

REGULAR MEETING OF THE CITY COUNCIL

APRIL 28, 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 28th 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, and Rodger Rankin. Absent: Karl Elmshaeuser. 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 24, 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 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 Councilman Elmshaeuser from the April 28, 2015 City Council Meeting. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried.

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

- A. Minutes of the Regular Meeting held April 14, 2015.
- B. Claims.
- C. O.V.F.D. – Probationary Membership of Kyle Meininger.

The Claims were approved as follows:

General Fund:

Ne Dept Of Rev-4,002.97-Sit; 125 Plan-399.21-Pretr; Am Fam Ins-510.89-Ins; Eftps-15,818.27-Fit; Hosp&Med-18,883.50-Ins; Icma-532.22-Pen; John Hancock-8,296.53-Pen; Ne Child Sup-25.00-P/R; Pinn Bank-50,036.44-Pp7; Valley Bank-1,987.50-Hsa; 125 Plan-399.21-Pretr; Eftps-16,282.24-Fit; Hartford Life-1,369.95-In; Hosp&Med-18,883.50-Ins; Icma-532.22-Pen; John Hancock-8,690.86-Pen; Ne Child Sup-25.00-P/R; Pinnbank-51,420.24-Pp8; Valley Bank-1,987.50-Hsa; Gen Fund-1,500.00-Su; Ne Dept Of Aero-3,190.83-Lease; Dept Of Rev-1,180.71-Salestr; Pinn Bank-25.00-Se; Ndhss-480.00-Se; Adamson Indust-2,469.90-Su; Allo Comm-1,011.46-Se; Anderson Indust-167.50-Su; Napa-871.83-Su; Arnolds Upholstery-115.00-Se; Arnold Pool-328.67-Su; Asap Const-135.00-Se; Bittersweet Bakery-122.40-Su; Bluecross Blueshield-478.76-Refund; Bound Tree Med-158.37-Su; Richard Brown-10.00-Se; Betty Brown-87.79-Su; Bruckner, Mike-1,263.48-P/R; Bts-210.00-Se; Andrew & Lisa Byers-100.00-Contract; Candy Aero-1,000.00-Contract; Cash-Wa-134.20-Su; Chargepoint-255.00-Dues; Chs Grainland-4,183.89-Su; True Value-773.21-Su; Corbin Willits-5,635.94-Se; Cornhusker Hotel-396.00-Su; Correll Refriger-342.41-Su/Se; Cornhusker Trucks-175.00-Se; Cranmore Fire-565.00-Su/Se; Cranmore Pest-45.00-Se; Culligan-86.00-Su/Se; Danko Equip-25,271.66-Su; Dash Med Gloves-72.90-Su; Dickinson Land-400.00-Se; Digital Ally-60.00-Su; Dol Gen-173.95-Su; Eakes Office-278.99-Su; Eichner Sales-297.40-Se; Electrical Engineering-48.82-Su; Ems Billing-2,116.54-Contract; John Deere Financials-210.33-Su; Fingerprint Am-649.20-Su; First United Meth-100.00-Contract; Dean & Sharon Friedel-100.00-

Contract; Fyr-Tek-1,467.51-Su; Grainger-309.48-Su; Hinton's Lock-397.68-Su; Humphreys-235.98-Su; Icma-125.00-Fees; Ideal Linen-161.26-Su/Se; Intellicorp-38.40-Se; Waste Conn-848.54-Se; Kc Hosp Auth-33,907.95-Salestx; Kc News-486.50-Se; Kc Register-40.00-Se; Kc Sen Center-24.50-Su; Kc Treasurer-15,085.20-Contract; Kenfield Elec-757.58-Su/Se; Kents Towing-150.00-Se; Kildare Lumber-46.49-Su; Kimball Midwest-191.13-Su; Sourcegas-5,246.26-Su; John & Janet Koperski-100.00- Contract; Lake Mac Auto Body-50.00-Se; Lawson Prod-332.18-Su; Light & Siren-356.68-Su; Linweld-229.23-Su; William & Nancy McBride-100.00-Contract; MCGinley Construc-7,191.16-Su/Se; MCM Truck-185.00-Se; Mcquillan Law-850.00-Se; Midwest Turf-157.79-Su; Mid-Plains Comm Coll-35.00-Trn; Mid-Iowa Solid Waste-341.14-Su; Mighty Clean-70.00-Se; Mobile Mech-575.00-Se; Muni Supply-997.27-Se; Murphy Tractor-42.48-Su; Ne Truck Center-15.74-Su; Nppd-17,597.11-Su; Off Serv-714.31-Su; Banner Health-118.80-Se; Chamber Of Comm-350.00-Su; Og Ready Mix-508.88-Su; Water Dept-1,092.30-Su; Scott England-180.00-Se; Og Comm Hosp-67.92-Su; Ace Hardware-18.99-Su; Olsson Assoc-717.69-Se; Peterson Mach-50.00-Se; Platte Valley Ag-3,051.00-Su; Prairie States Comm-112.50-Se; Joyce Rahn-65.00-Se; Ramada Inn Kearney-490.00-Su; Reams Sprinkler-1559.77-Su; Shopko-252.95-Su; Sunmart-22.49-Su; Skinner, Jane-22.45-Su; Stulichs Asphalt-5,332.50-Su/Se; Sutton, Ferne-100.00-Contract; Telegraph-508.32-Se; Tlc Cleansweep-400.00-Se; T&C Srv-28.25-Se; Ultramax-624.00-Su; Uspostal Serv-87.30-Su; Valasek Invest-100.00-Contract; Van Diest Supply-11,200.11-Su; Verizon-963.33-Se; Richard & Myrna Verhagen-100.00-Contract; Visa-3,617.50-Su; Martin & Vicki Weidenbach-100.00-Contract; West Central Ne Dev-1,625.00-Contract; Western Path-78.00-Se; Wilson, Doris-22.00-Se; Brian & Leigh Ann William-100.00-Contract; Wolf Auto-289.99-Su/Se; Xerox-50.33-Lease;

Select Flex:

Rci-1,372.63-Pretx; Rci-192.30-Pretx;

Water Dept:

Ne Dept Of Rev-7,398.91-Salestx; Adams Bank-25.00-Se; Allo-135.79-Se; Am Ag Lab-142.50-Se; Napa-49.69-Su; Bomgaar's-22.93-Su; Chs Grainland-648.13-Su; Cornhusker Glass-78.27-Se; Ditch Witch-374.94-Su; John Deere Financials-18.18-Su; Gen Fund-19,454.82-Se; Hhs Reg&Lic-178.00-Se; Holiday Inn-89.95-Su; Humphreys-90.97-Su; Ideal Linen-99.83-Su/Se; Waste Conn-131.00-Se; Kc News-826.50-Se; Sourcegas-338.59-Su; Lawson Prod-472.38-Su; League Of Ne-40.00-Su; Lincoln Winwater-64.20-Su; Midwest Elec-3,569.28-Su; Muni Supply-2,169.53-Su; Ne Rural Water-800.00-Su; Ne Printworks-233.25-Su; Nppd-3,000.04-Su; Off Serv-64.18-Su; Banner Health-39.60-Se; Og Ready Mix-665.21-Su; Water Dept-59.97-Su; Ace Hardware-33.76-Su; One Call Concepts-54.45-Se; Springer's App-212.00-Se; Ne Dept Health Lab-36.00-Se; Tc Engineering-137,050.00-Se; Usa Blue Book-1,069.80-Su; Verizon-128.24-Se; Visa-1,377.09-Su; Western Path-26.00-Se; Wingate Inn-385.42-Su; Yant Equipment-853.28-Su; Fricke, Lyndsey/Jessica-34.39-Refund; Glinn, Colby-3.23-Refund;

Sewer Dept:

Adams Bank-25.00-Se; Allo-117.18-Se; Am Ag Lab-128.75-Se; Ba Lawrence-1,475.00-Se; Chs Grainland-76.16-Su; John Deere Financials-43.33-Su; Gen Fund-14,926.86-Se; Ideal Linen-58.80-Su/Se; Waste Conn-149.11-Se; Kenfield Elec-1,139.87-Se; Sourcegas-2,188.16-Su; Nppd-5,014.65-Su; Water Dept-69.00-Su; Scott England-1,457.00-Se; Qa Balance Serv-150.00-Se; Centurylink-73.80-Se; Snell Serv-3,277.00-Se; Van Diest Supply-128.50-Su; Verizon-53.31-Se;

Youth Committee:

Og Baseball Assn-25.00-Se; Sheks-32.00-Su;

Housing Rehab:

Melchior Contract-15,529.00-Su/Se; West Central Ne Dev-4,500.00-Se;

Med Benefit:

Rci-12,885.08-Ins; Rci-4,681.14-Ins; Rci-5,583.98-Ins; Rci-627.83-Ins; Rci-72,425.91-Ins; Rci-2,042.87-Ins; Rci-12,559.85-Ins;

Council President Peterson opened a public hearing regarding a request to amend the Ogallala zoning code to allow a process for utility structures to be placed as a primary use by special exception in R-1 Residential Single Family zoning districts at 7:02 P.M.

