Kimball City Council
Regular Meeting
August 13, 2024

A regular meeting of the Mayor and City Council was convened in open and public session at 5:00 p.m. August 13, 2024, held at the City Council Chambers, 223 S. Chestnut St. Council members present were, Ingram, Pike. Absent Warner. Also, present was Mayor Morrison, City Administrator Annette Brower, City Clerk Paula Tarango, and Attorney Matt Turman. 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 5:02 p.m. On roll call the following votes were recorded. Aye: Ingram, Morrison, and Pike. Nay: None. Absent: Warner. Motion carried. Morrison acknowledged the posted Open Meetings Act.

Morrison led the room in prayer.

Motion by Ingram, seconded by Pike to approve the consent agenda items as one which include the minutes, Claims, and Financials. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Pike, seconded by Ingram to officially accept the resignation of Council President Don Muench as of August 2 of 2024 and declare a City Council Board vacancy. The following votes were recorded: Aye: Morrison, Pike, and Ingram. Absent: Warner. Nay: None. Motion carried.

Motion by Ingram to declare Creg Pike as the Council President as of immediately, seconded by Pike. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Absent: Warner. Nay: None. Motion carried.

Motion by Pike, seconded by Ingram to remove Don Muench's signature from all bank cards as of immediately. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Ingram, seconded by Pike to approve the recommendation from BPW for Mayor's signature on the Contract NO. 24-RMR-3509, among Municipal Energy Agency of Nebraska and United States Department of Energy Western Area Power Administration Rocky Mountain Region Loveland Area Projects and City of Kimball, Nebraska for Purchasing and Scheduling Agent Services. The following votes were recorded: Aye: Pike, Ingram, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Pike, seconded by Ingram to approve the recommendation from BPW to approve the mayor's signature on the Kimball Master Agreement for Communications Cable and Facilities in Public Rights-of-Way between the City of Kimball and Inventive Wireless of Nebraska, LLC dba Vista beam. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Ingram, seconded by Pike to approve the mayor's appointment of Laure Sisk to the Cemetery Board effective August 12 of 2024. The following votes were recorded: Aye: Morrison, Pike, and Ingram. Nay: None. Absent: Warner. Motion carried.

Motion by Pike, seconded by Ingram to approve the mayor's appointment of Clyde "Allen" Pannell to the Cemetery Board effective August 12 of 2024. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Pike, seconded by Ingram to approve the new job description for Park and Recreation Assistant Superintendent in training. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Morrison opened discussion on the KENO request from Sarah Shropshire on behalf of WeeShire Mains 501(c)3. Per Shropshire, the goal is to make a sensory farm to help families come together and allow them to interact. The particular focus is for anyone that deals with neurodiversity and brain injury. There is a high need in this community as there is nothing else in any nearby areas/cities. It helps bring animals to the public, we will be attending Farmer's Day this year. These funds will help with all the above. Per board member Pike, he was very pleased with the article in the newspaper regarding this facility, as they get settled in, we need to advertise the business and give the visibility needed.

Motion by Pike, seconded by Ingram to approve the KENO request for WeeShire Mains 501(c) 3 from Sarah Shropshire. The following votes were recorded: Aye: Ingram, Pike, and Morrison. Nay: None. Absent: Warner. Motion carried.

Per Morrison, the agenda item - Amber Sweetland – Library Board's approval of 24/25 FY Budget will be skipped due to Amber Sweetland not being present at the meeting. This agenda item will be rescheduled to a future meeting.

The DRAFT budget figures for the 24/25 FY Budget were presented and received (No action taken)

Morrison opened discussion on Receiving the July rides report from KCTS for the summer ride program. Per Morrison, adults utilized it more than minors. Given that this was the first year of the program, if the board decides to continue forward with it, additional advertising should be done to get the word out there. It started late in the summer so we can refine it next year. (Discussion only no action taken)

Motion by Ingram to enter executive closed session at **5:19PM** for the protection of the public interest, and to prevent needless injury to the reputation of an individual, specially to discuss job, performance, job duties, job contract, and potential terms of employment for Chief of Police Jose Ruiz seconded by Pike. The following votes were recorded: Aye: Pike, Ingram, and Morrison. Nay: None. Absent: Warner. Motion carried.

Motion by Pike, seconded by Ingram to exit executive closed session at **5:26PM,** The following votes were recorded: Aye: Morrison, Ingram, and Pike. Nay: None. Absent: Warner. Motion carried.

Motion by Ingram, seconded by Pike to approve Police Chief Jose Ruiz employment Contract. The following votes were recorded: Aye: Pike, Morrison, and Ingram. Nay: None. Absent: Warner. Motion carried.

