council. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

City Clerk Russell administered the Oath of Office to Council member Shields.

Schnell presented a check in the amount of \$325.00 to the Kimball Public Schools German Club for participating in the ACE door hanger campaign. There are a total of 18 students and 8 adults that will be going to Europe.

Schnell read a proclamation proclaiming April 20 to 27, 2013 as Money Smart Week in Kimball.

Darlene "Shortie" Kiefer, presented Curley's final CDBG Loan payment to the City. She provided a history of the company that was started in 1955. The City of Kimball, the State of Nebraska and FKI had a belief to back her company and loan her money at a low interest. Kiefer said she comes from a town where people believe in themselves and they do what they say they will do. She is proud of what she has accomplished with Curley's and wanted to personally provide the last payment to the City. Kiefer thanked everyone for their belief in her and her company. She also thanked Joel Wiens and FirstTier Bank, her family and her employees.

Schnell opened discussion on the Kimball Main Street Design and Improvement

Program Grant Application from Spencer Noah. Noah has taken all the trees out at 610 S. Oak Street and has put in two new buildings and plans to put in another two buildings. Strauch indicated the Committee had no questions of Mr. Noah and recommended approval of up to \$2,000. The funds are not paid out until the project is complete. Schnell said this program has \$10,000 of sales tax money that is set aside for downtown improvement. This is a way to give back to the businesses and they can apply for up to \$2,000. The businesses are required to match the granted amount by 50%.

There being no further discussion, Morrison moved and Christensen seconded to approve the Kimball Main Street Design and Improvement Program Grant Application request from Spencer Noah for \$2,000. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on the resignation of Police Chief Simpson. Simpson, via telephone, officially offered his resignation and thanked the council. Schnell thanked Simpson for his service to the community.

There being no further discussion, Christensen moved and Shields seconded to accept the resignation of Police Chief Simpson. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on his appointment to Police Chief. He had the option of opening this position up for people to apply or appoint from within the City's own ranks. Darren Huff has handled the entire situation very well. He has had to deal with a shortage of officers and has effortlessly taken on continuing assignments. Huff will continue to work on putting a School Resource Officer in the schools and will also continue to work with the Shop with a Cop Program. Schnell feels Huff has shown he is highly qualified for the position.

There being no further discussion, Christensen moved and Morrison seconded to approve the Mayor's appointment of Darren Huff as Police Chief with no reservations. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

City Clerk Russell administered the Oath of Office to Police Chief Huff.

Schnell opened discussion on the Clerk/Treasurer position. Kimball has had the combined title of Clerk/Treasurer for a number of years. Strauch has been the assistant and has done the largest share of the Treasurer position and Russell has done the largest share of the Clerk position. Schnell commented on a new and improved system of budget planning. It is felt that it would be better for clarification to separate the position. To do this, the current ordinance creating the position needs to be repealed. Both positions would also carry assistant's duties so they would be able to step into the duties of the other, if needed.

There being no further discussion, Christensen moved and Morrison seconded to introduce Ordinance 695 and waive the requirement of reading on three different days be suspended. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

Mayor Schnell read Ordinance 695 by title only.

ORDINANCE NO. 695

AN ORDINANCE REPEALING TITLE III, CHAPTER 31, SECTION 31.05 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.

Christensen moved and Morrison seconded to pass and approve Ordinance 695. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on water restrictions. Water Superintendent Ford presented a list of 110 voluntary ways to conserve water in Kimball. As Kimball approaches the summer of 2013, all the indications are that Kimball will continue in the drought that has plagued Western Nebraska the past several years. Prior to the past weeks' snowstorms, Kimball County was in an "exceptional" drought. Since receiving some moisture, Kimball County is now considered in an "extreme" drought. City staff would like to make the public aware of the possibility of having to put some water restrictions in place this summer.

Kimball does have an ordinance that addresses water conservation. At this time, Kimball is not in any emergency but just want to make sure that the citizens realize that the summer is starting with water levels that are less than normal. Ortiz said the voluntary ways to conserve water will be provided to citizens in the utility bill mailings and information will also be on the web site. Christensen suggested also putting in a notice that the City is trying to prevent the possibility of restricting water usage.

In 2012, a total of 255,000,000 gallons of water was pumped; 185,000,000 gallons was pumped during May through September. The remaining months used 70,000,000. In 2011, 205,000,000 was pumped for the entire year. Ford commented that 2012 was the same amount pumped as in 2002 and said both years were extremely hot and dry. If everyone can conserve a little bit, perhaps the city can make it through the summer without mandatory restrictions. The wells are down from two to four feet on water levels from last year.

Discussion was held on encouraging residents to conserve water and xeriscape their yards. Ortiz commented on the South Platte NRD's tips on maintenance and landscaping and early education. Ortiz said the City will continue to work on providing information to the public.

Ortiz announced there is a new Economic Development Director / Assistant to the City Administrator, Wilson Bowling from Auburn, Alabama. There were 21 applicants for the position from across the country. Bowling will start on Monday, April 29th, and is excited to move to Kimball.

Schnell opened discussion on Resolution 2013-05 to authorize the City of Scottsbluff Director of Public Works to sign on behalf of LPA for a Federal Aid project. This is a follow up for the Responsible Charge (RC). This resolution confirms the contract that was approved at the last meeting. Bohl and Ortiz will meet and discuss where the project is now and move forward on that.

