

Kimball City Council
Regular Meeting
December 6, 2022

A regular meeting of the Mayor and City Council was convened in open and public session at 6:00 p.m. on November 15, 2022, held at the Kimball County Transit building, 233 S. Chestnut St. Council members Ingram, Muench, Pike, and Warner were present. Also, present was Mayor Morrison, City Attorney Turman, City Clerk Barnwell, and City Treasurer Klassen. The public was represented along with multiple city employees from all departments.

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.

Pike, Council President, called the meeting to order at 6:06 p.m. The Pledge of Allegiance was recited. Prunty acknowledged the posted Open Meetings Act.

City Clerk Barnwell administered the Oath of Office to newly elected Mayor John Morrison, Council member Don Muench and re-elected Council member Creg Pike.

On roll call the following votes were recorded. Aye: Ingram, Muench, Pike, Warner, and Morrison. Absent: None.

The next order of business, Mayor Morrison asked Randy Bohac to lead the room in prayer.

Mayor Morrison opened for reports. Morrison thanked all that supported him. He continued to state the golden opportunity that Kimball is facing and touched base on the huge challenges ahead; beginning tonight, establishing goals and a vision for Kimball to work towards. He stated the ultimate goal is to have an updated infrastructure, adequate housing and childcare, a thriving retail sector and citizens who are proud of Kimball. He thanked volunteers and encouraged all to volunteer to start moving to a better future.

City Administrator Brower updated that she attended the Omaha Gaming and Racing Commission meeting, and they will be moving forward with the market study, RFPs will be going out in January. She continued to state that it was important to keep Kimball in that study. She stated that utilities crews have been busy; she will be attending PADD, WNED and Northrup Grumman meetings on Thursday; STAR quarterly meeting in conjunction with Northrup Grumman flyers are available to sign up for contracts and project available.

Chief Bremer updated that the department had been investigating a string of thefts recently; appended a pursuit into Wyoming into Colorado; investigating the storage unit thefts as well. He stated they are continuing to work on abatements. Bremer then awarded Chasta Lambert her Administrative Assistant Police Badge from the officers.

Morrison opened the public hearing at 6:22 p.m. for the application for Class B (Beer, Off Sale Only) Liquor License for Family Dollar Inc. dba Family Dollar 33191, 511 W. 3rd Street, Kimball, NE. James Balli, attorney on behalf of Family Dollar, was present via zoom and spoke. He

stated that the Family Dollar/Dollar Tree was a new model, small grocery store which intended to sell beer for off sale purposes only. Mr. Balli stated that all employees would be properly trained and would be required to follow all laws; and that video surveillance would be focused on the beer storage areas. No public comments were made. The public hearing closed at 6:26 p.m.

Morrison opened to elect Council President. Council member Pike nominated Warner for Council President. After discussion, motion by Pike and seconded by Warner to elect Warner as the Council President. On roll call the following votes were recorded. Aye: Pike and Warner. Nay: Muench and Ingram. Tie Breaker vote Nay by Morrison. Absent: None. Motion not carried. Council member Muench then nominated Ingram for Council President. After discussion, motion by Muench and seconded by Ingram to elect Ingram as the Council President. On roll call the following votes were recorded: Aye: Muench, Ingram and Warner. Nay: Pike. Absent: None. Motion carried.

