

Kimball City Council
Regular Meeting
June 18, 2013

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on June 18, 2013 at the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Christensen and Morrison were present. Also present were City Administrator Ortiz, City Attorney Hadenfeldt, Police Chief Huff, Economic Development Director Bowling, 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.

At 7:01 p.m., Schnell opened a public hearing on a Nebraska Affordable Housing Program Grant application. Bowling has submitted the pre-application for the Nebraska Affordable Housing Program. Jeff Kelley, Panhandle Area Development District, indicated the City of Kimball is requesting \$310,000 in Nebraska Affordable Housing Program funds for the Owner Occupied Housing Rehabilitation of a total of 10 homes located within the city limits of the City of Kimball, Nebraska. Five of the homes to be rehabbed will benefit persons at or below 50% of the area median family income and the other five homes to be rehabbed will benefit persons at or below 80% of the area median income. Of the total amount of the project, a total of \$250,000 will be used for housing rehabilitation, \$25,000 for housing management activities, \$15,000 for lead based paint testing and clearance activities and \$20,000 for grant general administration activities. No displacement of individuals is expected to occur as a result of this project.

Kelley commented that if the City doesn't receive enough applications from the 50% or below individuals, the number for 80% could be raised. The State has to be informed of the change.

Warner asked Kelley to clarify the relocation section of the application. Kelley said that for this program, the individuals don't usually have to be relocated from their homes because the things to be done to the homes would be replacing roofs, windows, etc.

Kelley explained the \$250,000 is the "hard" cost of doing the actual work on the house, or \$25,000 a home. This is owner-occupied rehabilitation which means the individuals

have to own and occupy the home while it is being rehabbed. The type of work that is being done is not the type of work that the individuals would have to be relocated.

Discussion was held on contractors and Kelley indicated the application does require a list of contractors that are interested in the project. There are certain requirements that need to happen before they get paid. Discussion was held on the possibility of asbestos in the older homes and it was indicated the State only requires abiding by the lead paint practices in this program.

Christensen inquired if other communities have had difficulty getting applicants and Kelley commented that it is on a first come-first served basis and the cities need to make sure that the applicant owns the home and then they have to qualify income-wise. PADD recently assisted Chadron. They were contracted to do 10 homes and they did nine. Chadron did an "information share" program at that time to get applicants. However, a year later they could not get the remaining one applicant and they ended up turning \$100,000 back to the State.

Kelley said this is a five year forgivable loan, which means if the citizen remains in their house for five years after the work is done, they don't have to give any of the money back. This program was done in Kimball about eight years ago and it was positively received. Bowling said according to the census data, there are more than 10 Kimball families of lower income who own their homes.

Warner inquired if the amount would be pro-rated for individuals who are not in their homes for the five year period. Kelley indicated that a lien would be placed on the property and it would be up to the City to decide if they want to forgive the loan and release the lien.

Bob Culek asked what the homeowner's responsibility is to maintain the home and suggested inserting language that the homeowner is liable to maintain the home for the five year period. Schnell indicated that it could be a requirement that the City is a co-signer on the checks and Kelley said this could be added into the guidelines. The guidelines before the council are standard guidelines and can be amended. Kelley also commented that it is probably a good practice to hold 10% of the final check that goes to the contractors. Discussion was held on putting a board together to include Bowling and the building inspector to review the applications, pre-inspections and insuring no code violations.

There being no further discussion, Schnell declared the public hearing closed at 7:24 p.m.

Christensen moved and Warner seconded to approve the City of Kimball Housing Rehabilitation Program Guidelines. 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.

Warner moved and Shields seconded to approve Resolution 2013-07 authorizing the Mayor to sign an application for Nebraska Affordable Housing Program Funds.

RESOLUTION 2013-07

RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR NEBRASKA AFFORDABLE HOUSING PROGRAM FUNDS

WHEREAS, the City of Kimball, Nebraska is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and Cranston-Gonzalez Affordable Housing Act of 1990 (HOME Program) funds distributed by the Department of Economic Development through the Nebraska Affordable Housing Program.

WHEREAS, the City of Kimball, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment with respect to the application which is for an amount of \$310,000 to conduct owner occupied housing rehabilitation on at least a total of 10 homes located in the City of Kimball, Nebraska. This is part of a project to help low income residents with home renovations and repairs.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Kimball, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Kimball, Nebraska and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

DATED THIS 18TH DAY OF JUNE, 2013.

