

REGULAR MEETING OF THE CITY COUNCIL

JULY 9, 2013

A Regular Meeting of the City Council of the City of Ogallala, Nebraska, was held at City Hall Council Chambers in said City on the 9<sup>th</sup> day of July 2013, at 7:30 o'clock P.M. Present were: President of the Council: Harold Peterson; Council Members: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. Absent: None. Interim City Manager: Jane M. Skinner; Deputy City Clerk: Roxane Welsh; City Attorney: Michael McQuillan.

Notice of the meeting was given in advance thereof by publishing one time in the Keith County News and posting at the City Hall Administration Building as shown by the Certificate of Publication and Posting Notice attached to these Minutes. Notice of this meeting was simultaneously given to the President and to all members of the Council on July 5, 2013 and a copy of their Acknowledgement of Receipt of Notice and the Agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the Notice to the President and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The President of the Council stated this meeting is being convened in accordance with the Open Meetings Act and acknowledged a copy of the Open Meetings Act being duly posted in the southeast Corner of Council Chambers.

Councilman Block moved to approve the consent agenda. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried and the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held June 25, 2013.
- B. Minutes of the Special Meeting held June 26, 2013. (Smith Interview).
- C. Renewal of Appliance Installer Licenses:
  - 1) Dwayne Orth
- D. Renewal of Gas Fitters Licenses:
  - 1) Dell Simmerman
  - 2) Ken Priesner
- E. Renewal of Master Plumber Licenses:
  - 1) David J. Mickelson
  - 2) Ken Priesner
- F. Renewal of Right of Way Contractor Licenses:
  - 1) Rodger Frosh
  - 2) John Stulich
  - 3) Charlie Votapka
  - 4) Russ Peterson
- G. Renewal of Mobile Home Park Licenses:
  - 1) Richard Piper dba Stewart Trailer Court MHP
  - 2) Brian Zoberg dba Ogallala Estates, LLC MHP

Tim Miller addressed the council regarding the year and model of mobile homes which can be placed in mobile home parks.

Greg Beal, attorney for Tim Miller, addressed the council regarding the year and model of mobile homes which can be placed in mobile home parks.

Mary Lou Heelan addressed the council regarding the mobile home year and model request.

Donna and Randy Clouse addressed the council regarding the issuance of a Livestock/Fowl Permit allowing 4-5 horses, 2 milking goats and 12 hens at 1302 Ethel Avenue.

Councilman Bassett moved to deny the Permit Application to Keep Livestock or Fowl for Donna Clouse for 4-5 horses, 2 milking goats and 12 hens at 1302 Ethel Avenue. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block and Karl Elmshaeuser. No: Harold Peterson and Rodger Rankin. Motion declared carried.

City Clerk Skinner presented the financial report for June 2013.

Mike McQuillan, City Attorney, addressed the council on the changes to the City Manager Employment Contract.

Councilman Block moved to ratify the City Manager Employment contract with Aaron Smith. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried.

Councilman Elmshaeuser introduced Ordinance 1304, entitled: an ordinance establishing the salary of the City Manager of the City of Ogallala, Nebraska and moved that the Statutory Rule requiring the reading on three different days be suspended. Councilman Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: None. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1304 was read by title and, thereafter, Councilman Block moved for the final passage of the Ordinance. Councilman Rankin seconded the motion. The President then stated the question: "Shall Ordinance No. 1304 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: None. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the President declared the Ordinance adopted and the President, in the presence of the Council, signed and approved the Ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto, a copy of said Ordinance No. 1304 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Drew Krab addressed the council regarding an interlocal agreement with Keith County, Nebraska and Keith County Area Development, Inc. (KCAD) for Economic Development.

Michael McQuillan, City Attorney, addressed the council regarding the wording of the Interlocal agreement recommending the removal of the terminology referring to an Interlocal agreement and the Interlocal Cooperation Act of the State of Nebraska from the agreement.

Jeff Armour, Keith County Commissioner, addressed the council regarding the agreement for economic development with Keith County and KCAD.

Councilman Bassett moved to approve the agreement with Keith County Nebraska and Keith County Area Development, Inc. for the purpose of economic development throughout the city and county with the omission of any reference to Interlocal agreement or the Interlocal Cooperation Act of the State of Nebraska. Councilman Block seconded the motion. The following Council Members voted Yes: Darrell Bassett, Kevin Block and Harold Peterson. The following council Members voted No: Karl Elmshaeuser and Rodger Rankin. Absent: None. Motion declared carried.

Councilman Bassett moved to authorize the President of the Council to sign the agreement with Keith County Nebraska and Keith County Area Development, Inc. for the purpose of economic development throughout the city and county. Councilman Block seconded the motion. The following Council Members voted Yes: Darrell Bassett, Kevin Block and

Harold Peterson. The following council Members voted No: Karl Elmshaeuser and Rodger Rankin. Absent: None. Motion declared carried.

Monte Docekal, Recreation Facilities Manager, addressed the council recommending the city adopt fees for individuals who use the city pools for private swimming instruction based upon the number of students they teach in a month.

Councilman Bassett introduced resolution 1394 establishing the outdoor pool/Goodall recreation center rental fees for private swimming lesson instructors for the special fee schedule of the city of Ogallala, Nebraska. Council President Peterson read the resolution by title and Councilman Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. The following council Members voted "No": None. Absent: None. Motion declared carried and Resolution No. 1394 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Jim Ayers, School Board President, addressed the council requesting a building permit waiver for the Ogallala Elementary/Middle School addition and renovation.

Councilman Elmshaeuser moved to approve the request to eliminate the building permit fee for the Ogallala Public School District in connection with the Ogallala Elementary/Middle School addition and renovation. Councilman Rankin seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: Darrell Bassett. Motion declared carried.

The City Council gave updates regarding their committee assignments as follows:  
A. Keep Keith County Beautiful – Buck Bassett.

There being no further business to come before the council, Councilman Block moved to adjourn. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried and the meeting adjourned at 8:57 P.M.

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Jane M. Skinner  
City Clerk

Approved:

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Harold L. Peterson  
Council President

STATE OF NEBRASKA    )  
  )  
COUNTY OF KEITH        ) SS.  
  )  
CITY OF OGALLALA        )

I, Jane M. Skinner, the undersigned, City Clerk for the City of Ogallala, Nebraska, hereby certify that all of the subjects included in the attached proceedings were contained in the Agenda for the meeting of July 9, 2013 kept continuously current and available for public inspection at the office of the City Clerk; that such subjects were contained in said Agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the Minutes of the President and Council of the City of Ogallala, Nebraska, were in written form and available for public

inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Jane M. Skinner  
City Clerk

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