

REGULAR MEETING OF THE CITY COUNCIL

APRIL 14, 2015

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 14th day of April 2015, 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: 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 10, 2015 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 te 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 Elmshaeuser 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 consent agenda was approved as follows:

- A. O.V.F.D. – Resignation of Chris Chase.
- B. Minutes of the Regular Meeting held March 24, 2015.
- C. Right of Way Contractor License – Joe Randall.

Mayor Peterson proclaimed April 12 – 18, 2015 as National Volunteer Week.

Mayor Peterson proclaimed April 12 – 18, 2015 as National Library Week.

Mayor Peterson proclaimed April 30, 2015 as Pay it Forward Day.

Mayor Peterson proclaimed April 20, 2015 as Earth Day.

Councilman Rankin moved to approve Dan Collins' Livestock/Fowl Permit for up to four 4-H cattle, three goats and five horses at 607 West 24th Street. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: Karl Elmshaeuser. Absent: None. Motion declared carried.

John and Judie Sauer appeared before the council to request they remove the no parking restriction between West 5 & 6 on B Street.

City Clerk Skinner presented the financial report for March 2015.

Councilman Bassett moved to table the claim payable to Eichner's Sales and Service and the claim payable to Midwest Turf and Irrigation until the whole matter is cleared up. 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.

Randy Meininger, Regional West Medical Center, Dell Simmerman, Fire Chief, Sharon Lind, CEO Banner Health, Gary Schreiner and Sheila Wallich addressed the council regarding the paramedic agreement with Regional West Medical Center.

Councilman Rankin moved to approve the contract with Regional West Medical Center for paramedic services and authorize the council president to sign the contract to include the following changes: 6.d. strike “or contract separately with RWMC for such services”; 7. Logos include “as approved by the City Manager” 8. Insurance include “RWMC shall maintain general liability insurance coverage with minimum limits of \$1,000,000 per occurrence and \$3,000,000 in the aggregate. 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.

Council President Peterson called for a recess to the meeting at 8:54 P.M.

Council President Peterson reconvened the meeting at 9:02 P.M.

Councilman Block moved to approve the O.V.F.D Auxiliary Members as presented. 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.

Council President Peterson announced Ordinance 1333 was introduced and read for the first time on March 10, 2015 and read for the second time on March 24, 2015. Council President Peterson read Ordinance 1333 by title, An ordinance amending section 44 of the Ogallala municipal code governing the permitted locations of pre-school and day-care facilities within the zoning jurisdiction of the City of Ogallala. Council President Peterson announced that ordinance 1333 has been read for the third time.

Councilman Block moved for the final passage of Ordinance 1333. Councilman Rankin seconded the motion. The President then stated the question: “Shall Ordinance No. 1333 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. 1333 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Councilman Bassett moved to approve the bid for a 2015 Global M3 Sweeper from Rose Equipment Inc, in the amount of \$193,735 and the trade in of the City’s street sweeper to Rose equipment Inc. for \$30,000. 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 Bassett introduced Ordinance 1334, entitled: An ordinance of the council president and council of the city of Ogallala, Nebraska authorizing and approving the lease-purchase of certain equipment for use by the city (“equipment”); authorizing the execution and delivery by the city of documents relating to such lease-purchase financing; approving the issuance of certificates of participation in the lease rental payments to be made by the city, subject to the parameters set forth herein; authorizing the city manager and city clerk to determine the final aggregate principal amount, maturities, rates, terms and other details of such certificates; approving the delivery and use of an offering circular in connection with the offer and sale of such certificates; designating the certificates as qualified tax-exempt obligations; adopting certain post-issuance compliance procedures with respect to the certificates; authorizing certain actions documents; prescribing other matters relating thereto; and providing for 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 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 the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1334 was read by title and, thereafter, Councilman Block moved for the final passage of the Ordinance. Councilman Bassett seconded the motion. The President then stated the question: "Shall Ordinance No. 1334 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. 1334 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Councilman Block moved to approve the bid for a KM T-2 Recycler and K-M 4-48 Infrared in the amount of \$91,300 from AMC. 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 moved to go into closed session for the purpose of explanation of the communication between Aaron Smith, City Manager and Greg Hilt, 21st Century regarding the 2015 mower purchase at 9:34 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 of explanation of the communication between Aaron Smith, City Manager and Greg Hilt, 21st Century regarding the 2015 mower purchase at 9:34 P.M.

Councilman Bassett moved to return from closed session where discussion was held regarding the explanation of the communication between Aaron Smith, City Manager and Greg Hilt, 21st Century regarding the 2015 mower purchase at 10:09 P.M. Councilman Elmshaeuser 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.

City Manager Aaron Smith updated the council regarding possible city involvement in funding for a convention and visitor bureau position; a retail recruitment tool available from Buxton, for business retention and expansion; and his report on findings of the downtown parking survey.

Scott Allen addressed the council regarding the downtown parking survey.

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 10:33 P.M.

Jane M. Skinner
City Clerk

