Kimball City Council
Regular Meeting
April 15, 2025

A City Council meeting was convened in open and public session at 5:00 p.m. April 15, 2025, held at the City Council Chambers, 223 S. Chestnut St. Council members present were, Austin Garner, Jamie Murdoch, and Creg Pike. Also, present was Mayor John Morrison, City Administrator Annette Brower, and City Treasurer Jean Klassen. The public was represented at 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.

The Pledge of Allegiance was recited.

Morrison called the meeting to order at 5:02 p.m. On roll call the following votes were recorded: Aye: Garner, Pike, and Murdoch and Morrison.

Morrison acknowledged the posted Open Meetings Act.

Motion by Pike, seconded by Garner to excuse the absence of board member Greg Robinson, who notified the board that he was unable to attend due to prior commitments. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Motion by Pike, seconded by Garner to approve the consent agenda items as presented which include the minutes from the Council meeting held on March 18, 2025. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

At 5:03 pm Morrison opened the hearing to receive public comments regarding the request from Ken and Sarah Shropshire to rezone the following property from General Commercial C-2 to Residential Estates RE: **29 15 55 PART OF SE ¼ S OF UPRR IN SECTION 29-15-55 (1209 E 3RD ST) – Ordinance # 835.** No comments from the public. Morrison closed the hearing at 5:04 pm.

At 5:04 pm Morrison opened the hearing to receive public comments regarding a request to rezone the following properties with a secondary zoning overlay from Central Business District C-1 along with Low Density Residential R-1: **BURG'S ADDITION BLOCK 4 LOTS 1 through 18 to the City of Kimball, Kimball County, Nebraska – Ordinance #836.** Brower indicated that this would be just an overlay for residential along with the commercial zoning and would cover both areas of the block. No comments from the public. Morrison closed the hearing at 5:05 pm.

At 5:06 pm Morrison opened the hearing to receive public comments regarding proposed changes to the City of Kimball Zoning Ordinance as it pertains to subdivision regulations administrative plats – **Ordinance # 812.** Brower stated that this is just cleaning up the ordinance and removing steps that Kimball County does not require. This is for splitting lots which can be done without requiring hearing. No comments from the public. Morrison closed the hearing at 5:06 pm

At 5:07 pm Morrison opened the hearing to receive public comments regarding proposed changes to the City of Kimball Zoning Ordinance as it pertains to the definition of storage containers **- Ordinance # 838.** This ordinance is regarding the train/shipping containers and stating that the City of Kimball will limit them to commercial property only. No comments from the public. Morrison closed the hearing at 5:08 pm.

Morrison opened a discussion on **Ordinance #837** Amending Building Code with exclusions that we currently cannot enforce. Kimball Building Inspector Rod Sterkel was present to help answer questions. Sterkel stated that we also have a section regarding radon. Kimball County has elevated levels, and we have the choice of requiring new construction and existing houses doing major renovations have to remediate the radon. The council asked that we share the information regarding the rating of Kimball County for the radon. Motion by Garner, seconded by Murdoch to waive the three readings of **Ordinance # 837 – Amended Building Code with Exclusions AN ORDINANCE DEALING WITH THE BUILDING CODE, ADOPTING THEINTERNATIONAL BUILDING CODE 2018 EDITION, WITH APPENDIX F AND THE INTERNATIONAL RESIDENTIAL CODE 2018 EDITION WITH EXCLUDED PORTIONS: AMENDING CURRENT SECTIONS OF THE KIMBALL MUNICIPLE CODE; REPEALINGPRIOR PROVISIONS OF THE MUNICIPLE CODE,**

PROVIDING FOR PUBLICATION INPAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Motion by Pike, seconded by Murdoch to ratify the changes to the Volunteer Fire Department active members for the year 2025. Add Donaven Nolze to the active roles as a new member. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Vista beam COO Drew Wicker and Fiber Project Manager Jared Berger addressed the council regarding the Visa Beam fiber construction system. Crews are currently hanging steel wire on the city poles, then they will go back and attach the fiber optics to that. Crews are trying hard not to cause damage, if residents suspect damage has been done to please call the 800 number. Our crew are capable of fixing problems and quicker than calling a plumber, electrician, etc. In Kimball majority of the work is being done above ground and not much will require digging. Project should run quickly and smoothly and will be completed by December due to grant deadlines. As areas of town are set up then there will be door-to-door sales, asking residents if they would like to switch to Vista Beam. The sales crew will get the necessary city peddler's permit. Garner asked if there would be any techs living in Kimball for quick service. Currently techs are located on Scottsbluff. Visa Beam has discovered that though the cost of the project is high they have found that it is very dependable and the need for service calls has been reduced. Berger indicated that their equipment will be tagged so if others are working on the pole, then they will know whose meters etc. belong to Visa Beam.

Morrison opened discussion on the name change for S Highway 71 from ninth street to I-80 interchange. Brower indicated that since this area of road has been relinquished to the City of Kimball, we need to change the name. Brower spoke to the NDOT and since S Highway 71 is the bypass then leaving this strip of road named the same could be a liability if a 911 call came in and the responding emergency service went to the wrong address. NDOT indicated that we can name this stretch anything we want, consensus is that since it is Chestnut St through town, we should carry it through. Garner asked how this will affect the business/residents along this portion of road and have they been notified. Brower stated that she has spoken with the County Assessor and the street/house number will stay the same, only the street name will change. Brower stated that the city can send out letters notifying those along the stretch of road. Council members agree that the name should be S Chestnut St. Turman indicated that before they can vote on this it will need to be an ordinance and would be prepared for the next meeting.

