Kimball City Council
Regular Meeting
May 15, 2024

A regular meeting of the Mayor and City Council was convened in open and public session at 5:00 p.m. May 15, 2024, held at the City Council Chambers, 223 S. Chestnut St. Council members, Ingram, Muench, Pike and Warner. Also, present was Mayor Morrison, City Administrator Annette Brower, City Clerk Paula Tarango, and Attorney Jim Ellison. The public was represented in the meeting.

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.

Morrison called the meeting to order at 5:00 p.m. On roll call the following votes were recorded. Aye: Ingram, Warner, Muench, and Pike. Nay: None. Absent: None. Motion carried. Morrison acknowledged the posted Open Meetings Act.

The Pledge of Allegiance was recited.

Mayor Morrison led the room in Prayer.

Mayor Morrison opened a public hearing at 5:03pm for Legacy Cooperative DBA Main Street Market – Class D-126327. The public was represented – no public comment.

Mayor Morrison closed the public hearing at 5:04pm for Legacy Cooperative DBA Main Street Market Class D-126327. The public was represented- no public comment.

Mayor Morrison opened a public hearing at 5:04pm for Webboikin LLC DBA TT's Pub and Grub – Class C-126386. The public was represented – no public comment.

Mayor Morrison closed the public hearing at 5:05pm for Webboikin LLC DBA TT's Pub and Grub-Class C-126386. The public was represented – no public comment.

Resolution/Ordinance reading:

- Ordinance No. 827 (An Ordinance Repealing Ordinance No. 786)
  AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, REPEALING ORDINANCE NO. 786, WHICH AMENDED TITLE III, CHAPTER 31, SECTION 31.02 AND COMBINED THE OFFICES OF KIMBALL CITY CLERK AND KIMBALL CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Amended Ordinance No. 788 (An Ordinance Amending Ordinance No. 788)
AN AMENDED ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, ADDING SECTION 31.18; ADDING SECTION 31.19; PROVIDING FOR THE ESTABLISHMENT OF A DEPUTY CITY CLERK AND DEPUTY CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Motion by Pike, seconded by Ingram to approve the Class D-126327 Liquor license for Legacy Cooperative DBA Main Street market. The following votes were recorded: Aye: Ingram, Pike, Warner. Nay: Muench. Absent: None. Motion carries.

Motion by Ingram, seconded by Pike to approve the Class C-126386 Liquor license for Webboikin LLC DBA TT's Pub and Grub. The following votes were recorded: Aye, Ingram, Pike, and Warner. Nay: Muench. Absent: None. Motion carries.

Motion by Muench, seconded by Pike to waive the three readings of:

Ordinance No. 827 (An Ordinance Repealing Ordinance No. 786)
AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, REPEALING ORDINANCE NO. 786, WHICH AMENDED TITLE III, CHAPTER 31, SECTION 31.02 AND COMBINED THE OFFICES OF KIMBALL CITY CLERK AND KIMBALL CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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

Motion by Muench, seconded by Warner to waive the three readings of:

Amended Ordinance No. 788 (An Ordinance Amending Ordinance No. 788)
AN AMENDED ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, ADDING SECTION 31.18; ADDING SECTION 31.19; PROVIDING FOR THE ESTABLISHMENT OF A DEPUTY CITY CLERK AND DEPUTY CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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

Motion by Pike, seconded by Muench to approve the adoption of:

Ordinance No. 827 (An Ordinance Repealing Ordinance No. 786)
AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, REPEALING ORDINANCE NO. 786, WHICH AMENDED TITLE III, CHAPTER 31, SECTION 31.02 AND COMBINED THE OFFICES OF KIMBALL CITY CLERK AND KIMBALL CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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

Motion by Warner, seconded by Muench to approve the adoption of:

Amended Ordinance No. 788 (An Ordinance Amending Ordinance No. 788) **AN AMENDED ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA, ADDING SECTION 31.18; ADDING SECTION 31.19; PROVIDING FOR THE ESTABLISHMENT OF A DEPUTY CITY CLERK AND DEPUTY CITY TREASURER; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

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

Adam Vath with MC Shaft opened discussion on the bids for Streets repair and Chip Seal Project. Vath went into detail on what the repair process will be. Total expense would be $71, 150. Additional details given.

Motion by Warner, seconded by Pike to approve the bids for Streets repair and Chip Seal Project. The following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carries.

Klent Schnell opened a discussion on the Keno request for the Bushnell Fire Department – They are looking at updating the kitchen, meeting room, new flooring, new ceiling, railing, tearing some overhead walls, new fridge, replacing old freezers with new, and other. The facility was built in 1971. The total cost is $25,000. Everything is being done locally. As a community center, the building gets a lot of use, and it is necessary that we upgrade it.

Motion by Ingram, seconded by Pike to approve the Keno request in the amount of $2,000 for the Bushnell Fire Department remodel. The following votes were recorded: Aye: Ingram, Pike, and Warner. Nay: None. Abstained: Muench. Motion carries.

Doug Louden with Olsson – Overall review of the Wastewater Treatment Plant Rehabilitation, briefly walked through the plan. Think of these as blueprints, it is important to review again prior to the start of construction/project.

Doug Louden – Review and discussion on future projects, needed infrastructure upgrades and USDA loan options. Sewer – presented funding packages and options by WWAC and conducted an overview. Water – Overview of various funding options and packages from WWAC. There are currently no grants available for water. Discussion only, no action taken.

Mayor Morrison opened a discussion on the new park equipment and the park location of choice prior to installation. Per Morrison, it was previously determined that it would go to Gotte Park, but received feedback from city employes, especially our park administrator, he is of the opinion that the City Park is more in need of a replacement than the Gotte Park. Pike, the only potential issue might be traffic/parking. The public has also spoken and there seems to be a majority that the City Park needs more attention/upgrades compared to Gotte Park. The City Park equipment is older and outdated. Should the board decide on the location change, there would need to be a short sidewalk put in on the West side. And potentially extend another one to make it 100 percent ADA compliant. Warner, maybe parents with ADA kids prefer quieter place, and City Park offers that. Pike, maybe it can be advertised on the radio for public feedback/opinion. Kristy from 104.3 KIMB, shared that this topic came up before and initially citizens were for City Park and now it's a 50/50.

Per Ingram, City Park would be better for ADA access, less traffic, more quiet, green space. Muench if the equipment is moved to City Park, will Gotte be upgraded in a couple of years? Per City Administrator Brower, there are some Keno funds available specifically for this.

Kimball Citizen Don Lonsdale There is nothing there are there is a concern for suspicious activity.

Kimball Citizen Ann Warner – The latest upgrade was done at Gotte Park.

Mayor Morrison opened a discussion on the HR duties and job description, compensation, and benefits. Per board member Warner, the payroll line needs to be specific and state that HR will coordinate with the Treasurer to run payroll. This does not mean that HR has the authority to make pay rate decisions. Per Warner, HR must also work closely with the supervisors to get yearly reviews completed. Kimball citizen Austin Gardner – Would it make more sense to hire a new person? Is anyone in the office being affected by having a decrease in pay? Additional comments made.

Motion by Pike, seconded by Ingram to approve the HR duties and job description upon corrections. Must clarify that payroll is only coordinating with the Treasurer to run payroll and does not mean authority to decide pay rate for any position. Also, HR must coordinate with Supervisors closely for employee yearly reviews. The following votes were recorded: Aye: Muench, Ingram, Pike, and Warner. Nay: None. Absent: None. Motion carries.

Morrison opened a discussion on approving the Clerk's title to Clerk/HR and salary increase. Per board members we need additional information to make this decision.

Motion by Warner, seconded by Ingram to table this conversation until further clarification is received per board member's request. The following votes were recorded: Aye: Muench, Ingram, and Warner. Nay: Pike. Absent: None. Motion carries.

Mayor Morrison opened a discussion on an Economic Development local agreement between the County and the City of Kimball. There is currently no economic development local agreement between the county and the city. It is necessary that we put something in place, and this is the start of that conversation. Discussion only, no action taken.

Mayor Morrison opened a discussion on an interlocal agreement between the County and the City for the purchase of property (The Windbreak). Per Morrison, we should still consider purchasing the Windbreak. There should be an interlocal agreement in place between the County and the City. This is just the beginning of the conversation.

Kimball Citizen Austin Gardner – Expressed concern on the processes, procedures, steps, and all other activity in and around the potential purchase of the Windbreak. The details are vague and secretive were some of the concerns expressed. There are also questions about the ball parks as no one seems to be talking about moving those at any time soon. Per Morrison, nothing is being secretive, no one is trying to have anything, and this is why it is being discussed in open meetings and that will continue.

A Notice of a public settlement was given on – Hometown Hardware Claim.

The public was represented.

Mayor Report – Again, part of my report is to get back to conversations that have been going on in the community. How can we contribute to The City of Kimball? How can we benefit recreation in Kimball? Why don't we move the ball fields to the city where kids can play? Also, in favor of Recreation Centers if we can figure out where and how to do it. Windbreak would be an enhancement to our golf course. We are not talking about swapping a land it's an Easement. The Kimball fairgrounds should be moved to the edge of town. With the growth expected in Kimball, people that are against growth are encouraged to embrace it. Clean Harbors are bringing jobs into town, and we need to grow as a city. We need places to live. The goal is to figure out a way that everyone benefits from. Not every new idea is right. Last week I spent a week with Mr. Flores and County Attorney Dave Wilson at an Airforce space 70th National Security Forum. We also got to interact with multiple colleges and got to meet very impressive folks. We were totally impressed by the professionalism and the intellect of the people we have in our Military. It was quite an experience.

City Administrator Brower –

We are waiting for a response for the CDS grant. The powerplant review is at 95 percent they are reviewing it for the 100 percent. Jacob with Olsson, take that chunk out of this grant. They are looking into it NMC well over 9 weeks for the turn around. Currently in the final stages of finalizing our Comprehensive Plan and Zoning book. The Planning Commission passed the final copy, and the goal is to have the final approval on June 18th. Water was turned on at the water park, our crews are now mowing rights-of-way(s), doing street repairs, spring cleanup. The actual spring cleanup was a success. The water department is flushing hydrants. The big one is the pool, we currently have Arnold pool company prepping the pool. If the weather cooperates the goal is to open in the beginning of June. Everyone is very busy.

Chief Of Police Jose Ruiz –

From the last meeting March 19, 2024. The police department has taken 297 calls, some of these calls are parking complains, medical assist, dog at large, alarms, harassment, burglary theft fraud, trespass, vandalism, domestics, stolen vehicles, suspicious vehicles, child abuse complaints, narcotics violations, traffic stops, suicidal calls, and other. The Kimball Police Department has assisted State Patrol with traffic stops, vehicle pursuits, warrant service multiple DUI arrests, 3rd degree assault, arrest for domestic assault, arrest stolen vehicle, arrest for child abuse, and other. Officers from Kimball have attended training, and all our Cops are CPR certified. All units are equipped with an ED device. The Sergeant is currently attending a training class in Colorado. We are partnered for the explorer program with cities in Wyoming and multiple in Nebraska, this introduces youth to law enforcement. It's official, it's in place. The Police Department has a mutual aid agreement with the Pine bluffs for emergencies such as active shooters and mass casualties, have also been in contact with other cities about this. K9 Lucy is spunky and a ball of energy, it began narcotics detection training and other drugs. We currently have 9 resumes for the K9 Handler position. Two other applicants were successfully interviewed, and there were also several other applicants that were not selected. We currently have one patrol spot available, and several applicants are competing. Our agency is competitive. It's a positive step in the future. Board Warner, shot out to the PD staff on the level of professionalism.

Per Board member Warnber, the Wellness Center Committee has met, we are looking out on lots of different options.

The next regular scheduled meeting will be on Tuesday, May 28, 2024, at 5:00pm.

There being no further business, motion by Ingram, seconded by Pike, to adjourn the meeting at 7:11 p.m. The following votes were recorded: Aye: Ingram, Muench, Pike, and Warner. Nay: None. Motion carried.

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John Morrison, Mayor City Clerk