Morrison opened to discuss and approve as a group Mayor's Appointments for City Administrator, City Clerk, City Treasurer and Chief of Police. Motion by Pike and seconded by Ingram to approve as a group Mayor's Appointments for City Administrator, City Clerk, City Treasurer and Chief of Police. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to discuss and approve Mayor's appointments for Boards and Committees, Newspapers, Radio Stations, and Banks. Motion by Ingram and seconded by Pike to approve the Mayor's appointments for Boards and Committees, Newspapers, Radio Stations, and Banks. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to ratify the Kimball Police Department Active Police Officers for the 22/23 year. Motion by Ingram and seconded by Pike to ratify the Kimball Police Department Active Police Officers for the 22/23 year. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to ratify the Kimball Volunteer Fire Department Active Fireman and Officers for the 22/23 year. Motion by Muench and seconded by Pike to ratify the Kimball Volunteer Fire Department Active Fireman and Officers for the 22/23 year. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to discuss and approve recommendations from the Board of Public Works to purchase a 4-Spool Trailer for the Electric Department. Electric Superintendent Hinton and Electric Lineman Brown were available for questions. Brown stated that the trailer would be custom built, to accommodate all conduit and designed for electric reels. He stated that only one company could provide a quote for their specs and that after the first of the year, the cost would go up twelve percent. City Administrator Brower stated that the BPW approved recommendation to the City Council and gave kudos to Hinton and Brown for staying within the budget of \$150,000.00. After discussion, motion by Muench and seconded by Warner to approve the 4-Spool Trailer for the Electric Department. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to discuss dates and times for future Council meetings. He stated that Tuesday or Thursdays at 5:00 pm would be acceptable. Motion by Muench and seconded by Pike to have future Council meetings on first and third Tuesdays at 5:00 pm. On roll call the

following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened to discuss Council Board members to attend all board and committee meetings, a list of meetings, dates and times were provided in the packet. He stated that he wanted one Council member to attend all board and committee meetings in the future. He asked Council members to let City Administrator Brower know their choices for the board and committee meetings to attend.

Morrison opened for action on application for Class B (BEER, OFF SALE ONLY) Liquor License for Family Dollar Inc. dba Family Dollar 33191, 511 W 3rd Street, Kimball, Ne. Motion by Pike and seconded by Warner to approve the application for Class B (BEER, OFF SALE ONLY) Liquor License for Family Dollar Inc. dba Family Dollar 33191, 511 W 3rd Street, Kimball, Ne. On roll call the following votes were recorded: Aye: Ingram, Pike, and Warner. Nay: Muench. Absent: None. Motion carried.

Morrison opened for approval of Mayor's signature to the City Maintenance Agreement Renewal with the State of Nebraska Department of Transportation. Motion by Warner and seconded by Pike to approve the Mayor's signature to the City Maintenance Agreement Renewal with the State of Nebraska Department of Transportation. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Morrison opened discussion and approval of Ordinance No. 807. An ordinance of the City Council of the City of Kimball, Nebraska to annex to the City of Kimball certain lands described herein which are located within Kimball County, Nebraska, repealing all ordinances in conflict herewith; and to provide that this ordinance shall be published in pamphlet form. Motion by Pike and seconded by Ingram to introduce ordinance number 807, read by title only and be passed and approved on third and final reading. On roll call the following votes were recorded: Aye: Muench, Ingram, and Piker. Abstain: Warner. Nay: None. Absent: None. Motion carried.

Morrison read ordinance number 807: An ordinance of the City Council of the City of Kimball, Nebraska to annex to the City of Kimball certain lands described herein which are located within Kimball County, Nebraska, repealing all ordinances in conflict herewith; and to provide that this ordinance shall be published in pamphlet form.

Motion by Pike and seconded by Ingram to approve passage of Ordinance number 807. On roll call the following votes were recorded: Aye: Muench, Ingram, and Piker. Abstain: Warner. Nay: None. Absent: None. Motion carried.

No consent agenda items available due to the first meeting of newly elected officials.

The next regular schedule meeting will be December 20, 2022, at 5:00 p.m.

Mayor Morrison opened the floor for any public comments. No public comments were made.

Morrison opened for a motion in pursuant to Nebraska Revised Statue 84-1410, the Nebraska Open Meetings Act, that they enter into an executive session for the protection of the public interest, and to discuss pending litigation and real estate purchase negotiations regarding the Antique Plaza and to invite Melinda Pearson to attend at 6:55 p.m. Motion by Ingram and seconded by Muench to go into Executive Closed session for the protection of the public interest, and to discuss pending litigation and real estate purchase negotiations regarding the

Antique Plaza. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Motion by Warner seconded by Pike to move out of Executive Closed Session at 7:23 p.m.

Motion by Ingram and seconded by Pike authorize City Staff with Council President Ingram and to protect the city's interest in the Antique Plaza real estate and bid as necessary to do so. On roll call the following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carried.

Pike motioned and seconded by Ingram to adjourn the meeting at 7:24 p.m.

John Morrison, Mayor

Kim Barnwell, City Clerk