

Kimball City Council
Regular Meeting
May 19, 2020

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on May 19, 2020. Pursuant to Governor's Executive Order 20-03 Mayor Prunty, Council members Shields and Pike were physically present. Council members Baliman and Bright attended via Zoom meeting ID #946 7375 6411. Also present via Zoom were Water Superintendent Sisk, 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 and a copy was provided in the Zoom meeting chat box.

Prunty opened the public hearing at 6:02 p.m. for the Kimball CDBG Water Loop Project. Bryan Venable of PADD advised Council that about a year ago the State of Nebraska announced that any city's with CDBG funds would have to return them to the state unless they had a qualifying project to repurpose the funds. Venable went on to say that the city has \$153,000 of CDBG funds and that total project cost is approximately \$210,000. With there being no further questions or comments, Prunty closed the public hearing at 6:05 p.m. Baliman moved and seconded by Bright to approve the Kimball CDBG Water Loop Project. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty introduced Resolution 2020-05, authorizing the Mayor's signature on the Kimball CDBG Water Loop Project. Bright moved and seconded by Shields to approve Resolution 2020-05. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on Kimball Handyman Project. Kimball Handyman Project Director, Wendy Baker, went over the program with the Council. Baker advised that the program has been in existence for 38 years and works in cooperation with the Aging Office of Western Nebraska. Baker stated that the program helps coordinate services to local residents ages 60 and over. Baker added that the contract is for July 1, 2020 through June 30, 2021. Shields moved and seconded by Pike to approve the Mayor's signature on the Kimball Handyman Project. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve the flagpole at Gotte Park to surplus sale. Prunty advised that the flagpole has not been used for many years. Discussion was held on the cost of removing the pole and the cost of filling the hole instead of cutting the pole down. Prunty stated that it will not cost the City anything and that whoever buys the pole will have to remove it. After discussion, Shields moved, and Pike seconded to approve the flagpole at Gotte Park to surplus sale. On roll call the following votes were recorded. Aye: Pike and Shields. Nay: Baliman and Bright. Absent: None. There being a tie vote, Prunty voted "Aye" to approve the flagpole at Gotte Park to surplus sale. Motion carried.

Prunty opened discussion to approve the recommendation of bid for the Kimball VFD Project from the Board of Public Works. Water Superintendent Sisk explained the project to the Council. Sisk went on to say that money was budgeted in the 19/20 FY buget for the purchase of three VFD's. Sisk went through the two bids that were received for the project. Sisk stated that the Board of Public Works recommended the Council approve the bid from HOA Solutions, Inc. in the amount of \$57,732.00 as it was the lower bid. After discussion on the difference in the amount of the bids, Bright moved and seconded by Baliman to approve the recommendation from the Board of Public Works for the bid from HOA Solutions, Inc. for the Kimball VFD Project in the amount of \$57,732.00. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve the Mayor's appointment of interim administrators and the division of duties per City Code §31.03. Prunty advised Council that Katherine Terrill and Annette Brower will be filling in after Dan Dean's departure. Shields stated that the Council has done this in the past. Prunty stated that they have been doing the job. Prunty stated Terrill and Brower have been doing an excellent job. Shields moved and seconded by Bright to approve Katherine Terrill and Annette Brower as the interim City Administrator position. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve removing Dan Dean from the bank signature cards. Bright moved and seconded by Baliman to approve removing Dan Dean from the bank signature cards. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve the Irrevocable Letter of Credit for Deposits under the Public Funds Deposit Security Act as stated in Kimball City Code §35.09 and §35.10 regarding deposits held at FirstTier Bank. FirstTier Chief Financial Officer Michael Coleman advised the Council that any funds in excess FDIC insured dollar thresholds have to be securitized by a bank and FirstTier has more than the FDIC limits. Coleman went on to say that in case the bank was to fail that is to ensure that the City deposits are insured, and the City would not lose any money. Colman added that the letter of credit is renewed every year. Baliman moved and seconded by Bright to approve the Irrevocable Letter of Credit for deposits under the PFDSA as stated in §35.09 and §35.10 regarding deposits held at FirstTier Bank. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to consider the agenda request to amend Ordinance No. 665 to allow golf carts on the city streets. Discussion was held on Nebraska State Statute 60-6,381 section (1)(a) that says

operation within corporate limits of the city is allowed on streets adjacent and contiguous to a golf course. City Attorney Hadenfeldt stated that section (2)(a) would allow golf cars on streets within the corporate limits of the city. Bright voiced concerns that the golf cars should not be allowed on the highway. Hadenfeldt stated that state statute does not allow golf cars on highways, only to cross over them in certain situations. Police Chief Bremer addressed Council saying that he would request that the ordinance requires a light kit, safety flag, helmet, Class O Operating Permit and be inspected by the Police Department. After further discussion, Bright moved and seconded Baliman to direct the administration to research other communities and draft an ordinance to bring to City Council at the next meeting. On roll call the following votes were recorded. Aye: Baliman, Bright and Shields. Nay: Pike. Absent: None. Motion carried.

Prunty opened discussion to authorize the Mayor's signature on the Estoppel Certificate with Kimball Wind, LLC. Hadenfeldt this is for the lease of the substation area. Hadenfeldt went on to say that Kimball Wind, LLC. has new investors and this Estoppel Certificate says that the lease is in effect, not in default. Shields moved and seconded by Pike to authorize the Mayor's signature on the Estoppel Certificate with Kimball Wind, LLC. On roll call the following votes were recorded. Aye: Baliman, Bright and Shields. Nay: Pike. Absent: None. Motion carried.

Prunty opened discussion on the Business Façade Improvement Grant guidelines and checklist. Economic Coordinator Schlake advised Council that she reformatted application and guidelines and created a checklist. Schlake advised the Citizen's Advisory Committee wanted the "120 days from date of completion" added. Pike pointed out that sidewalks are listed in both the permitted and not permitted section of the guidelines. Schlake advised she would remove that. Prunty stated that the "up to \$10,000 per project" will be removed. Terrill pointed out that the \$300 minimum project cost needs to be removed per the Citizen's Advisory Committee. Pike moved and seconded by Baliman to approve the Business Façade Improvement Grant guidelines and checklist with the amendments that were discussed. On roll call the following votes were recorded. Aye: Baliman, Bright and Shields. Nay: Pike. Absent: None. Motion carried.

Prunty opened discussion on the Business Infrastructure Improvement Grant guidelines and checklist. Schlake advised she reformatted application and guidelines and created a checklist. Bright moved and seconded by Baliman to approve the Business Infrastructure Improvement Grant guidelines and checklist. On roll call the following votes were recorded. Aye: Baliman, Bright and Shields. Nay: Pike. Absent: None. Motion carried.

The City Council reviewed the following items under the consent agenda: (1) Minutes from the regular City Council meeting April 21, 2020; (2) Claims; (3) Financial Statements. Baliman moved and seconded by Shields to approve the consent agenda as presented. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Mayors Report: Prunty advised that there will be a Memorial Day Service at Cemetery, but everyone encouraged to stay in vehicle. Prunty advised playground equipment opened but bathrooms and basketball courts are still closed until further notice.

Next regular meeting will be held June 16, 2020 at 6:00 p.m. There being no further business, Bright moved and seconded by Baliman to adjourn the meeting at 6:52 p.m. On roll call the following votes were recorded. Aye: Baliman, Pike, Bright and Shields. Nay: None. Absent: None. Motion carried.

Keith B. Prunty, Mayor

Katherine Terrill, City Clerk