

Kimball City Council  
Regular Meeting  
July 21, 2020

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on July 21, 2020. Council members Baliman, Pike, Shields and Bright were present. Also present was City Attorney Hadenfeldt, Water Superintendent Sisk, Streets Superintendent Shoup, Community Resource Officer Briscoe-Rutt, Economic Coordinator Schlake, City Treasurer Brower and City Clerk Terrill. 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.

Prunty called the meeting to order at 6:00 p.m. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried. The Pledge of Allegiance was recited. Prunty acknowledged the posted Open Meetings Act.

Prunty opened discussion on Resolution 2020-02, Kimball Airport Authority Property Tax Request. Prunty explained that this was an emergency agenda item added to the agenda this morning. Prunty went on to say that the resolution was passed at their meeting last night and statute requires they submit their request to City Council before August 1<sup>st</sup>. Prunty advised that a motion would be needed to add Resolution 2020-02 to the agenda as an emergency item. Baliman moved and seconded by Bright to approve adding Resolution 2020-02, Kimball Airport Authority Property Tax Request, to the agenda as an emergency item. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to consider ratifying and approving all actions taken during City Council Meetings held by video conferencing, telephone conferencing or by conferencing using other electronic communications in meetings held pursuant to Governor Rickett's Executive Orders No. 20-03 and No. 20-24. Baliman moved and seconded by Bright to approve all actions taken during City Council Meetings held by video conferencing, telephone conferencing or by conferencing using other electronic communications in meetings held pursuant to Governor Rickett's Executive Orders No. 20-03 and No. 20-24. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on an update from Library Director Amber Sweetland of the Kimball Public Library. Sweetland advised Council that so far this year there have been 4,467 items checked out, due to COVID-19 this is a little lower than usual. Sweetland stated that there were 55 elementary children and 16 teens that attended this years Summer Reading Program. Sweetland also advised Council that the Library received the Kruetz Bennett Grant in the amount of \$10,030. She went on to say that the grant was used to purchase an Epilog Laser Cutter, a Driemel 3-D printer, a VIVP Home Heat Press, CorelDraw

Software, and a new computer. Sweetland added that there were partial matching funds received by the Friends of the Library. Prunty thanked Sweetland for her update.

Prunty opened discussion to consider approving the repairs on the Power Plant as recommended by the Board of Public Works. Pike moved and seconded by Baliman to approve the bid from Power Tech for \$58,216.00 as recommended by the Board of Public Works. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to consider the bid for the 2020 Street Seal Coat Project. Streets Superintendent Shoup advised Council that only one bid was received which is from TopKote, Inc. in the amount of \$88,500.00. Shoup stated the bid was a littler higher than he expected. Shoup advised Council that this project will cover 16 blocks: Howard Street from 3<sup>rd</sup>-9<sup>th</sup>, East 6<sup>th</sup> Street from High School Street to Walnut Street and all North Myrtle Street. Baliman moved and seconded by Bright to approve the bid from TopKote in the amount of \$88,500.00. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to authorize the Mayor's signature on the agreement with PADD regarding the CDBG Water Line Looping Project. Baliman moved and seconded by Pike to approve the Mayor's signature on the CDBG Water Line Looping Project. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve the Mayor's appointments to the Community Redevelopment Authority: Jamie Murdoch, Dave Haack, Jordan Autrey, Christy Warner and Jerry Brown. Shields asked what the terms would be. Prunty advised they are staggered terms of 1-4 years. Baliman moved and seconded by Shields to approve the Mayor's appointments of Jamie Murdoch, Dave Haack, Jordan Autrey, Christy Warner and Jerry Brown to the Community Redevelopment Authority. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to consider the agenda request from Jo Harndin, 509 S. Elm St., regarding Nuisance Abatement Notice. Jo Harndin advised Council that she uses shingles to keep the weeds down in her alley. She went on to say that she was going to put rock down but could not afford it. Hadenfeldt asked Harndin if they were new shingles? Harndin stated that they were off an old roof. Prunty advised that the shingles would be considered as junk and a nuisance. Hadenfeldt added that the shingles would be consider litter or waste materials and cannot be used to kill weeds. Discussion was held on the weeds. After discussion, Prunty advised Harndin that he would contact her tomorrow and help her remove the shingles.

Prunty opened discussion to consider the agenda request from Delton Grotz, owner of 108 S. Chestnut Street. Prunty advised Council that the City contacted Mr. Grotz and approved his request of 60 days.

Prunty opened discussion on the Mayor's Appointments to the Compensation Committee. Prunty asked Baliman and Bright to sit on the Compensation Committee. Pike moved and seconded by Shields to approve Baliman and Bright to the Compensation Committee. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on an update on the City Administrator's position. Prunty stated that the application review committee will meet the first week of August to make the final selections and schedule interviews. Prunty said that so far, all the applicants have either been retirement age or using Kimball as a steppingstone. Prunty added that he did not want to rush into filling the position and wanted to make sure that the final choice wanted to live here and help grow the community.