Mayor Peterson proclaimed May 7, 2015 as National Day of Prayer in Ogallala Nebraska.

Terry Johnson, Community Redevelopment Authority, addressed the council to notify the city of the CRA's intent to enter into a redevelopment contract with O'Reilly Auto Enterprises, LLC.

Councilman Bassett introduced a resolution calling street, sanitary sewer and water improvement bond anticipation notes, series 2014, dated June 18, 2014. Councilman Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted "No": None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution No. 1442 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Councilman Bassett introduced a resolution calling refunding bonds, dated April 14, 2010, in the principal amount of \$620,000. Councilman Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted "No": None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution No. 1443 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Councilman Block introduced Ordinance 1335, entitled: An ordinance authorizing the issuance of general obligation various purpose bonds, series 2015, of the City of Ogallala, Nebraska, in the principal amount of one million five hundred thirty thousand dollars (\$1,530,000) to refund certain outstanding bonds of the city; for the purpose of paying the cost of paving streets and alleys within street improvement district no. 2014-1 and paying the cost of sewer and water improvements constructed in sanitary sewer extension district no. 2014-1 and water extension district no. 2014-1; prescribing the form of said bonds; providing for a sinking fund and for the levy and collection of taxes to pay said bonds; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds and ordering the ordinance published 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, 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. 1335 was read by title and, thereafter, Councilman Bassett moved for the final passage of the Ordinance. Councilman Block seconded the motion. The President then stated the question: "Shall Ordinance No. 1335 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. 1335 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

John Trecek, Ameritas Investment Corp. informed the council regarding creating a municipal facilities corporation. This non-profit corporation would serve at the pleasure of the Council President and Council, and exists for the purpose of acquiring equipment. Members of the municipal facilities corporation may not be a member of the council.

Councilman Bassett moved to approve the minutes of the Special Meeting held April 20, 2015. Councilman Block seconded the motion. The following council members voted Yes:

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

Maggie O'Neil and Gerard Brennen presented a proposal to the council for a wellness program for city employees.

Councilman Block introduced a resolution authorizing a wellness program for the City of Ogallala employees. Councilman Bassett seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted "No": None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution No. 1444 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Councilman Block introduced a resolution amending the City of Ogallala recreation center special fee schedule. Councilman Rankin seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted "No": None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution No. 1445 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Jeremy Smith addressed the council on behalf of Keith County Area Development regarding a request for financial assistance toward the improvement of the outdoor court at Collister Park.

Councilman Block moved to approve KCAD's funding request of \$8,000 for the Multi-Sport Court project at Collister Park. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried.

Council President Peterson closed a public hearing regarding a request to amend the Ogallala zoning code to allow a process for utility structures to be placed as a primary use by special exception in R-1 Residential Single Family zoning districts at 8:21 P.M.

Councilman Bassett introduced Ordinance 1336, entitled: An ordinance amending sections 44-1203 - special uses, 44-1303 - special uses, 44-1403 - special uses of the municipal code of the City of Ogallala, Nebraska 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. 1336 was read by title and, thereafter, Councilman Bassett moved for the final passage of the Ordinance. Councilman Block seconded the motion. The President then stated the question: "Shall Ordinance No. 1336 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. 1336 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Councilman Block introduced a resolution to apply for state & federal funding for the City of Ogallala Public Transportation System for fiscal year 2015-2016. Councilman Bassett

seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted “No”: None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution No. 1446 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

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

- A. Board of Health – Pete Peterson.
- B. Chamber of Commerce – Kevin Block.
- C. Keep Keith County Beautiful – Pete Peterson.
- D. Keith County Area Development – Aaron Smith.
- E. Library Board – Kevin Block.
- F. City Council Member/County Commissioner Meeting/School Board – Buck Bassett

There being no further business to come before the council, Councilman Bassett moved to adjourn. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried and the meeting adjourned at 8:30 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 April 28, 2015 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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