

REGULAR MEETING OF THE CITY COUNCIL

NOVEMBER 12, 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 12th day of November 2014, at 12:00 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: 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 November 7, 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.

Council President Peterson recognized Jane Skinner for 15 years of service to the City of Ogallala.

Councilman Block moved to approve the minutes of the regular meeting October 28, 2014. Councilman Elmshaeuser seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Abstain: Harold Peterson. Absent: None. Motion declared carried.

City Clerk Skinner presented the financial report for October 2014.

Councilman Elmshaeuser introduced a resolution establishing the threshold when expenditures may be capitalized in accordance with generally accepted accounting principles (GAAP). Councilman Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. 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. 1431 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Councilman Bassett moved to accept the Planning Commission's recommendation and approve Terry's Subdivision located in the NE ¼ of the SE ¼ of Section 14, Township 13 North, Range 39, West of the 6th P.M. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Bassett moved to accept the bid from Horsley Specialties Inc. in the amount of \$10,440.00 for Asbestos abatement on a 5-unit apartment building located at 1701 East 1st Street (AKA Riverview Apartments). Councilman Block seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Rankin moved to accept the bid from 4-D Trenching & Excavating LLC in the amount of \$18,900.00 for the demolition of a 5-unit apartment building located at 1701 East 1st Street (AKA Riverview Apartments) . Councilman Block seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

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

- A. Board of Health – Pete Peterson.
- B. City Council Member/County Commissioner/School Board Meeting – Aaron Smith
- C. Library Facilities Committee – Aaron Smith

Councilman Block moved to go into closed session for the purpose of evaluation of City Manager Aaron Smith at 12:24 P.M. Councilman Rankin 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.

Council President Peterson announced that the City Council will now go into closed session for the purpose evaluation of City Manager Aaron Smith at 12:24 P.M.

Councilman Elmshaeuser moved to return from closed session where discussion regarding the evaluation of City Manager Aaron Smith occurred at 1:30 P.M. Councilman Block 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.

Councilman Elmshaeuser moved to approve the City Manager contract as presented and authorize the Council President to sign the document. 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.

Councilman Elmshaeuser introduced Ordinance 1329, entitled: An ordinance establishing the salary of the City Manager of the City 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 Bassett 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. 1329 was read by title and, thereafter, Councilman Elmshaeuser moved for the final passage of the Ordinance. Councilman Block seconded the motion. The President then stated the question: “Shall Ordinance No. 1329 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, 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. 1329 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

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 G. Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger

Rankin. No: None. Absent: None. Motion declared carried and the meeting adjourned at 1:45 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 November 12, 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

(S E A L)