

Kimball City Council  
Regular Meeting  
September 20, 2022

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on September 20, 2022, held at the Kimball County Transit building, 233 S. Chestnut St. Council members Bright, 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: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried. The Pledge of Allegiance was recited. Prunty acknowledged the posted Open Meetings Act.

Prunty opened for a motion to excuse the absence of Council members Ingram and Pike. Bright moved and seconded by Warner to excuse the absence of Council members Ingram and Pike. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty stated that the public hearing for City Council Ordinance No. 806 would be adjourned, postponed, and continued at the 9/23/2022 City Council meeting at 5:00 p.m. at the Kimball County Transit building.

Prunty opened public hearing at 6:01 p.m. for application for Class D (Beer, Wine, Distilled Spirits, Off Sale Only) Liquor License for Kimball Ace Hardware LLC dba Kimball Ace Hardware, 12175 Hwy 71, Kimball NE. No public comments were made. Prunty closed the public hearing at 6:02 p.m.

Prunty stated that the Receive and Discuss recommendation from Planning Commission regarding Annexation Resolution #2022-10 would be adjourned, postponed, and continued at the 9/23/2022 City Council meeting at 5:00 p.m. at the Kimball County Transit building.

Prunty stated that the Discuss and Approve of Ordinance No. 806 would be adjourned, postponed, and continued at the 9/23/2022 City Council meeting at 5:00 p.m. at the Kimball County Transit building.

Prunty opened discussion on action for approval on application for Class D (Beer, Wine, Distilled Spirits, Off Sale Only) Liquor License for Kimball Ace Hardware LLC dba Kimball Ace Hardware, 12175 Hwy 71, Kimball NE. Warner moved and seconded by Bright to approve application for Class D (Beer, Wine, Distilled Spirits, Off Sale Only) Liquor License for Kimball Ace Hardware LLC dba Kimball Ace Hardware, 12175 Hwy 71, Kimball NE. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened discussion for approval on purchase of 2008 Chevrolet Silverado 2500 for the Streets Department from 2022-2026 Budget. Street Superintendent Jim Shoup was present and answered questions. After discussion, Bright moved and seconded by Warner to approve the purchase of 2008 Chevrolet Silverado 2500 for the Streets Department from 2022-2026 Budget for \$20,293.00. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened for Olsson Engineering, Douglas Loudon, Civil Engineer to present the Kimball Nebraska WWTP Preliminary Engineering Report. Mr. Loudon stated that the preliminary engineering report would now enable the funding steps to move forward. He discussed the suggestions and recommendation from Olsson Engineering for the WWTP. Mr. Loudon stated that Table 4-1 was recommended repairs to the Existing Systems and Table 4-2 was the Alternative B-1 Option that was recommended for the future growth that Kimball will be experiencing. After discussion, Warner moved and seconded by Bright to approve the \$4,338,000.00 recommendation from BPW for the Olsson Engineering Kimball Nebraska WWTP Preliminary Engineering Report and to move forward for funding options available. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened for discussion and approve for trade-in of police firearms to use towards new equipment. Police Chief Andy Bremer was present and told the board that the Police Department would like to purchase five new rifles with the trade-in of two AR10 rifles for \$650.00 each and one AK47 rifle for \$300.00. He stated that he was quoted \$1,000.00 each for a new rifle. Bright moved and seconded by Warner to approve the purchase of five new firearms with the trade-in of two AR10 rifles and one AK47 rifle. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened discussion for approval on the Business Improvement/Business Façade Grant from Kimball Motel for replacement windows. After discussion, Warner moved and seconded by Bright to approve the Business Improvement/Business Façade Grant from Kimball Motel for replacement windows for \$1,775.00. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened discussion for approval on the Business Improvement/Business Façade Grant from George Risk Industries, Inc. for Parking Lots. After discussion, Warner moved and seconded by Bright to approve the Business Improvement/Business Façade Grant from George Risk Industries, Inc. for Parking Lots for \$2,135.17. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty opened discussion for approval on the Business Improvement/Business Façade Grant from George Risk Industries, Inc. for Sidewalks. After discussion, Warner moved and seconded by Bright to approve the Business Improvement/Business Façade Grant from George Risk Industries, Inc. for Sidewalks for \$2,245.53. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Prunty stated that Ordinance No. 806 First Reading (Annexation-Janicek Dam/Dog Park) would be adjourned, postponed, and continued at the 9/23/2022 City Council meeting at 5:00 p.m. at the Kimball County Transit building.

The City Council reviewed the following items under the consent agenda: (1) Minutes from August 16, 2022 – regular meeting; (2) Minutes from August 30, 2022 – Joint meeting with BPW

Budget Workshop (3) Claims; (4) Financial Statements. Warner moved and seconded by Bright to approve consent agenda items as presented. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Mayor Prunty did not have any updates to report.

City Administrator Brower updated that there are projects that Olsson Engineering and K Tech teams have been working on which include the Blight Study, Comp Study, Subdivision Regulations; Zoning Updates; Economic Impact Study for funding and restructuring internal and external statues and ordinances. She stated that Advanced Meters is in town now and have begun the water meter installations; their hours are Monday through Friday, 8:00 a.m. to 4:00 p.m. and Saturdays from 10:00 a.m. to 2:0 p.m. The electric meters are being shipped on September 30, 2022 and same crew will install them within approximately 3 weeks. City Administrator Brower asked the public to please be patient during the transition of the new meter system. She concluded her update with stating that there have been talks with the military and will be meeting with legal teams soon.

Police Chief Bremer updated that there will be a new sign up for the Police Department; an Open House for the Department in being or; he is conducting vehicle inspections on Police vehicles. He stated that the abatements are going well, and the arrest rates are about the same as it was this time last year. Chief Bremer informed the board that the PD has put up cameras in the department and two new police officers have been hired; will begin new training program before going to be certified.

The next regular schedule meeting will be October 2, at 6:00 p.m. Mayor Prunty opened the floor for any public comments. No public comments were made.

Prunty moved pursuant to Neb. Rev. Stat Sections 84-1410 that the Kimball City Council enter into closed session for the protection of the public interest, including discussion of strategy and guidance from legal counsel regarding pending claims and potential imminent litigation for and against the City regarding Hometown Hardware, Inc. Bright moved and seconded by Warner to go into Closed Session at 6:40 p.m. Prunty invited board members Ingram and Pike to attend via phone. On roll call the following votes were recorded. Aye: Prunty, Bright and Warner. Nay: None. Absent: Ingram and Pike. Motion carried.

Warner moved and seconded by Bright to move out of Executive Closed Session at 7:42 p.m.

Meeting was adjourned by Mayor Prunty at 7:43 p.m.

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Keith B. Prunty, Mayor

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Kim Barnwell, City Clerk