

REGULAR MEETING OF THE CITY COUNCIL

MAY 13, 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 13th day of May 2014, at 7:00 o'clock P.M. Present were: Vice-President of the Council: Karl Elmshaeuser; Council Members: Kevin Block and Rodger Rankin. Absent: Darrell G. Bassett and Harold Peterson. 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 May 9, 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 excuse Council President Peterson from the May 13, 2014 City Council Meeting. Councilman Rankin seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Darrell Bassett and Pete Peterson. Motion declared carried.

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

- A. Minutes of the Regular Meeting held April 22, 2014.
- B. Right of Way License – CJ Construction (Chad Baney).

Council Vice-President Elmshaeuser opened a public hearing regarding a Class C Liquor License for Margaritas Family Mexican Restaurant, Inc. dba Margaritas Family Restaurant at 7:02 P.M.

Council Vice-President Elmshaeuser read the proclamation declaring the month of May 2014 as Foster Care Month in Ogallala Nebraska.

Council Vice-President Elmshaeuser read the proclamation declaring May 15 2014 Peace Officers Memorial Day and May 11-17, 2014 as Police week in Ogallala Nebraska.

City Clerk Skinner presented the financial report for April 2014.

Council Vice-President Elmshaeuser closed a public hearing regarding a Class C Liquor License for Margaritas Family Mexican Restaurant, Inc. dba Margaritas Family Restaurant at 7:09 P.M.

Councilman Block moved that the Ogallala City Council recommend that the liquor license for Margaritas Fmly Mexican Rest, Inc. dba (Margaritas Fmly Rest) be approved by the Nebraska Liquor Control Commission. Councilman Rankin seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Darrell Bassett and Pete Peterson. Motion declared carried.

Councilman Bassett entered the meeting at 7:11 P.M.

Councilman Rankin moved to approve the corporate manager license for Juan Alceraz in connection with the Class C Liquor License for Margaritas Family Mexican Restaurant, Inc. Councilman Block seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Darrell Bassett and Pete Peterson. Motion declared carried.

John Trecek, Ameritas Investment Corp. addressed the council regarding the issuance of Street, Sanitary Sewer and Water Improvement Bond Anticipation Notes, Series 2014.

Councilman Block introduced Ordinance 1317, entitled: An ordinance providing for the issuance of street, sanitary sewer and water improvement bond anticipation notes, series 2014, in the amount of nine hundred ninety thousand dollars (\$990,000) for the payment of the costs of constructing street improvements and additions and improvements to the sewer and water systems of the city of Ogallala, Nebraska; agreeing to issue bonds to pay the notes and accrued interest at maturity; prescribing the form of the notes; authorizing the sale and delivery of the notes to the purchaser and ordering the publication of the ordinance in pamphlet form and moved that the Statutory Rule requiring the reading on three different days be suspended and the ordinance may be read by title and moved for passage at this meeting. Councilman Bassett seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. The following Council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1317 was read by title and, thereafter, Councilman Rankin moved for the final passage of the Ordinance. Councilman Block seconded the motion. The Vice-President then stated the question: "Shall Ordinance No. 1317 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. The following Council Members voted "No": None. Absent: Harold Peterson. 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, 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. 1317 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Councilman Bassett moved that the Ogallala City Council approve the Second Amendment Protective Covenants as it relates to Lots 3 and 6 in Block 5, located within the North Business Park, and authorize the Council President to sign the Second Amendment to the Protective Covenants. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Pete Peterson. Motion declared carried.

Dell Simmerman, Fire Chief, presented the Ogallala Volunteer Fire Department Annual Report for 2013.

Councilman Bassett moved to deny Mr. Dobson's request for reimbursement of \$25 Service Charge and that the Ogallala City Council direct the City Clerk not to place this particular item on future agendas. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Pete Peterson. Motion declared carried.

Councilman Bassett moved not to consider Mr. Dobson's proposed changes to the Water Departments Fee Policy and that the Ogallala City Council direct the City Clerk not to place this particular item on future agendas. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Pete Peterson. Motion declared carried.

The City Council gave updates regarding their committee assignments as follows:

- A. Keep Keith County Beautiful – Buck Bassett.

B. Ambulance Advisory Committee

There being no further business to come before the council, Councilman Block moved to adjourn. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried and the meeting adjourned at 8:05 P.M.

Jane M. Skinner
City Clerk

Approved:

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 May 13, 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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