/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.

Schnell opened discussion the transfer of economic development property to Forward Kimball Industries. The City has received a deed in lieu from the owners of the Goodhand Theater. The City had an economic development loan in conjunction with Forward Kimball Industries in an attempt to keep the theater in operation. There was a SBA loan that was originally attached to that and it was a requirement that it be deeded to the City beforehand. FKI has more flexibility to market the property. If the property is sold, all monies will be reconciled at that time. FKI would own the property now instead of the City, but the City would still benefit if it were sold. Christensen said FKI has done a good job of trying to promote business in the community and have been pretty successful overall.

There being no further discussion, Morrison moved and Christensen seconded to authorize the Mayor to transfer Economic Development property to Forward Kimball Industries. 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 Dead Eye Shooters – 4H Club. Coach Nicole Snyder and members of the team explained the competition. Maddie Snyder explained they are going to Arkansas for the air rifle and BB gun national competition. To qualify they had to go to State and both the BB gun team and the air rifle team placed 2nd. Daisy Manufacturer sponsors the competition and there is no entry fee. Snyder said the kids have been working very hard for the money and the extra funds from the City will give them the last boost as they get ready to go to the competition next week.

Christensen inquired if they are learning gun safety as part of this and the kids said they have to take a test on gun safety. Also, Snyder requires them to go through a two night gun safety course. She said they generally have 30 kids in the program. Schnell commended Snyder and her husband and said they have done a great job with the program. Snyder said this is the 4th year going to the competition and she thanked the council for their support. Schnell said that it has been the practice that the kids who receive Keno funds help with the annual cleanup in the City. He asked Snyder to get in touch with Ortiz to help clean up at the Landfill.

There being no further discussion, Shields moved and Warner seconded to approve the Keno Grant Application for Dead Eye Shooters – 4H Club in the amount of \$1,000. 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 Wrestling. Klent Schnell said wrestling numbers have dwindled in recent years and he is trying to figure out how to get more kids involved. They are planning a summer shindig on June 29, 2013. There will be two mats at the football field for an outdoor wrestling event with activities, games, music and food. As of today, they have 42 kids attending. The barbeque is free for the wrestlers and \$2.00 for others. Klent Schnell said it is all about getting the community involved. He said that Wade Brashear is involved with this event as well. He has had a great amount of sponsors step forward but they do have other expenses.

Warner suggested posting flyers at the swimming pool and Klent Schnell said he has posted flyers around town and also advertised on KNEB. Schnell commented on the turn out at community events and he thinks the community needs to realize that there are these activities taking place. Klent Schnell said that anything left over will be used for the camps.

There being no further discussion, Christensen moved and Shields seconded to approve the Keno Grant Application for Kimball Wrestling in the amount of \$500. 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 ADA Policy Statement and Assurances. He said NDOR requires this to receive federal funds and this basically indicates that the City will comply. It is one of the things that the City needs to do. There being no discussion, Morrison moved and Christensen seconded to adopt the ADA Policy Statement and Assurances. 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 Special Events Permit form. The council has expressed that it would be a burden on the organizers of the events to have to pay a fee or charge. This is just a form that would be required without a fee attached. Schnell explained the form and added that any needs of city services would be annotated on the form. Ortiz explained the insurance requirements were removed from the form and added the NDOR approval if required. Warner inquired about an individual not filling in the form and having an event if the City would shut them down and Ortiz said not necessarily. Christensen asked how the citizens are going to know about the permit being required and Russell said it will be in the paper and Schnell said it will be put in the newsletter. Ortiz said a Special Events Permit form should be submitted for anything that will require City staff or resources. He added that the City will work with the Chamber to make everyone aware of this.

There being no further discussion, Christensen moved and Shields seconded to approve the Special Events Permit form. 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 June 4, 2013 meeting;
2. Claims;
3. Financial Statements;
4. Weed abatement letter; and
5. Ratify the Kimball Volunteer Fire Department members.

Christensen moved and Morrison 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.

The next regular City Council meeting is July 2, 2013. There will be a strategic planning session on June 28 and 29, 2013.

There being no further business to come before the Council, Christensen moved and Shields seconded to adjourn at 8:03 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.