Reports –

Mayor – 7th street is coming along the sewer hookup is done. The last pour was made yesterday. It's now up to the landowner to finish his side. Electrical will be done next week. Have been to several meetings about the sentinel program, it will happen we just don't know when. appointing a new council person soon. We will post the opening for a period of a couple of weeks. Two people stepped forward to fill the cemetery board openings and we are grateful for that. Still need Planning Commission and CRA board members if anyone is interested, please come forward. Several meetings are coming up because we are in the middle of the budget.

City Administrator Annette Brower - 7th Street we are reopening the street tomorrow. The power plant project is moving forward. Engineers will be onsite on Thursday at 10:30am. Talking about pouring that concrete foundation. September 1st will be the start date. The Walter Scott Foundation contacted us to let us know that our intent for the grant ADA Accessibility, connecting sidewalks and update bathrooms has been accepted are happy to work with Kimball, will be moving to 2nd stage, we asked for $100.000. Working on a FEMA grant for the April storm, the deadline is September 9th, looks like we might be able to get a good amount reimbursed. Working on budget meetings as well. The new generator out at the North well finally came in and it was installed last week. In case of a catastrophe, we will still be able supply the town with water. Chief and I have been working on police grants, there is a good possibility we'll get it. The cemetery board has completed their budget, library has also completed the budget. BPW will work on budget tomorrow. The Big Boy is coming through town. Additional updates given.

Board member Christy Warner walked into the City Council meeting at 5:34pm.

Chief of Police –

Please accept our apologies for leaving during the last meeting, we found the theft suspect of motor vehicle on that day. From July 2nd until today the department received 227 calls for service. 25 abatements, parking complaints, medical assist, alarms, 911 hang ups, dog at large, vehicle crashes, harassment calls, trespassing, burglaries, thefts, fraud, missing person, juvenile disturbance, suspicious person, child abuse, deceased person calls, suspicious vehicle, noise complaints, assist with State patrol to mention a few. Assisted sheriff's office with a call that resulted in an arrest, subject with out-of-state warrants assaulted on a peace officer and escaped. Subject was arrested for causing disturbance. Two suicidal people. DHSS intake regarding a child abuse call at a local daycare.
Update on hiring; Officer Weichert is our newest hire, he has completed 80 hours as required by the State of Nebraska before you can interact with the public, he went above and beyond and worked hard to make that happen. He is with a certified field trainer at this moment. He will be going to the academy on August 26. Lucy our K9 has a new partner, she was recently assigned to Sargeant Barboza. Will be conducting a PT test tomorrow for another applicant and another on Friday for a separate applicant. All our sworn officers are now certified in CPR, First Aid, the use of the A.E.D., pepper ball, taser, and other. Proud of all our officers, their willingness to train and better themselves as law enforcement professionals is very apparent. Want to thank the Kimball County Fair for allowing us to be there and work with them. Also want to thank the Animal hospital in Sidney for their generosity, they are willing to do wellness checks, updated vaccinations, yearly blood work for preventative care, and other care, all free of charge. We are

very thankful to partners that are not within our community that are willing to help us out. It just makes us want to work even harder.

Morrison conducted the 2nd reading of Ordinance #830 as follows:

- Ordinance # 830 Updating the City Code related to Unsafe Buildings and Property Maintenance

  AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA: AMENDING TITLE XV, CHAPTER 150, REMOVING SECTIONS 150.035 THROUGH 150.040, AND ADDING SECTIONS 150.025 THROUGH 150.046; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Motion by Ingram, seconded by Pike to Approve the passing of Ordinance #830 as follows and waiver of the 3rd reading:

- Ordinance # 830 Updating the City Code related to Unsafe Buildings and Property Maintenance
  AN ORDINANCE OF THE CITY OF KIMBALL, KIMBALL COUNTY, NEBRASKA: AMENDING TITLE XV, CHAPTER 150, REMOVING SECTIONS 150.035 THROUGH 150.040, AND ADDING SECTIONS 150.025 THROUGH 150.046; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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

Board member Warner - KCTS has taken quite a few rides. Not as many rides to the golf course as expected – The deviations both include vista villa and assisted living due to the road construction in that area. We also deviated off the route to pick up directly at resident's house if they need physical assistance. We've had some very positive feedback on this, citizens like the fact that we stop every 30 minutes. All our signs are placed on the city right of way.

Public Comment – The public was represented.

The next regular scheduled meeting will be on Tuesday, August 20, 2024, at 6:00pm

There being no further business, motion by Ingram, seconded by Pike, to adjourn the meeting at 5:49 p.m. The following votes were recorded: Aye: Pike, Ingram, and Warner. Absent: none. Nay: None. Motion carried.

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John Morrison, Mayor City Clerk