

REGULAR MEETING OF THE CITY COUNCIL

AUGUST 26, 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 26th day of August 2014, at 7:00 o'clock P.M. Present were: President of the Council: Harold Peterson; Council Members: Darrell G. Bassett, Kevin Block, Rodger Rankin and Karl Elmshaeuser. Absent: None. City Manager: Aaron Smith; City Clerk: Jane M. Skinner; City Attorney: Joshua Wendell.

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 August 23, 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 Councilmember Elmshaeuser from the August 26, 2014 City Council meeting. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block and Rodger Rankin. No: None. Absent: Karl Elmshaeuser and Harold Peterson. Motion declared carried.

Council Member Bassett opened a public hearing regarding an ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would add requirements for regulations pertaining to proportional accessory buildings within residential zoning districts within the zoning jurisdiction of Ogallala at 7:02 P.M.

Ken Knoepfel, Planning and Zoning Administrator and Doug Davis addressed the council regarding the proposed amendment to Ogallala zoning code, chapter 44 pertaining to proportional accessory buildings.

Council Member Bassett opened a public hearing regarding an ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would modify requirements for perimeter fencing within an Industrial zoning districts within the zoning jurisdiction of Ogallala at 7:07 P.M.

Ken Knoepfel, Planning and Zoning Administrator addressed the council regarding the proposed amendment to Ogallala zoning code, chapter 44 pertaining to perimeter fencing within an Industrial zoning district.

Council Member Bassett opened a public hearing regarding a project for which financial assistance is being sought from the Federal Transit Administration for a transit storage facility for housing public transit vehicles at 7:10 P.M.

Tom Werblow, T.C. Engineering, addressed the council regarding the public transit storage facility.

Al Cerney appeared before the council requesting a grass dump location available to city residents. The Tree Board will work with the City Manager to determine feasibility of this project.

Councilman Block moved to approve the minutes of the special meeting held August 7, 2014. Councilman Rankin seconded the motion. The following council members voted

Yes: Darrell G. Bassett, Kevin Block and Rodger Rankin. No: None. Absent: Karl Elmshaeuser and Harold Peterson. Motion declared carried.

Due to the current quorum available, no action was taken on the following agenda items: Minutes of the Special Meeting held August 12, 2014; Minutes of the Regular Meeting held August 12, 2014; and the Minutes of the Special Meeting held August 21, 2014.

Councilman Block moved to approve the claims. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block and Rodger Rankin. No: None. Absent: Karl Elmshaeuser and Harold Peterson. Motion declared carried.

The claims were approved as follows:

General Fund:

125 Plan-537.97-Pretx; Eftps-17,629.02-Fit; Hartford Life-1,457.95-Ins; Hosp&Med-17,224.47-Ins; Icma-511.50-Pen; Kc Dist Court-509.09-P/R; John Hancock Financial-7,620.07-Pen; Ne Child Support-25.00-P/R; Pinnacle Bank-57,392.58-Pp15; Valley Bank-1,641.87-Hsa; St Of Ne Dept Of Rev-4,207.03-Sit; 125 Plan-537.97-Pretx; Am Family Ins-475.53-Ins; Eftps-17,664.00-Fit; Hosp&Med-16,534.46-Ins; Icma-511.50-Pen; Kc Dist Court-439.80-P/R; John Hancock Financial-7,599.20-Pen; Ne Child Support-25.00-P/R; Pinnacle Bank-57,124.43-Pp16; Valley Bank-1,603.00-Hsa; 125 Plan-537.97-Pretx; Eftps-17,429.95-Fit; Hartford Life-1,412.55-Ins; Hosp&Med-16,863.23-Ins; Icma-511.50-Pen; Kc Dist Court-794.72-P/R; John Hancock Financial-7,764.18-Pen; Ne Child Support-50.00-P/R; Pinnacle Bank-54,974.70-Pp17; Valley Bank-1,603.00-Hsa; Gen Fund-1,500.00-Su; Ne Dept Of Aero-3,190.83-Lease; Ne Dept Of Rev-578.70-Salestx; Pinnacle Bank-25.00-Se; 21st Century-8.06-Su; Alco-165.31-Su; Allo Comm-1,162.54-Se; Andersen Sign Co-4,915.00-Su; Napa-277.28-Su; Arnolds Upholstery-21.00-Se; Arnold Pool-1,083.55-Su; Baltzell Vet-30.00-Se; Big Springs Equip-863.18-Su; Bound Tree Med-209.72-Su; Bruckner, Mike-842.32-P/R; Bsb Construct-2,420.00-Se/Su; Candy Aerotech-1,000.00-Contract; Cash-Wa-1,739.49-Su; Cement Products-196,250.13-Se/Su; Central Lock-N-Key-75.00-Se/Su; Clouse, Coletta-56.07-Su; True Value-63.43-Su; Community First Natl-24,997.99-Lease; Contractors Materials-139.00-Su; Correll Refrigeration-1,590.81-Se/Su; Cornhusker Intl Trucks-93.39-Su; Culligan-111.50-Su; Danko Emergency Equip-62.07-Su; Dollar Gen-166.01-Su; Dp Electronics-8.99-Su; Eichner Sales-117.82-Su; Emi Kaiser Ins-455.65-Refund; Ems Billing-1,460.55-Contract; Farmers Coop Assn-8,730.53-Su; John Deere Financials-356.43-Su; Fyr-Tek-1,160.00-Su; Grainger-2,197.60-Su; Hinton's Lock-397.77-Su; Holiday Inn-1,139.40-Su; Home Pc Sales-53.00-Su; Humphreys-502.43-Su; Hydrotex-356.86-Su; Icma-125.00-Se; Ideal Linen-192.84-Se/Su; Waste Conn-800.54-Se; Kcad-57,912.50-Contract; Kc Hosp Authority-35,278.31-Salestx; Kc News-655.59-Su; Kc Treasurer-11,296.82-Se; Kc Drug Fund-5,123.44-Su; Kildare Lumber-83.94-Su; Kling, Kathleen-70.00-Se; Sourcegas-1,921.54-Su; Lawson Products-595.31-Su; League Of Ne Municipal-7,749.00-Dues; Linweld-222.33-Su; Lou Kraus Music-279.98-Se; Master's Transportation-461.20-Su; Mcginley Construction-19,338.70-Se; Mcquillan Law-975.00-Se; Midwest Turf-154.63-Su; Mid-American Research-136.92-Su; Mighty Clean Janitorial-140.00-Se; Mobile Mechanic-200.00-Se; Murphy Tractor-3,861.03-Su; Natp-50.00-Su; Ne Crime Comm-7.50-Su; Ne Dept Of Ag-150.00-Fees; Nppd-19,459.60-Su; Office Service-1,171.55-Su; Og Comm Hosp-115.20-Su; Og Water Dept-17,346.86-Ins; Scott England-7,125.00-Se; Og Bond Acct-225,000.00-Su; Og Comm Hosp-156.83-Su; Og Ace Hardware-431.76-Su; Olsson Assoc-19,898.39-Se; Open Range-100.00-Refund; Pankonin, Tom-356.86-Su; Platte Valley Agency-802.00-Ins; Poppe's Truck-1,263.96-Ins; Quick Elec-2,361.52-Se/Su; Quill Corp-1,042.25-Su; Raceday Timing-2,800.00-Se; R & D Welding-121.75-Se/Su; Sargent Drilling-900.00-Se; Schmidt Motors-341.65-Se; Servicemaster-357.00-Se; Shoe Mart-15.96-Su; Siffring, Ron-42.69-Su; Sunmart-39.26-Su; Snell Services-437.50-Se; Southwest Auto-407.40-Se/Su; Springer's-637.00-Su; Steve's Body & Paint-95.00-Se; Telegraph-51.14-Se; To Haas-48.70-Se; Town & Country Srv-54.00-Se; Us Postal Svc-84.39-Su; Verizon-685.62-Se; Visa-1,578.63-Se/Su; Western Path-52.00-Su; Western Turf-22.50-Se; Wolf Landscape-425.00-Se/Su; Xerox-31.72-Contract;

Select Flex:

Rci-202.30-P/R; Rci-793.30-P/R; Rci-596.01-P/R;

Water Dept:

Ne Dept Of Rev-9,888.73-Salestx; Adams Bank-25.00-Se; Alco-19.05-Su; Allo Comm-134.17-Se; Am Water Works-295.00-Dues; Napa-99.94-Su; Bomgaar's-197.85-Su; Cement Products-8,629.74-Se/Su; True Value-8.02-Su; Cornhusker Glass-449.97-Se; Eichner Sales-159.54-Su; Farmers Coop-902.54-Su; Gen Fund-20,942.50-Se; Harcros Chemicals-1,611.94-Su; Humphreys-12.73-Su; Ideal Linen-194.29-Se/Su; Waste Conn-123.59-Su; Kc Reg Of Deeds-20.00-Se; Kildare-77.04-Su; Kimball Midwest-125.34-Su; Sourcegas-64.68-Su; Lawson Products-284.86-Su; Lincoln Winwater-152.64-Su; Mcquillan Law-108.50-Se; Midwest Elec-7,192.15-Su; Municipal Supply-3,032.21-Su; Municipal Pipe-9,309.00-Su; Ne Printworks-233.25-Su; Nppd-4,901.75-Su; Og Ready Mix-569.38-Su; Og Water-42.75-Su; Scott England-225.00-Se; Og Ace Hardware-802.77-Su; Olsen's Ag Lab-82.50-Se; One Call Concepts-100.65-Se; R & D Welding-79.20-Su; Safety-Kleen Corp-252.93-Su; Sapp Bros-24.34-Su; Sunmart-16.74-Su; Town & Country Srv-15.00-Se; Usa Blue Book-314.29-Su; Verizon-96.72-Se; Bloomquist, Ronald-42.90-Refund; Haddix, Alberta-112.90-Refund; Worley, Wes-42.90-Refund;

Sewer Treatment Fund:

Adams Bank-25.00-Se; Allo Comm-117.01-Se; Napa-94.92-Su; Cement Products-6,615.00-Se/Su; True Value-40.15-Se; Farmers Coop-236.31-Su; John Deere Financials-160.49-Su; Gen Fund-12,214.00-Se; Hach Co-302.04-Su; Ideal Linen-19.23-Se/Su; Ideal Linen-19.23-Se/Su; Waste Conn-140.67-Se; Sourcegas-909.20-Su; League Of Ne Muni-1,202.00-Dues; Mcquillan Law-33.50-Se; Midwest Labs-1,533.00-Se; Moore Plbg-1,200.00-Se; Nppd-5,915.19-Su; Og Ready Mix-206.00-Su; Og Water-70.65-Su; Scott England-3,137.00-Se; Olsen's Ag Lab-79.40-Se; Philip Carkoski Construc-10,334.00-Se; Centurylink-187.17-Se; Verizon-24.18-Se; Visa-94.98-Su;

Grc Expansion:

True Value-32.44-Su; Dollar Gen-31.00-Su; John Deere Financials-18.66-Su; Holiday Inn-224.00-Su; Kc News-299.25-Su; Scott England-200.00-Se/Su; Visa-661.89-Su;

Youth Committee:

City Of Og-121.00-Su; Scott Eveland-136.24-Su; Og Youth Soccer-200.00-Su; Redinger, Bill-297.74-Su; Region Ii-227.08-Refund; Visa-3,942.77-Su;

Medical Benefit:

Rci-5,427.92-Ins; Rci-3,118.43-Ins; Rci-7,084.86-Ins; Rci-3,539.55-Ins;

Councilman Block moved to approve the claims payable to West Central Nebraska Development District in the amounts of \$130.00 and \$325.00. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block and Rodger Rankin. No: None. Absent: Karl Elmshaeuser and Harold Peterson. Motion declared carried

The fiscal year 2014-15 budget was discussed. The consensus of the council is to use cash reserves to fund several capital projects, rather than enter into lease/purchase agreements for the items.

Councilman Bassett announced ordinance 1319 was introduced and read for the first time on August 12, 2014. Councilman Bassett read ordinance 1319 by title: An ordinance amending Article 3 of Chapter 37, streets, the adoption of truck routes, the prohibition of truck parking on the streets of the City of Ogallala, to provide a penalty, of the municipal code of the City of Ogallala, Nebraska. Councilman Bassett announced ordinance 1319 has been read for the second time.

Burt Cyrus, Chris Hand, Andy Devries and Celeste Baker addressed the council regarding the proposed ordinance regarding the truck routes and truck parking on the streets of the City of Ogallala.

Council President Peterson entered the meeting at 7:44 P.M.

Council President Peterson announced that ordinance 1320 was introduced and read for the first time on August 12, 2014. Council President Peterson read ordinance 1320 by title: An ordinance amending Article 3 of Chapter 28, tobacco offences, the adoption of smoking prohibition in the parks, rendezvous square and recreational facilities of the City of Ogallala, Nebraska, and to provide penalty, of the municipal code of the City of Ogallala, Nebraska. Council President Peterson announced that ordinance 1320 has been read for the second time.

Mary Lou Heelan, Dave Kling, Police Chief, and Doug Davis addressed the council regarding the proposed ordinance regarding smoking prohibition in the parks, rendezvous square and recreational facilities of the City of Ogallala, Nebraska.

Council President Peterson closed a public hearing regarding an ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would add requirements for regulations pertaining to proportional accessory buildings within residential zoning districts within the zoning jurisdiction of Ogallala at 7:59 P.M.

Councilman Bassett introduced ordinance 1321. Council President Peterson read Ordinance 1321 by title, an ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would modify requirements for regulations pertaining to proportional accessory buildings within residential zoning districts within the zoning jurisdiction of Ogallala. Council President Peterson announced ordinance 1321 was read for the first time.

Council President Bassett closed a public hearing regarding an ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would modify requirements for perimeter fencing within an Industrial zoning districts within the zoning jurisdiction of Ogallala at 8:12 P.M.

Councilman Bassett introduced Ordinance 1322, entitled: An ordinance proposing amendments to Ogallala zoning code, Chapter 44. Proposed amendments would modify requirements for perimeter fencing within an Industrial zoning districts within the zoning jurisdiction of Ogallala 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 Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: Karl Elmshaeuser. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1322 was read by title and, thereafter, Councilman Bassett moved for the final passage of the Ordinance. Councilman Rankin seconded the motion. The President then stated the question: "Shall Ordinance No. 1322 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: Karl Elmshaeuser. 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. 1322 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council President Peterson closed a public hearing regarding a project for which financial assistance is being sought from the Federal Transit Administration for a transit storage facility for housing public transit vehicles at 8:15 P.M.

Councilman Rankin moved not to pursue the public transportation project through the use of Federal Transit Authority Funds. Councilman Block seconded the motion. The following council members voted Yes: Kevin Block and Rodger Rankin. No: Darrell G. Bassett and Harold Peterson. Absent: Karl Elmshaeuser. Motion declared failed.

