

Kimball City Council
Regular Meeting
November 16, 2021

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on November 16, 2021 held at the Kimball County Transit building, 233 S. Chestnut St. Council members Pike, Bright, Ingram and Warner were present. Also, present was Mayor Prunty, City Administrator Brower, City Attorney Turman, Deputy Clerk Barnwell, and Deputy Treasurer Klassen. Also present was Economic Director Schlake. 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: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried. The Pledge of Allegiance was recited. Prunty acknowledged the posted Open Meetings Act.

Prunty opened discussion for approval of the request for Keno Funds of \$1,000.00 to assist with equipment purchase for Kimball Youth Sharks Football program. Trevor Anderson and Mitch Brown spoke to the board with details on the equipment and stated it was a three-to-six-year program. Ingram motioned and seconded by Warner to approve the request for Keno Funds of \$1,000.00 to assist with the equipment purchase for Kimball Youth Sharks Football program. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Economic Director Schlake updated the board on her recent Washington DC trip. She stated that it was an informative visit. She asked the board to “pay attention” to the upcoming broadband incentive that will be proposed for rural areas and that Kimball County would qualify. She gave a brief update on the GBSD project.

Prunty opened discussion on the Mayor’s appointment of Henry Heeg as City representative for the Kimball County/Kimball City Park and Recreation Operating Board. Ingram motioned and seconded by Bright to approve the Mayor’s appointment of Henry Heeg as City representative for the Kimball County/Kimball City Park and Recreation Operating Board. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: none. Motion carried.

Prunty opened discussion and on the approval of the recommendation from the Board of Public Works to conduct an engineering study by Olsson Engineering on the Wastewater Treatment Plant for future capacity and upgrades. City Administrator Brower advised the board that Olsson Engineering was onsite last week and once the engineer study was completed, it would allow

opportunities for multiple grants for funding. Grants available for up to \$20,000.00 for five to 10 years for the infrastructure issues. The proposed engineering study would begin in April 2022. Pike motioned and seconded by Bright to approve the recommendation from the Board of Public Works to conduct an engineering study by Olsson Engineering on the Wastewater Treatment Plant for future capacity and upgrades. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on proposals to replace curb, gutters and driveway approach to the Dollar General including ADA ramps and pads. Bid was received from Hennings Construction Inc. for the total amount of \$14,120.74. After discussions, Bright motioned and seconded by Pike to approve the Hennings bid to replace curb, gutters and driveway approach to the Dollar General including ADA ramps and pads. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion on Ordinance #796 Amending Article 3 “Zoning District Regulations” for Commercial Zoning. This would involve all Commercial Zoning falling into the same regulations and setbacks. Warner motioned and seconded by Pike to waive the three readings of Ordinance #796. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Motion by Warner and seconded by Pike to approve Ordinance #796 amending Article 3 “Zoning District Regulations” for Commercial Zoning. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 796

AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, TO AMEND ARTICLE 3 “ZONING DISTRICT REGULATIONS” OF THE CITY OF KIMBALL ZONING ORDINANCE, ADDING SECTIONS 11-310.4 “ADDITIONAL PERMITTED AND CONDITIONAL USES”, 11-312.4 “ADDITIONAL PERMITTED AND CONDITIONAL USES”, AND 11-313.4 “ADDITIONAL PERMITTED AND CONDITIONAL USES”; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Prunty opened discussion on Ordinance #797 amending Article 3 “Zoning District Regulations” for R4 Mobile Home Parks to include a conditional use for RV Parks and to remove line #11 Recreational Vehicle from permitted uses. Ingram motioned and seconded by Pike to waive the three readings of Ordinance #797. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Motion by Ingram and seconded by Bright to approve Ordinance #797 amending Article 3 “Zoning District Regulations” for R4 Mobile Home Parks to include a conditional use for RV Parks and to remove line #11 Recreational Vehicle from permitted uses. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 797

AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, TO AMEND ARTICLE 3 "ZONING DISTRICT REGULATIONS" OF THE CITY OF KIMBALL ZONING ORDINANCE, ADDING CONDITIONAL USE 11-308.2 (7) "OPEN RECREATIONAL VEHICLE PARKS, OPERATED FOR PROFIT OR OTHERWISE"; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Prunty opened discussion on Ordinance #798. An ordinance to repeal ordinance #786 which amended title III Chapter 31 Section 31:02 combining the offices of City Clerk and City Treasurer. Warner motioned and seconded by Pike to waive the three readings of Ordinance #798. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Motion by Warner and seconded by Pike to approve Ordinance #798. An ordinance to repeal ordinance #786 which amended title III Chapter 31 Section 31:02 combining the offices of City Clerk and City Treasurer. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 798

AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, TO REPEAL ORDINANCE NO. 786, WHICH AMENDED TITLE III, CHAPTER 31, SECTION 31.02; COMBINED THE OFFICES OF KIMBALL CITY CLERK AND KIMBALL CITY TREASURER; REPEALED ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDEDFOR AN EFFECTIVE DATE HEREOF.

Prunty opened discussion on Ordinance #799 making it unlawful for any person within the corporate limits of the City of Kimball to permit, allow or suffer dwelling of any Camping Trailer, Fifth-Wheel Trailer, Motor Home, or Recreational Vehicle, whether on private property or public ways, whether for profit or not for profit, unless located within a Recreational Vehicle Park or Residential Mobile Home Park as identified in Article 3 of the City of Kimball Zoning Ordinance. Pike motioned and seconded by Ingram to waive the three readings of Ordinance #799. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Motion by Ingram and seconded by Bright to approve Ordinance #799 making it unlawful for any person within the corporate limits of the City of Kimball to permit, allow or suffer swelling of any Camping Trailer, Fifth-Wheel Trailer, Motor Home, or Recreational Vehicle, whether on private property of public ways, whether for profit or not for profit, unless located within a Recreational Vehicle Park or Residential Mobile Home Park as identified in Article 3 of the City of Kimball Zoning Ordinance. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

ORDINANCE NO. 799

AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, TO AMEND TITLE XIII: "GENERAL OFFENSES" OF THE MUNICIPAL CODE OF KIMBALL, ADDING TO CHAPTER 131 "GENERAL PROVISIONS" SECTION 131.07 "DWELLING IN CAMPING TRAILERS, FIFTH-WHEEL TRAILERS, MOTOR

HOMES, AND RECREATIONAL VEHICLES”; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Prunty opened discussion on Superintendents as appointed positions as detailed in Tittle III Chapter 31. City Administrator advised the board that as it stands the Electric, Street, and Water/Wastewater superintendents are appointed positions. It was requested to have the Electric and Street superintendents removed from the Ordinance and for the Water/Wastewater superintendent to remain as an appointed position because state statute requires it. Council member Warner recommended a ratification on all appointed positions by the Council before Mayor was able to unappoint. After discussion, Warner motioned and seconded by Bright to direct staff to propose a recommendation to remove Electric and Street superintendents as appointed positions from the Ordinance and to allow Council to ratify removal from appointed positions. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: none. Motion carried.

Prunty opened discussion and the approval request for proposal (RFP) requirements for the sale of two vacant City owned properties located at 33 15 55 Hull’s Subdivision Tract 170’ x 199’ Lot 1 Parcel ED# 530018519 and 32 15 55 Hull’s Subdivision Tract 150’ x 170.5’ in Lot Parcel ID# 530018527 for future housing development. After discussion, Bright motioned and seconded by Pike to authorize staff to draft a document stating that the restrictions on said properties were to be multi-family dwellings; groundbreaking must be within 6 months of closure on property; a development agreement must be presented to the Council; and building must be completed within 1 year of the closing date. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: none. Motion carried.

Prunty opened discussion on the City’s position of begin land and/or building purchases through the Community Development Authority. After discussion, Warner motioned and seconded by Bright to have staff draft a proposal to submit to the Community Redevelopment Authority allowing CRA to begin land and/or building purchases of residential, commercial and/or vacant land that is deteriorating; not allowing any purchases on main street. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: none. Motion carried.

The City Council reviewed the following items under the consent agenda: (1) Minutes from October 16, 2021 City Administrator Interviews (2) Minutes from October 19, 2021 Regular meeting (3) Claims; (4) Financial Statements. Piker moved seconded by Warner to approve consent agenda items as presented. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Mayor Prunty updated that the Japanese restaurant would be opening in December 2021.

City Administrator Brower updated that automatic reader meters will be running this week for the trial run after internet has been installed. The electric department was assisting Family Dollar and working on the line at the ROK RV Park. The Water Loop project is completed. There will be a special meeting on November 18 with the Board of Public Works to discuss the sewer extension needed at the Family Dollar and that the parts are in for the second feed station.

Brower continued her updates with the Rail Spur and that there would be an update from Clean Harbors in two to three weeks. She attended a Twin City Development meeting regarding the \$275K Rural Housing Funds. The Ace Hardware sign will be going up and projected opening date is February/March 2022. Family Dollar plans to begin concrete work and in two to three weeks, the building will begin construction. She gave a brief update on the meeting she attended in Lincoln for the Game and Racing Commission and that work is in progress. She informed Council that the new health insurance plan will save approximately \$75K to \$100K annually. She thanked Deputy Clerk Barnwell for her assistance with the process. She stated that Deputy Treasure Klassen had researched and gather information for a phone system update that would save approximately \$750.00 a month.

Next regular meeting will be held December 7, 2021, at 6:00 p.m.

Mayor Prunty opened the floor for any public comments. There being no further business, Bright moved and seconded by Ingram to adjourn the meeting at 7:07 p.m. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Keith B. Prunty, Mayor

Kim Barnwell, Deputy Clerk