

REGULAR MEETING OF THE CITY COUNCIL

APRIL 12, 2016

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 April 2016, 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 meeting 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 8, 2016 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 approve the consent agenda. 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 and the consent agenda was approved as follows:

- A. Minutes of the Special Meeting held March 30, 2016.
- B. O.V.F.D. – Probationary Membership of Eric Whitwood.
- C. O.V.F.D. – Probationary Membership of Karen Whitwood.
- D. Application for a Journeyman Plumbing License – Ryan K. Bekke.
- E. Appointment to Board – Zoning Board of Adjustments (3).
 - 1) Brian Gustin - Three Year Term (1-1-16 – 12-31-18).

Council President Peterson opened a public hearing regarding a request for special exception to place a utility structure as a primary use on property located at 211 West 7th, more particularly described as Lot 8, Block 9, Searle's Second Addition at 7:02 P.M.

Doug Davis addressed the council regarding his request for special exception to place a utility structure as a primary use on property located at 211 West 7 Street.

Council President Peterson opened a public hearing regarding a request to rezone property located at 3002 West D Street, more particularly described as a 5.4 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. Proposed rezoning is from R-3 Residential District High Density to C-2 Highway Business District at 7:02 P.M.

Council President Peterson opened a public hearing regarding a request to rezone property located at 205 East 6th Street, more particularly described as All of Block 9, Paxton's Addition, Ogallala, Nebraska. Proposed rezoning is from R-2 Residential District Medium Density to C-1 Central Business District at 7:02 P.M.

Mayor Peterson proclaimed April 10 – 16, 2016 as National Volunteer Week.

Mayor Peterson proclaimed April 10 – 16, 2016 as National Library Week.

Mayor Peterson proclaimed April 10 – 16, 2016 as Public Transit Week.

Jim Lempke addressed the council regarding the removal of stop sign on West 10th Street at West 10th and E Streets.

Richard Brown, Street Superintendent, addressed the council regarding the flooding problems on 2nd Street and East A Street.

Council President Peterson recognized Jarrod Curtis for his 15 years of service with the city of Ogallala parks department.

Councilman Bassett moved to approve the minutes of the regular meeting held March 22, 2016. 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.

City Clerk Jane Skinner presented the financial report for March 2016.

Councilman Bassett moved to appoint Pete Peterson, Buck Bassett, Jane Skinner, Jason Tickle, Steve Krause, Curt Van Laningham, Jeff Armour and Mary Lou Heelan to the City Manager Selection Committee. 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.

Councilman Elmshaeuser moved the City Council enter into negotiations with Jane Skinner, specifically with the Council President, to discuss the terms and potential interim City Manager position. 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.

The city council discussed the moving expense reimbursement from Aaron Smith, City Manager.

Council President Peterson excused himself from his seat on the council at 7:52 P.M. Harold Peterson and John Sauer addressed the council regarding the request for use of land at lot legally described as TR in NW1/4 140 X 160 Outlots 31-14-38 1---16 STR and water to lot for irrigation of community garden.

Councilman Rankin moved to grant Keep Keith County Beautiful authorization to use proposed land for a community garden if they so agree for a term of one year to be evaluated in the following year with the city providing the water which will be metered. Councilman Block 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.

Council President Peterson returned to his seat on the council at 8:00 P.M.

Councilman Rankin moved to allow the request for variance regarding the construction of an addition to the current facility known as Poppe's Truck & Diesel Repair considering the factors in Ogallala Municipal Code 20-212(3) and the variance conditions in 20-212(4)(d). Councilman Bassett 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.

Council President Peterson closed the public hearings regarding a request for special exception to place a utility structure as a primary use on property located at 211 West 7th, more particularly described as Lot 8, Block 9, Searle's Second Addition; and a request to rezone property located at 3002 West D Street, more particularly described as a 5.4 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. Proposed rezoning is from R-3 Residential District High Density to C-2 Highway Business District; and a request to rezone property located at 205 East 6th Street,

more particularly described as All of Block 9, Paxton's Addition, Ogallala, Nebraska. Proposed rezoning is from R-2 Residential District Medium Density to C-1 Central Business District at 8:28 P.M.

Councilman Bassett moved to allow a special exception for a primary use utility structure to be located at 211 West 7th Street more particularly described as Lot 8, Block 9, Searle's Second Addition. 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 Rankin moved to approve the request to rezone property located at 3002 West D Street, more particularly described as a 5.4 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. Proposed rezoning is from R-3 Residential District High Density to C-2 Highway Business District. 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 request to rezone property located at 205 East 6th Street, more particularly described as All of Block 9, Paxton's Addition, Ogallala, Nebraska. Proposed rezoning is from R-2 Residential District Medium Density to C-1 Central Business District. 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 Block introduced a resolution to apply for state & federal funding for the City of Ogallala Public Transportation System for fiscal year 2016-2017. Councilman Bassett 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. 1471 adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Councilman Elmshaeuser moved to approve the specifications, advertising and bid opening for the 2016 Backhoe Loader and Hydraulic Breaker. 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.

Councilman Block moved to approve the bid to Nutri-Ject in the amount of \$105,511. 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.

City Manager Aaron Smith updated the council on the upcoming West 5th Street construction public meeting to be held on April 20, 2016 from 5-7 P.M.

There being no further business to come before the council, Councilman Block moved to adjourn. Councilman Elmshaeuser 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 8:41 P.M.

Jane M. Skinner
City Clerk

Approved:

