

Kimball City Council
Regular Meeting
May 7, 2013

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on May 7, 2013 at the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Morrison, and Christensen were present. Also present were City Administrator Ortiz, City Attorney Hadenfeldt, Police Chief Huff, City Clerk Russell and City 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 introduced Kimball's Responsible Charge (RC), Mark Bohl, City of Scottsbluff Director of Public Works. Bohl provided a brief history and said since the Federal rules have come into play, he has successfully completed four projects. He is now working on his fifth project and the City of Kimball project will be his sixth. It is a unique opportunity for Kimball and is a great entrance to the City and Bohl looks forward to the project.

Schnell opened discussion on the Program Agreement between City of Kimball and Nebraska Department of Roads for the Kimball Underpass Renovation Project. The agreement outlines the 80/20 split and the \$813,000 Federal money available. Bohl indicated that addendums can be made to the agreement as the project progresses. Bohl said the project cannot be started until the agreements are signed and then the City will receive a notice to proceed and the public hearings will be held. He said the environmental does need to be done again; however, the State has allowed the City to stay with the same design firm. This project is a full Federal oversight project and input from the public will be received as well as the historical society. The City Council will need to decide what they want for the design and then the public comment period will be held on the design. This is when the City will take input from the citizens of what they would like to see.

There being no further discussion, Christensen introduced the following resolution and moved its approval.

RESOLUTION
SIGNING OF THE PROJECT PROGRAM AGREEMENT

City of Kimball

Resolution No. 2013-06

Whereas: City of Kimball is proposing a transportation project for which it would like to obtain Federal funds;

Whereas: City of Kimball understands that it must 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 Nebraska Department of Roads (NDOR) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

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

James Schnell, Mayor of the City of Kimball is hereby authorized to sign the attached Project Program Agreement 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.

NDOR Project Number: STPB-71-2(110)
NDOR Control Number: 51242
NDOR Project Name: Kimball Underpass Renovation

Adopted this 7th day of May, 2013 at Kimball, Nebraska

Seconded by Morrison. 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 School Resource Officer position. Huff presented information on the COPS Hiring Program (CHP). The 2013 grant will provide up to 75 percent of the approved entry-level salaries and fringe benefits of full-time officers for a 36-month grant period with a minimum 25 percent local cash match requirement and a maximum federal share of \$125,000 per officer position. The initial annual salary would be \$32,614.40 and after graduation from the academy and SRO training, it would be \$33,592.00 for a total annual salary of \$45,851.52 after benefits. The 25% cash match would be \$11,462.88 and if the school decides to partner with the City, the cost to the City would \$5,731.44 and \$5,731.44 to the school.

This is a three year grant; however, the City would be required to keep the officer for four years in this position. The fourth year would be a complete integration into either

the City or the school or 50/50 with the City and school partnership. The entire 16 weeks in the training center is grant funded. The 20 hours of the SRO training in Colorado would cost \$395, which would be paid for by the City. The grant does not cover equipment, uniform or vehicle. There are several options for a vehicle. Huff indicated the grant deadline is May 22, 2013 and will be gifted in September. The officer would then go through training in October. Huff said basically the grant covers the officer's salary.

Discussion was held on a vehicle and Ortiz commented that the Police Department is due for a vehicle at the end of this fiscal year. He also commented on approving additional resources to purchase a vehicle for the SRO. Warner inquired about the cost for clothing and guns. Ortiz indicated the Police Department does have some of the equipment already. The grant does provide for the base salary but does not provide for overtime. Huff mentioned this would be a salaried position, they would not be paid overtime.

Danielle Reeder, School Board President, said this has been discussed in the school, but the RIF process happened. She believes there are a lot of benefits to the school and youth by having a presence in the school. It is more interaction to the youth and security for the staff. The education part is valuable. She cannot speak for the board but feels \$5,700 is much more viable. She said the question is what is done for year 4. She said this is very reasonable as a benefit to the schools and the community.

Schnell commented on the October training session and said the first semester of school would not have a SRO. He asked council members if they want the Kimball Police Department to pursue this in order to meet the grant process for 2013. Warner inquired if the vote would be dependent on how the school board votes and Hadenfeldt said she could put that in the motion.

Discussion was held on the fourth year and Ortiz indicated the grant requires that the position be in place for a full four years and this would have to be a full time person at the school. Huff commented that the SRO could work during the vacation period during the summer months and there are school activities during the summer months as well as summer school. Ortiz said given where the Federal government stands with School Resource Officers, it is highly likely the City will receive the grant. Shields inquired about the SRO leaving the position and Ortiz said the funds allow for a rehire for the SRO position. The Chief would be able to set the hiring and recruitment process so he has a qualified pool and once the City is awarded the grant, that person can come on board as a new hire.

Reader said the teachers have noticed the police presence, but know that it is not always a guarantee that someone is always available. Once they see the big picture, it will be even more positive in the school.

There being no further discussion, Morrison moved and Christensen seconded that council express their interest in proceeding with the SRO program based upon receiving the grant and based upon the school being interested in contributing. 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.

Huff introduced the new Police Captain, Jesse Godden.

Schnell opened discussion on the Keno grant application from Kimball Swimming Pool. Brooke Jones, pool manager, is asking for money for new kickboards and swimming belts to be used for swimming lessons. The swimming belts help the younger children with buoyancy. She is requesting \$135.50 for 10 kickboards and 10 swimming belts. Ortiz commented on some other improvements to the pool, painting of the decks and changing the lighting.

There being no further discussion, Warner moved and Shields seconded to approve the Keno grant application from the Kimball Swimming Pool for \$135.50 for kickboards and swimming belts. 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 of a representative to the PADD Board, Wilson Bowling. Ortiz is the alternate. There being no further discussion, Warner moved and Christensen seconded to approve the Mayor's appointment of Wilson Bowling as the representative to the PADD Board. 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 the Economic Development Loan/Citizen's Advisory Committee. Carol Brown has resigned and Schnell has recommended Julie Wynne as her replacement. He thinks she will be a great fit. There being no further discussion, Christensen moved and Morrison seconded to approve the Mayor's appointment of Julie Wynne to the Economic Development Loan/Citizen's Advisory Committee. 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 of City Clerk and City Treasurer. Russell and Strauch would be the assistants to the other in case something were to happen. There being no discussion, Christensen moved and Shields seconded to approve the Mayor's appointment of Rosemarie Russell as City Clerk and Margaret Strauch as City Treasurer. 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 City Clerk contract. The contracts have been updated and meet all of the City's ordinances and State Statutes. There being no discussion, Shields moved and Warner seconded to accept the City Clerk contract as presented. 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 City Treasurer contract. There being no discussion, Morrison moved and Shields seconded to accept the City Treasurer contract as presented. 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 Special Event Permit Form. Russell reviewed the need for the permit, Hadenfeldt agreed that with the permit it would take the liability from the city and place it on the organization using the city facilities.

Warner questioned the need for the permit especially if it is a not for profit organization or volunteer groups, such as the group that holds the Easter egg hunt, that would not be able to afford the extra insurance.

Russell told the council that, currently, the city requires a Park Usage Agreement for events that will take place in one of the parks.

Discussion was held on the amount of the liability insurance amount required.

Christensen shared that this may somehow be a barrier to our citizens or keep new people from moving to Kimball.

Ortiz stated that when we have organization request special things, such as electricity to a site that has none, it is difficult to demand a certain amount of notice prior to an event, when there is no permit or policy in place. Ortiz noted that damage had occurred at the Park & Recreation area and, if there had been a permit in place, the liability insurance would be in place to cover those costs.

Shields asked if there should be a penalty added to the permit.

Hadenfeldt reminded the council that it would not stop people from using the park or other facilities, it would cover the city for any special events that would take place on city property.

Joe Sherman was present and addressed the council as the charge of the Annual Rib Cook Off that takes place at Gotte Park. Sherman told the council that all proceeds from the event go to different benefactor each year and the group would not be able to afford the liability coverage.

Following further discussion, the council would want to see changes to the events permit including deleting the liability insurance requirements, before approving the permit.

Schnell opened discussion on a letter of support for LB104, a bill that would provide tax incentives under the Nebraska Advantage Act for renewable energy projects. Following review, Shields moved and Christensen seconded to authorize the Mayor to sign the letter in support of LB104. 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.

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

1. Minutes from the April 22, 2013 meeting; and
2. Claims.

Christensen moved and Shields 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 21, 2013.

There being no further business to come before the Council, Shields moved and Christensen 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, and Christensen. Nay: Morrison. Absent: None. Motion carried.

James Schnell, Mayor

Rosemarie Russell, City Clerk

City of Kimball-General Claims-May 7, 2013-CenturyLink-Telephone-Fire Dept.-76.67; Combined Utilities-Utilities-4127.73; Community Internet Systems, Inc.-Internet Service-15.00; Contractors Materials, Inc.-Supplies-286.00; Culligan-Salt, Repairs- 256.00; Dollar General Corporation-Charges-32.50; Gale-Book Purchase-105.60; Dorothy Griffith-Gratuity, Expense Report-741.62; Hometown Hardware-Supplies-282.28; Intralinks, Inc.-Computer Support-439.83; Kimball Auto Parts-Parts-13.88; Kimball County Treasurer-Election Costs-620.00; Kimball Event Center-Rent-500.00; Kimball Health Services-Screening-42.00; Kimball Midwest-Parts-107.72; L.W. Cartage Co.-Lot Rent-100.00; Nina LaBate-Contract Cleaning-60.00; Linda Hasselstrom-Book Purchase-54.45; Jill Marks-Gratuity-49.15; Michael Todd & Co., Inc.-Part-55.65; Napa Auto Parts-Parts-81.83; Lorri Norberg-Gratuity-37.00; Pepsi-Cola of Western Nebraska-Pepsi Products-344.00; Powerplan-Repairs-379.92; Crystal Ramsey-Gratuity-56.00; Sheri Roberds-Handyman-612.00; Shopko Stores-Supplies- 203.63; Simmons Olsen Law Firm, P.C.-Professional Services-2,603.00; SourceGas, LLC-Gas Service-605.46; Staples-Supplies-99.99; Sysco Denver, Inc.-Supplies-752.77; WPCI-Review Data Management-30.00; Westco-Parts-18.06; Windstream-Long Distance-5.81; Chad Wise-Credit Cards-1,357.90; Chad Wise-Golf Pro Compensation-2,835.00; Chad Wise-Credit Cards-1,737.70.

City of Kimball-Economic Development Claims-May 7, 2013-Intralinks, Inc.-Computer Support-219.92; Kimball County Treasurer-990/995 Split-1,000.00; Kimball Health Service-Screening-42.00; Right Impression-Supplies-4.00; Simmons Olsen Law Firm, P.C.-Professional Services-675.00; WPCI-Screening, Review-30.00.