RESOLUTION 2013-05

WHEREAS, Assisting LPA, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, Receiving LPA has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Assisting LPA for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in Receiving LPA; and

WHEREAS, Receiving LPA and Assisting LPA have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that, Mark Bohl, Director of Public Works, is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in Receiving LPA.

NDOR Project No.: STPB-71-2(110)

NDOR Control No.: CN #51242

Project Name: Kimball Underpass Renovation Project

Motion made by Council Member Morrison to adopt said resolution. Seconded by Council Member 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.

PASSED AND APPROVED this 22nd day of April, 2013.

/s/Mayor – James Schnell

Attest:

/s/ Rosemarie D. Russell, City Clerk

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

1. Minutes from the April 26, 2013 meeting;
2. Claims; and

3. Financial Statements.

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

The next regular City Council meeting is May 7, 2013.

There being no further business to come before the Council, Shields moved and Morrison seconded to adjourn at 8:15 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Morrison, and Christensen. Nay: None. Absent: None. Motion carried.

James Schnell, Mayor

Rosemarie Russell, Clerk/Treasurer

City of Kimball-General Claims-April 22, 2013-Arrowhead Distributing Inc.-Liquor Purchase-129.00; High Plains Budweiser –Liquor Purchase-129.00; Visa-Firstier Bank-Charges-591.05; ABDO-Spotlight-Magic Wagon-Book Purchase-315.15; BARCO Municipal Products, Inc.-Locator-933.70; Baker & Taylor Books-Book Purchase-1,184.38; Laura Bateman-CPR/BLS Certifications-30.00; Sheryl Biesecker-Contract Cleaning-412.50; C & M Air Cooled Engine, Inc.-Part- 101.49; Carol's Nut List, Inc. - Shipping-Reel Back to R & R Products - 34.55; Center Point Large Print - Book Purchase - 125.22; CenturyLink-Telephone-123.35; CenturyLink-Telephone-83.26; CenturyLink-Telephone-434.98; City of Kimball- Liquor License-261.20; Combined Utilities-Dividend-13,723.70; Combined Utilities-Utilities-2,649.81; Consolidated Management Company-Meals-310.75; DHHS Division of Public Health-License-31.00; Display Sales Company-Flags- 2,651.00; Gale-Book Purchase-59.22; High West Energy-Utilities-1,877.94; Hometown Hardware-Supplies-291.81; IIMC-Annual Membership-145.00; Ideal Linen Supply, Inc.-Supplies-131.89; Intoximeters-Supplies-173.45; Intralinks, Inc.- Computer Support-476.44; Jirdon Agri Chemicals, Inc.-Supplies-131.23; Kimball Bakery-Supplies-100.80; Kimball County Treasurer-Liquor License-363.60; Kimball Health Services-Screening-42.00; Kimball Insurance-Policy-1,155.00; Kimball Laundry-Sewing-38.15; Kimball Midwest-Tools-471.68; Kimball Rural Fire District-Reimbursement-1,737.50; Kimball Service Center-Tire Repair-98.00; LPO-Book Purchase-294.35; MainStreet Designs, Inc.-Flags-1,137.00; Max's Vacuum & Sewing Center-Repairs-84.75; MicroMarketing, LLC-Book Purchase-281.37; Midwest Electric-Repair-298.70; Midwest Radar & Equipment-Radar-243.00; Mike's Gun Works-Firearm-495.00; Miller Office Supply-Office Supplies-61.25; John Morrison-Expense Report-53.00; Napa Auto Parts-Parts-1,307.30; Nebraska Law Enforcement Training Center-Testing- 30.00; Nebraska Public Health Enviro Lab-Water Samples-14.00; Panhandle Coop-Fuel-2,907.87; Panhandle Coop Association-Supplies-398.25; Prairie Animal Hospital-Canine Boarding-269.15; Prestige Flag-Flag-189.90; Prestige MFG.- Repairs-406.75; Presto-X-Monthly Contract-73.16; R & R Products, Inc-Controller-281.79; Sandberg Implement Inc.-Part- 4.52; Janet Sears-Expense Report-91.87; Jim Shoup-Contract Labor-72.00; Simmons Olsen Law Firm, P.C.-Professional Services-4,544.25; SourceGas, LLC-Gas Service-Shop-592.36; Star-Herald Newspaper-Advertising-387.13; The Penworthy Company-Book Purchase-303.37; The Right Impression-

Signage-643.20; V.F.W. 2243-Flag-100.00; Verizon Wireless-Cell Phone Usage-65.61; Western Nebraska Observer-Meeting Notices-465.23; Chad Wise-Credit Cards-675.61; Wolf Automotive Center, Inc.-Vehicle Maintenance-483.94; Xerox Corporation-Copier Maintenance-122.51. City of Kimball-Economic Development Claims-April 22, 2013-Wilson Bowling-Expense Report-765.90; Visa-Firstier Bank-Charges-44.94; Nebraska Economic Development Assn.-Membership-100.00; Simmons Olsen Law Firm, P.C.-Professional Services-562.50; Star-Herald Newspaper-Advertising-23.54; Verizon Wireless-Cell Phone Usage-32.80; Western Nebraska Observer-Meeting Notices-3.47.