Prunty opened discussion to approve the recommended changes to the Economic Development Grant Guidelines. Economic Development Coordinator Schlake advised Council that the Citizen's Advisory Committee had a special meeting on July 2, 2020 to make changes and clarifications on the guidelines. Schlake went over the following changes to the Business Façade Improvement Grant: Applicants must show proof of insurance on property, no cap per business nor application, contractors applying for the grant are required to submit two quotes for projects costing over \$1,000, "local contractor" is defined as within a 25 mile radius within the State of Nebraska, \$500 for labor is for non-contractors only and applicant may apply for remaining project cost after receiving insurance payment. Schlake advised Council that the changes to the Business Infrastructure Grant were the same as the Business Façade Improvement Grant but that the Committee increased the amount allowed per eligible activity from \$10,000 to \$15,000. Shields asked if the guidelines require the contractor to be licensed. Schlake advised that they do not but that she can add that to the guidelines. Bright asked for clarification on the local contractor withing a 25-mile radius. Schlake advised that the contractor's business must be within a 25-mile radius within the state of Nebraska. Baliman moved and seconded by Pike to approve the changes to the Business Façade Improvement Grant and the Business Infrastructure Improvement Grant with the addition of the contractor must be licensed. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the Business Façade Improvement Grant from Chute 7. Schlake advised the Council that Chute 7 purchased a new sign but have not installed it as they are waiting for a new awning. Baliman moved and seconded by Bright to approve the Business Façade Improvement Grant from Chute 7 for a new sign in the amount of \$1,161.39. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the Business Façade Improvement Grant from High Point RV Park. Schlake advised that the grant is for painting the exterior of an existing building. Bright moved and seconded by Baliman to approve the Business Façade Improvement Grant from High Point RV Park in the amount of \$1,400. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on the Business Infrastructure Improvement Grant from Sin Easy. Nate Entingh, owner of Beer and Loathing and Clothes Minded Laundromat, advised Council that the grant is for a new hot water heater for the laundromat. Entingh stated that it took a couple of months to get parts for the existing water line. Bright stated that the hot water heater was purchased from Home Depot and should be paid as 60%. After discussion, Baliman moved and seconded by Bright to approve the Business Infrastructure Improvement Grant from Sin Easy for the new hot water heater and be adjusted to 60% for the purchase of the hot water heater from Home Depot. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to receive the 20-21 FY draft budget. Prunty advised Council that the draft budget is for their review.

Prunty opened discussion to set a meeting date to review the 20-21 FY budget. After discussion, Baliman moved and seconded by Pike to set the City Council Budget Workshop date for August 12, 2020 at 5:00 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on Kimball Airport Resolution 2020-02. Hadenfeldt explained that this is an emergency because Council is required to take action before August 1, 2020. Baliman moved and seconded by Bright to accept the Kimball Airport Resolution 2020-02 Setting Property Tax Request. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on Ordinance #779, Allowing Golf Cars on City Streets, second reading. Baliman moved and seconded by Pike to read Ordinance #779 by title only, second reading and extend the 3<sup>rd</sup> reading to a future meeting. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried. Prunty read Ordinance #779 by title only.

#### ORDINANCE NO. 779

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA ("THE CITY") ADDING SECTION 72.06 TO THE CODE OF KIMBALL AND AMENDING SECTIONS 72.01, 72.03, 72.04 AND 72.05 CONCERNING THE USE OF GOLF CAR VEHICLES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Prunty opened discussion on Ordinance #780, Consumer Owned Generation. Pike moved and seconded by Shields to read Ordinance #780 by title only. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty read Ordinance #780 by title only. Pike moved and seconded by Baliman to approve Ordinance #780. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 780

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, AMENDING SECTION 53.10(C) OF THE CODE OF KIMBALL RELATING TO CONSUMER OWNED GENERATOR CONNECTIONS WITH THE CITY OF KIMBALL'S ELECTRICAL DISTRIBUTION SYSTEM AND PROVIDING FOR WHEN ELECTRICAL GENERATORS ARE NOT ALLOWED TO INTER-CONNECT WITH THE CITY'S ELECTRICAL DISTRIBUTION SYSTEM; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Prunty opened discussion on Ordinance #781, Amending the Economic Development Plan. Hadenfeldt advised Council that Ordinance #781 amends §32.021 and §32.022 of the City Code to match the Economic Development Plan. Kimball resident Jamie Bright addressed Council and pointed out that there is a typo in Ordinance #781. She went on to say that "Section E" says the program began October 1, 2018 instead of October 1, 2008. Discussion was held on what the correct date should be. Pike moved and seconded by Baliman to read Ordinance #781 by title only. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Prunty read Ordinance #781 by title only. Bright moved and seconded by Baliman to approve Ordinance #781 amended City Code §32.021 & §32.022. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 781

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, ("THE CITY") AMENDING SECTIONS 32.021 AND 32.022 OF THE CODE OF KIMBALL RELATING TO THE ECONOMIC DEVELOPMENT PROGRAM; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

The City Council reviewed the following items under the consent agenda: (1) Minutes from the regular City Council meeting June 16, 2020; (2) Claims; (3) Financial Statements. Baliman moved and seconded by Pike to approve the consent agenda as presented. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

Mayors Report: Basketball and Pickleball Courts will be done soon. Fitness Center should be open mid-August with a juice bar. There was major buckling on the Airport Runway.

Next regular meeting will be held August 18, 2020 at 6:00 p.m. and the budget meeting will be August 12, 2020 at 5:00 p.m. There being no further business, Bright moved and seconded by Pike to adjourn the meeting at 6:50 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Baliman, Bright, Pike and Shields. Nay: None. Absent: None. Motion carried.

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Keith B. Prunty, Mayor

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Katherine Terrill, City Clerk