Morrison opened discussion on the recommendation from the Planning Commission Board to pass and approve **Ordinance #812 Subdivision Regs, Changes to Administrative Plat** amendments to Subdivision Regulations pertaining to administrative plats. Motion by Murdoch, seconded by Pike to approve and waive the three readings of Amendments to **Ordinance #812 Subdivision Regulations Pertaining to Administrative Plats**. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Morrison opened discussion on the recommendation from the Board of Public Works to pass and approve **Ordinance #834 2025 Series Bond** authorizing the issuance of not to exceed $5,700,000 of Bond Anticipation Notes of the City of Kimball to fund the proposed sewer system improvements and consideration of a waiver of three readings. Scott Keene, Managing Director at Piper/Sandler, was present to answer questions. Keene stated that last week rates were at 3.57% with true interest at 4.31%. The original instructions were not to exceed 5% and we are already bumping against that. We recommend that we increase that to 5.5% to allow room to proceed. The USDA Loan will not fund interim loans so need this one until the project is completed. Keene indicated that the audit should be available next week, then will go to market to see the bonds and give the money to the City of Kimball about May 15th. Motion by Garner, seconded by Murdoch, to approve and waive the three readings of Ordinance **#834** authorizing the issuance of not to exceed $5,700,000 of Bond Anticipation Notes of the City of Kimball to fund the proposed sewer system improvements. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Morrison opened discussion on the recommendation from the Planning Commission Board to pass and approve **Ordinance #835** for the request from Ken and Sarah Shropshire to rezone the following property from General Commercial C-2 to Residential Estates RE: **295 55 PART OF SE ¼ S OF UPRR IN SECTION 29-15-55 (1209 E 3RD ST)**. Motion by Garner, seconded by Murdoch to approve and waive the three readings of Amendments to **Ordinance #835** for the request from Ken and Sarah Shropshire to rezone the following property from General Commercial C-2 to Residential Estates RE: **295 55 PART OF SE ¼ S OF UPRR IN SECTION 29-15-55 (1209 E 3RD ST)**. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Morrison opened discussion on the recommendation from the Planning Commission Board to pass and approve **Ordinance # 836** for the request to rezone the following

properties with a secondary zoning overlay from Central Business District C-1 along with Low Density Residential R-1: **BURG'S ADDITION BLOCK 4 LOTS 1 through 18 to the City of Kimball, Kimball County, Nebraska**. Motion by Murdoch, seconded by Pike to approve and waive the three readings of Amendments to **Ordinance # 836** for the request to rezone the following properties with a secondary zoning overlay from Central Business District C-1 along with Low Density Residential R-1: **BURG'S ADDITION BLOCK 4 LOTS 1 through 18 to the City of Kimball, Kimball County, Nebraska**. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Morrison opened discussion on the recommendation from the Planning Commission Board to pass and approve **Ordinance # 838** regarding zoning changes regarding updated definition of storage containers. Brower stated that train/shipping containers were not covered, described, or where they are allowed in town. Recommendation would be that they are only allowed on commercial properties. Concerns were raised about those residents who currently have them. Turman stated they could stay on the property but once removed they could not be placed back. Turman indicated that for those being used temporarily they could stay for 6 months. Motion by Garner, seconded by Pike to approve and waive the three readings of **Ordinance # 838** regarding zoning changes regarding updated definition of storage containers. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

Reports -

Mayor – Morrison stated that he and Brower attended the USAF SATF Ceremony where they opened the office that will be used to coordinate the Sentinel project. Met Steve Kervesky who is the new director. Steve is retired from the Air Force who is now living in Cheyenne.

Pike – Appreciation to Jean and Annette who found out the Air Force had not been able to purchase fuel at the airport for several months. The issue was on the City side and Jean got the necessary requirements completed. The airport meeting revealed exceptionally low rent for hangers and that heated ones are being used for storage.

Murdoch – Explained how the Kimball School Board will review policies on a regular basis and asked if the Council should do the same on the Ordinances so there are not any that are outdated, like not being allowed to walk down the street eating a taco or something.

Garner – The Economic Development committee, comprised of Morrison, Garner, County Commissioner and Kimball citizen Gabe Ingram, met and things are progressing well. The building committee met, comprised of Garner, Murdoch, and Brower reviewed the properties that are currently owned by the City of Kimball. It is great to see the Kimball Police Dept doing pepper ball training to certify other officers and that Kimball is becoming a training center.

Robinson – Absent.

City Administrator – Brower amended that it was Jean and Kim Meyer who discovered and worked on the fuel issue for the Air Force, and they did an excellent job. The Church of Christ has been demolished and lot cleaned up. Thank you to the electric dept for the work and it only took about two ½ days, it was an unsafe building with supporting beams having been burned. Electric crew will put up an H-Frame for electric in the future. There is no sewer or water to this lot, and it would need to be added later. Highway 30 has been fixed and opened. Thank you to the NDOT for helping with and loaning equipment. Next Gen is continuing as planned and still looking at a May testing date. Arbor Day celebration is next Thursday, 4/24/25, at 1:30 pm and is fun for our students. Met with Olson Engineering here and reported that the interceptor project does not seem as bad as expected and could cut out one million in cost. The wastewater treatment plant started last week, the engineers are here and located places to live. We have been contacted to apply again for grants to help with the wastewater treatment plant project, we will have a meeting next week.

Chief of Police – No report

No other business.

Public Comment:

Rene Geha, exp Realty LLC, wanted to say thank you for the passage of Ordinance 836 which will help both the residential and commercial properties.

The next regular scheduled meeting will be on Tuesday, May 6, 2025, at 5:00pm

There being no further business, motion by Murdoch, seconded by Pike, to adjourn the meeting at 6:20 p.m. The following votes were recorded: Aye: Garner, Pike, and Murdoch. Nay: None. Absent: Robinson. Motion carried.

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John Morrison, Mayor City Clerk