

Kimball City Council  
Regular Meeting  
December 7, 2021

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on December 7, 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. 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 on the Mayor's appointment of City Clerk, Kimberly Barnwell. Pike motioned and seconded by Warner to approve the Mayor's appointment of City Clerk, Kimberly Barnwell. Aye: Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on the City Clerk's contract. Warner motioned and seconded by Ingram to approve the City Clerk's contract. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on the Mayor's appointment of City Treasurer of Jean Klassen. Pike motioned and seconded by Warner to approve the Mayor's appointment of City Treasurer, Jean Klassen. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on the City Treasurer's contract. Ingram motioned and seconded by Bright to approve the City Treasurer's contract. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on the Mayor's appointments for positions, boards, committees, newspapers, radio stations and banks. Warner motioned and seconded by Pike to approve the Mayor's appointments for positions, boards, committees, newspapers, radio stations and banks. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to ratify the Kimball Volunteer Fire Department's active Fireman and Officers for the 2021/2022 year. Ingram motioned and seconded by Bright to approve the ratification of the Kimball Volunteer Fire Department's active Fireman and Officers for the 2021/2022 year. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to ratify the Kimball Police Department's active Officers for the 2021/2022 year. Pike motioned and seconded by Bright to approve the ratification of the Kimball Police Department's active Officers for the 2021/2022 year. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve the RFPs for city owned property for Parcels 530018519 and 530018527. Ingram motioned and seconded by Bright to approve the RFPs for city owned property for Parcels 530018519 and 530018527. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to direct staff on the request for annexation. City Attorney Turman updated the council and recommended that the extension of the city limits have services provided within one year. He recommended that an agreement be put in place to divide up the costs that the city incurred with the property owners. City Administrator Brower stated that engineers would be consulted as well. Property owner Ryan McElroy spoke on his behalf and stated that the project would begin within the next couple of years. Warner motioned and seconded by Ingram to direct the staff to work on the details for the request for annexation. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for the approval of the Mayor's signature on the year end certification of the City Street Superintendent for NDOT. Ingram motioned and seconded by Bright to approve the Mayor's signature on the year end certification of the City Street Superintendent for NDOT. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for the approval of the Mayor's signature to the City Maintenance Agreement Renewal with the State of Nebraska Department of Transportation. Bright motioned and seconded by Pike to approve the Mayor's signature to the City Maintenance Agreement Renewal with the State of Nebraska Department of Transportation. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty informed the board that the Planning Commission did not meet and that the recommendation for the approval of the plat for the Rook RV Parcel would not be discussed.

Prunty opened discussion for the election of the City Council President. Warner motioned and seconded by Ingram to elect Pike for the City Council President. Aye: Ingram, Warner, and Pike. Nay: Bright. Absent: None. Motion carried.

Prunty opened discussion for approval on Ordinance #800, an amendment to C-4 zoning to allow for games of chance and racetracks. Prunty asked for motion to introduce Ordinance #800, read by title only and the statutory rule requiring reading on 3 different days be suspended. Bright recommended that the ordinance be allowed to have the 3 readings in order to allow the

community to have a voice. Pike recommended that Canterbury be contacted and asked to do an update and keep the interest going forward. City Attorney Turman stated he would contact Canterbury and make the arrangements. City Administrator Brower stated that she would be attending the upcoming Gaming and Racing Commission meeting on December 17 where the rules and regulations would be discussed and ratified that day. Once finalized, then the projects would be allowed to move forward. Pike motioned and seconded by Bright that Ordinance #800 be suspended on the 3 different readings and be passed and approved on the second reading. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on Ordinance #801, allowing gambling only within licensed racetrack establishments. Ingram motioned and seconded by Pike that Ordinance #801 be suspended on the 3 different readings and be passed and approved on the second reading. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on Ordinance #802 amending Title III Chapter 94 Section 94.01 of removal of Street Superintendent and Electric Superintendent as yearly appointments. Ingram motioned and seconded by Pike for approval for Ordinance #802 amending Title III Chapter 94 Section 94.01 of removal of Street Superintendent and Electric Superintendent as yearly appointments. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

## **ORDINANCE NO. 802**

**AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA: AMENDING TITLE III, CHAPTER 31, REMOVING SECTION 31.14 AND REMOVING SECTION 31.16. AMENDING TITLE III, CHAPTER 94, SECTION 94.01. AMENDING TITLE V, CHAPTER 53, ADDING SECTION 53.41; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

Prunty opened discussion for approval of Resolution 2021-11 of the Year-End Certification of the City Street Superintendent. Ingram motioned and seconded by Bright for approval of Resolution 2021-11 of the Year-End Certification of the City Street Superintendent. 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 November 16, 2021 (2) Claims; (3) Financial Statements. Warner moved seconded by Pike 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 interviewing process had been taking place. And that he would update the Council as needed on any issues that would arise.

City Administrator Brower updated that the electric department is working on the Rook RV Park and still working on the second feed with High West Energy. They are waiting on parts in order to begin testing. Confirmation was received that the Security Grant for the Water Wells and Generator has been extended to December 31, 2022. The Automatic Meter Reading is being held up while waiting on one part for the connection for the readers and the internet. Dollar General sidewalk has been delayed by a contractor illness. Family Dollar/Dollar Tree is working

on final cement contract. Once cement is poured, the building will be begin construction. Gaming and Racing Commission meeting next Friday. There will be another GBSD zoom meeting on Thursday, December 9. They are encouraging local businesses to sign up as a contracted vendor to all the military to visit the business. Multiple items have been released to encourage businesses and give them the information necessary to do so. (Facebook, Flyers for businesses, updated information on the City of Kimball website and an ad will be placed in the local newspaper.) Trevor Anderson, School Superintendent will be present for the GBSD zoom meeting.

Brower continued to update that the Economic Developer position is being advertised. The auditors completed their visit, and the audit went very well. Brower commended the office staff for their work and commitment to the city for their involvement. Once the finalization is released, a combination meeting with the Board of Public Works will be arranged. Brower updated that the power outage that was on the prior Saturday was not reported until later and that the City Electric department was not aware of the outage. An outage statement has been placed on the website with the 24-hour hotline number for residents to contact in case of an emergency or outage.

Next regular meeting is scheduled for December 21, 2021. The Council decided to postpone due to the upcoming holidays. The next regular schedule meeting will be January 4, 2022 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 6:37 p.m. On roll call the following votes were recorded. Aye: Bright, Ingram, Warner, and Pike. Nay: None. Absent: None. Motion carried.

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Keith B. Prunty, Mayor

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Kim Barnwell, City Clerk