City of Kimball-General Claims-June 18, 2013-ALSCO-Supplies-39.68; Action Communications-Tech Support-37.50; Allegiant Emergency Services, Inc.-Supplies-1062.00; Arnold Pool Company-Supplies- 515.10; Automated Police Systems Inc.-Hosting, Customization Support-500.00; Baker & Taylor Books-Book Purchase-1023.99; Sheryl Biesecker-Contract Cleaning-330.00; Bluffs Sanitary Supply, Inc.-Pool Supplies-167.94; Brown Pump and Septic-Maintenance-330.00; Center Point Large Print-Book Purchase-127.62; CenturyLink-Telephone-798.50; Chamber of Commerce-Membership Dues-200.00; Check's Ice Co.-Ice-33.00; City of Kimball-Emp. Family Health Ins.-56.70; Civil Air Patrol Magazine-Advertising-95.00; Combined Utilities-Transfer from Utilities to General for LF Chgs.-6.00; Connecting Point-Copy Usage-31.63; Consolidated Management Company-Meal Plan-Huff-78.25; Contractors Materials, Inc.-Supplies-1386.76; Frank Implement Company-Plug-Golf-2.25; Galls, LLC-Supplies-28.97; Gopher-Ultra Fit Protector Kettlebell Set-1168.83; Heartland Expressway Association-Donation-820.00; High West Energy-New Golf Shed-4585.08; Hometown Hardware-Paint-760.51; Ideal Linen Supply, Inc.-Liners-232.32; Jirdon Agri Chemicals, Inc.-Chemical-Clarity-Street Dept.-511.95; Brooke M. Jones-Training-30.00; Kimball Auto Parts-Parts-1.59; Kimball Bakery-Donuts-Auction-32.70; Kimball Laundry-Altering Charge-Police-8.90; Kimball Service Center-Repair-50.00; L.L. Johnson Distributing Co.-Control-Throttle-101.34; Lawyer Nursery, Inc.-Trees-95.50; MicroMarketing, LLC-Book Purchase-254.36; Miller Office Supply- Supplies-20.99; Monograms & More-Embroider Polos-30.00; Napa Auto Parts-Painting Supplies-Pool-391.70; National Geographic Society-Book Purchase-46.70; Nebraska Safety & Fire Equipment, Inc.-Fire Extinguisher Inspection-40.00; Northwest Pipe Fitting, Inc. of S.B.-Pressure Vacuum Breaker-108.21; O'Grady Publishing Company-Book Purchase-11.00; Off Broadway Business Products-Flash Drive-20.10; Panhandle Coop-Fuel-5618.18; Panhandle Coop Association-Supplies-573.71; Prairie Animal Hospital-Canine Boarding-195.00; Presto-X-Monthly Contract-76.78; R & R Products, Inc-Wheel Assembly-289.16; Respond First Aid Systems-First Aid Supplies-33.88; STP Auto Service-Vehicle Maintenance-417.39; Sandberg Implement Inc.-Parts-236.10; Jim Shoup-Reimbursement-12.50; Simmons Olsen Law Firm, P.C.-Professional Services-2529.25; Sirenet.com-Supplies-68.83; Stotz Equipment-Parts-44.45; TLO-Charges-21.50; The Right Impression-Supplies-215.00; The United States Life Insurance Company-Premium-429.72; Trafcon, Inc.-Pavemark Hot Tape-2394.00; Viaero-Cell Phone Charges-65.49; Vince's Corner-Fuel-345.45; Visa-Firstier Bank-Charges-Pump & Pantry-Fuel-823.55; Voyager Fleet Systems-Fuel-116.73; WPCI-Screening/Review Data Mgt.-90.00; Western Nebraska Observer-Meeting Notices-1021.30; Western Trail Sports Post-Uniforms-212.95; Wolf Automotive Center, Inc.-Vehicle Maintenance-67.87; Xerox Corporation-Copier Maintenance-134.41; OfficeMax-Office Supplies-87.72; Shopko Stores-Hoses-82.22; Kimball County Clerk-Interlocal Payment/City-Interlocal Dispatchers-21000.00. City of Kimball-Economic Development Claims-June 18, 2013-Wilson Bowling-Expense Report-53.11; Wilson Bowling-Expense Report-53.00; CenturyLink-Telephone-50.05; Connecting Point-Copy Usage-6.18; Tiffani Anderson-Kimball Main Street Grant-1625.00; Viaero-Cell Phone Charges-32.73; Western Nebraska Observer-Meeting Notices-9.40.