

REGULAR MEETING OF THE CITY COUNCIL

APRIL 22, 2014

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 22nd day of April 2014, at 7:00 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. City Manager: Aaron Smith; City Clerk-Treasurer: Jane M. Skinner; City Attorney: Michael McQuillan.

Notice of the 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 April 18, 2014 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 Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried and the consent agenda was approved as follows:

- A. Appointment to Board – Board of Health (1).
 - 1) Kurt Johnson – One Year Term (1-1-14 – 12-31-14).
- B. Claims.

The claims were approved as follows:

General Fund:

St Of Ne-3,882.43-Sit; 125 Plan-537.97-Pretx; Am Fam Ins-475.53-Ins; Eftps-15,330.52-Fit; Hosp&Med-17,068.37-Ins; Icma-511.50-Pen; Kc Court-185.72-P/R; John Hancock-7,412.16-Pen; Ne Child Support-25.00-P/R; Pinn Bank-48,010.19-Pp7; Valley Bank-1,555.50-Hsa; 125 Plan-537.97-Pretx; Eftps-15,441.00-Fit; Hartford Life-1,276.15-Ins; Hosp&Med-17,068.37-Ins; Icma-511.50-Pen; Kc Court-185.72-P/R; John Hancock-7,427.61-Pen; Ne Child Support-25.00-P/R; Pinn Bank-48,022.17-Pp8; Valley Bank-1,555.50-Hsa; Gen Fund-1,500.00-Su; Ne Dept Of Aero-3,190.83-Lease; Ne Dept Of Rev-1,296.68-Salestx; Pinn Bank-25.00-Se; Cnhtio-50.00-Su; 21st Century-22,735.03-Su; Alamar Uniforms-97.55-Su; Alco-186.83-Su; Allo-1,014.00-Se; Napa-737.46-Su; Arnold Pool-3,743.84-Su; Baltzell Vet-52.50-Su; Bear Graphics-473.36-Su; Big Springs Equipment-882.99-Su; Blue, Kenneth-230.00-Refund; Bound Tree Medical-260.22-Su; Bruckner, Mike-842.32-P/R; Candy Aerotech-1,000.00-Contract; Cash-Wa-337.75-Su; Cdbg Cert-130.00-Su; Central Comm Coll-60.00-Su; True Value-192.71-Su; Corbin Willits-5,635.94-Se; Cornhusker Glass-515.21-Su; Cranmore Pest-45.00-Se; Culligan-98.50-Su; Dja Const-28,434.00-Su; Dollar Gen-165.43-Su; Eichner Sales-252.89-Su; Elliott Equip-15,039.99-Su; Farmers Coop-6,289.06-Su; John Deere-90.72-Su; Fyr-Tek-415.64-Su; Gp Gfoa-150.00-Su; Gp Reg Med-238.50-Se; Hinton's Lock-398.00-Su; Humphreys Auto-628.63-Su; Intl Assn Of Chief-120.00-Dues; Icma-125.00-Se; Ideal Linen-139.36-Su; Waste Conn-800.54-Se; Luis, Juarez-60.00-Se; Kc Clerk-30.00-Se; Kc Hosp Auth-29,719.90-Salestx; Kc News-1,307.82-Se; Kc Reg Of Deeds-44.00-Se; Kc Sen Center-1,542.75-Su; Kc Treas-11,296.82-Se; Kenfield Elec-4,830.40-Su; Kents Towing-100.00-Se; Kildare Lumber-388.06-Su; Sourcegas-5,186.49-Su; League Of Ne Muni-95.00-Su; Lecc-110.00-Su; Linweld-135.88-Su; Mcm Truck-185.00-Se; Mcmillan Plumbing-120.00-Se; Mcquillan Law Office-1,383.00-Se; Med-Tech Resource-311.51-

Su; Moul's Modern Bldrs-114,843.87-Su; Midwest Mailing-33.95-Su; Mighty Clean Janitorial-70.00-Se; Ne Law Enforce-275.00-Su; Nppd-17,650.23-Su; Office Service-538.27-Se; Banner Health-38.40-Se; Og Ready Mix-850.50-Su; Og Water Dept-1,071.60-Su; Scotties-180.00-Su; Og Comm Hosp-105.13-Su; Olsson Assoc-12,241.30-Se; Oshkosh Cleaners-79.75-Su; Paulsen Inc-31.46-Su; Platte Valley Ag-40.00-Se; Poppe's Truck-303.55-Se; Quill Corp-345.12-Su; Joyce Rahn-20.00-Se; Ramada Inn Kearney-350.00-Su; Sapp Bros-22.75-Su; Sec Of State-30.00-Se; Servicemaster Cleaning-357.00-Se; Shopko-17.99-Su; Sunmart-23.99-Su; Stulichs Asphalt-36,764.50-Su/Se; T.O. Haas-1,116.56-Su; T&C Srv-45.00-Su; U S Postal Svc-84.39-Su; Van Diest Supply-14,560.74-Su; Verizon-688.69-Se; Visa-2,214.82-Su; Windy Acre Elec-317.56-Se; Xerox-76.60-Se;

Select Flex:

Rci-40.00-P/R; Rci-352.31-P/R; Rci-137.91-P/R;

Water Dept:

Ne Dept Of Rev-7,432.02-Salestx; Adams Bank-25.00-Se; Alco-27.98-Su; Allo Comm-136.29-Se; Napa-66.60-Su; Bomgaar's-41.68-Su; Cornhusker Glass-83.10-Se; Farmers Coop-817.58-Su; Gen Fund-19,989.73-P/R/Se; Ideal Linen-86.76-Su; Waste Conn-123.59-Se; Kc News-1,109.30-Se; Kildare Lumber-3.51-Su; Sourcegas-303.66-Su; Lincoln Winwater-1,765.50-Su; Lubrication Engineers-241.87-Su; Mcquillan Law-155.00-Se; Midwest Elec-3,666.34-Su; Municipal Supply-447.92-Su; Nppd-2,862.01-Su; Office Service-117.50-Su; Og Ready Mix-413.83-Su; Og Water-41.36-Su; Olsen's Ag Lab-122.20-Se; One Call Concepts-28.85-Se; R & D Weld-26.43-Su; Schmidt Motors-63.81-Su; St Of Ne-423.00-Se; T&C Srv-27.00-Su; Verizon-96.82-Se; Visa-101.07-Su; Korf, Byron-10.00-Refund; Church, Walt-32.63-Refund; Lee, Jacob-25.57-Refund; Lee, Jacob-30.86-Refund; Smith, Zachary-36.53-Refund; Buchholz, Courtny-133.96-Refund;

Sewer Dept:

Adams Bank-25.00-Se; Napa-128.34-Su; B.A. Lawrence-1,443.75-Se; True Value-11.05-Se; Farmers Coop-211.86-Su; John Deere-491.60-Su; Gen Fund-13,785.89-P/R/Se; Hach Co-1,229.66-Su; Ideal Linen-37.56-Su; Waste Conn-140.67-Se; Kc News-36.45-Se; Kildare Lumber-262.50-Su; Sourcegas-2,336.53-Su; Ncl Of Wi-42.03-Su; Ne Dept Of Labor-72.00-Se; Nppd-4,985.20-Su; Office Ser-110.33-Su; Og Water-70.65-Su; Scotties-2,647.20-Se; Olsson Assoc-3,237.78-Se; Qa Balance-150.00-Se; R & D Welding-40.00-Se; Verizon-24.20-Se; Visa-129.51-Su;

Youth Committee:

Visa-74.47-Su;

Medical Benefit:

Rci-8,212.09-Ins; Rci-3,021.12-Ins; Rci-4,174.77-Ins; Rci-15,892.10-Ins;

Rick Dobson was not in attendance to address the Shut off water less than 30 days past due – Rick Dobson agenda item under public forum.

Councilman Block moved to approve the minutes of the Regular Meeting held April 8, 2014. Councilman Elmshaeuser seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Pete Peterson. No: None. Absent: None. Abstain: Rodger Rankin. Motion declared carried.

Councilman Bassett moved to recommend the approval to the Nebraska Liquor Control Commission of Dave Kramer Corporate Manager Liquor License in conjunction with the Class D Liquor License for ALCO Holding, LLC DBA Alco Discount Store #166. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Rankin moved to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 9-11-14 from 10 AM to 1 AM; 9-12-14 from 10 AM to 1 AM and 9-13-14 from 10 AM to 1 AM. for the annual Indian Summer Rendezvous. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Block moved to approve the claims payable to Rankin Sales and Services in the amount of \$35.52. Councilman Elmshaeuser seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Pete Peterson. No: None. Absent: None. Abstain: Rodger Rankin. Motion declared carried.

Councilman Bassett moved to approve the first amendment to temporary grading easement by and between the City of Ogallala, Nebraska (“Grantor”) and Wal-Mart Real Estate Business Trust, a Delaware statutory trust (“Grantee”), and authorize the Council president to sign the Amendment). Councilman Block second the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Elmshaeuser moved to approve the letter agreement between the City of Ogallala, Nebraska, the Community Redevelopment Authority, of the City of Ogallala Nebraska, and Wal-Mart Real Estate Business Trust and authorize the Council president to sign the letter agreement. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Bassett moved to accept the bid from Cement Products In in the amount of \$829,112.88 for offsite improvements to Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive, and authorize the council president to sign the contract. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Block moved to approve the contract for engineering services with Olsson and Associates for offsite improvements to Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive, and authorize the council president to sign the contract. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Rick Dobson addressed the council regarding water shut off procedures for the city requesting more time to pay bill prior to disconnection.

Councilman Elmshaeuser moved to approve the Disadvantaged Business Enterprise (DBE) program, and authorize the appropriate city representative to sign the Disadvantaged Business Enterprise (DBE) Program documents. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Elmshaeuser moved to approve the grant application for federal assistance and authorize the Council President to sign the application. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Pete Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Bassett moved to accept change order No. 6. for the Ogallala Downtown Improvements. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Pete Peterson and Rodger Rankin. No: None. Abstain: Karl Elmshaeuser Absent: None. Motion declared carried.

Councilman Elmshaeuser introduced resolution to apply for state & federal funding for the city of Ogallala public transportation system for fiscal year 2014-2015. Council President Peterson read the resolution by title and Councilman Rankin 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. 1416

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 April 22, 2014 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.

Jane M. Skinner
City Clerk

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