

Kimball City Council
Regular Meeting
February 15, 2022

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on February 15, 2022 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, City Clerk Barnwell, and City 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 public hearing at 6:01 p.m. for application for rezoning located at Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla Drive), Kimball, NE from Residential Rural to Residential Mobile Home Park. Bob Shahla discussed adjusting the backsets on the property. He also addressed his concerns with the fencing issues and stated that it was to generate extra income. Ken Mossberg with Mossberg Farms spoke in opposition of the rezoning and addressed his concerns. Prunty closed the public hearing at 6:11 p.m.

After discussion, Warner motioned and seconded by Ingram to approve the application for rezoning located at Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla Drive), Kimball, NE from Residential Rural to Residential Mobile Home Park. On roll call the following votes were recorded. Aye: Bright, Ingram, and Warner. Nay: Pike. Absent: None. Motion carried.

Prunty opened discussion for approval on Ordinance # 803 to rezone Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla Drive), Kimball, NE from R-R (Residential Rural) to R-4 (Residential Mobile Home Park). Prunty requested Ordinance #803 have three readings prior to final approval. Warner motioned and seconded by Bright that Ordinance # 803 to rezone Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla Drive), Kimball, NE from R-R (Residential Rural) to R-4 (Residential Mobile Home Park) be read by title only and be passed and approved on the third and final reading. On roll call the following votes were recorded. Aye: Bright, Ingram, and Warner. Nay: Pike. Absent: None. Motion carried.

Prunty opened public hearing at 6:23 p.m. for the application for the conditional use permit for RV camper spots at Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla

Drive), Kimball NE. Bob Stahla voiced his concerns with the possibility of a privacy fence on the North side and snow issues. Scott Noah voiced his concerns with the drive on the North side being a private drive and maintaining it. Ken Mossberg stated that his concerns were the access to the RV park, accessing city utilities and providing a privacy fence. Prunty closed the public hearing at 6:36 p.m.

After discussion, Warner motioned and seconded by Bright to approve the application for the conditional use permit for RV camper spots at Lot 2, Lockwood Subdivision NE ½ of the SW ¼ of Section 29 (#2 Stahla Drive), Kimball NE with the restrictions of limiting the RV park to 12 RV camper spots, property owner must provide a customary, wood or vinyl six foot solid, continuous privacy fence on the entire South and East side and East half of the North side of the property. The application will be limited to five years, and all said above is subject to the passage of the final three readings of Ordinance #803. On roll call the following votes were recorded. Aye: Bright and Warner. Nay: Pike and Ingram. Prunty voted Aye for tie breaker. Absent: None. Motion carried.

Jessica Rocha, Kimball County Tourism Director gave the 2021 Tourism Center update. She briefly updated the multiple areas of sales that were increasing and stated that the center will soon be approaching their 100,000th customer. She stated that the Tri-state Marker ribbon cutting would be announced soon.

Jessica Rocha spoke on the Activate Kimball and PPHD downtown crosswalk program. PPHD would provide \$2,000.00 for supplies. Ms. Rocha has contacted the schools for the assistance of the students with the designs and the painting. She is wanting to do the major crosswalks on Chestnut from 3rd Street to 1st Street and would need the closure of that street for 1 day. She stated that any additional costs would be covered by Activate Kimball.

Prunty opened discussion for approval on recommendation from Loan Advisory to approve the Business Improvement Grant for TNA 1 LLC for replacement windows and front door. Ingram motioned and Bright seconded to approve the recommendation from Loan Advisory to approve the Business Improvement Grant for TNA 1 LLC for \$1,375.00. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on recommendation from Loan Advisory to approve the Business Improvement Grant for Reck Investments for siding, roof, gutters, and garage doors. Pike motioned and seconded by Ingram to approve the recommendation from Loan Advisory to approve the Business Improvement Grant for Reck Investments for \$10,000.00. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Prunty opened discussion for approval on Resolution 2022-01 to appointment the MEAN Board Alternate Director as Annette Brower. Bright motioned and seconded by Pike to approve Resolution 2022-01 continuing appointment of Bill Hinton as Director to MEAN Board with Alternate Director Annette Brower; continuing appointment of Bill Hinton as Representative to NMPP's Member Council with Alternate of Annette Brower; continuing appointment of Bill

Hinton as Director to ACE Board of Directors with Alternate of Annette Brower. On roll call the following votes were recorded. Aye: Bright, Ingram, Pike and Warner. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to receive and take any and all action to approve or reject requests for proposal for city lots Parcel ID #530018519 and #530018527 located in Hull's Subdivision 32-15-55. Johnson Construction was present and presented the board with the five duplexes proposed to be built on said property. City Administrator Annette Brower spoke to the board on the 16-apartment complex that was proposed by Clean Harbors. She was uncertain if Clean Harbors intentions were for the apartments to be available to the general public or for Clean Harbors employees only. After discussion, Bright motioned and seconded by Warner to approve request for proposed city lots Parcel ID #530018519 and #530018527 located in Hull's Subdivision 32-15-55 to Clean Harbors with the condition that the apartments were to be available to the general public. On roll call the following votes were recorded. Aye: Bright, Pike and Warner. Abstained: Ingram. Nay: None. Absent: None. Motion carried.

Prunty opened discussion to approve Duty to Intervene in Excessive Force Events Policy pursuant to revised NE State Statute 81-141.17 to be added to Police Department Procedural Manual. Bright motioned and seconded by Warner to approve Duty to Intervene in Excessive Force Events Policy pursuant to revised NE State Statute 81-141.17 to be added to Police Department Procedural Manual. 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 January 18, 2022 (2) Claims; (3) Financial Statements. Ingram motioned and 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 Family Dollar was moving forward, the Japanese restaurant was open and that the Police Department was undergoing a remodel at this time.

City Administrator Brower updated that the annexations were moving forward. She stated that the parts for the 2nd feed were backordered once again and the WWTP installed the repaired mixer. The City has joined the Housing Study which will allow ARPA funds to be available. She stated that the change in the city employee health insurance has saved the city 75k – 80k per year. She updated that there was a new website for the Airforce which was very detailed and that Mayor Prunty and herself were invited to attend the Airforce "War College" in May 2022.

The next regular schedule meeting will be March 15, 2022, at 6:00 p.m.

Mayor Prunty opened the floor for any public comments. There being no further business, Ingram motioned and seconded by Warner to adjourn the meeting at 7:38 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, City Clerk