

REGULAR MEETING OF THE CITY COUNCIL

OCTOBER 11, 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 11th day of October 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. Interim City Manager: Jane M. Skinner; Deputy City Clerk: Roxane Welsh. 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 October 7, 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.

Council President Peterson recognized Roxane Welsh for her fifteen years of service to the City of Ogallala.

Brian Vasa updated the Council on Nebraska Public Power District.

Councilman Block moved to approve the minutes of the regular meeting held September 27, 2016. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block and Karl Elmshaeuser. No: None. Abstain: Harold Peterson and Rodger Rankin. Motion declared carried.

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

Councilman Bassett moved to approve the claims payable to West Central Nebraska Development District in the amounts of \$5,063.75 and 525.00. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Abstain: Karl Elmshaeuser. Motion declared carried.

Councilman Bassett moved to approve the special designated liquor license for Silverchair, LLC DBA 1 Eleven Lounge event to be held November 3, 2016 from 5:00 P.M. until 7:00 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. Motion declared carried.

Brian Vasa addressed the council regarding the Professional Retail Operation Agreement between Nebraska Public Power District and the City of Ogallala.

Councilman Rankin moved to approve Amendment No. 1 to the Professional Retail Operations Agreement between Nebraska Public Power District and the City of Ogallala and authorize the Council President to sign the amendment. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried.

Ron Froschheiser addressed the Council with concerns regarding the proposed Fowl/Livestock ordinance.

Council President Peterson announced Ordinance 1348 was introduced and read for the first time on September 27, 2016. Council President Peterson read Ordinance 1348 by title, An Ordinance Amending Section 3-302 – Permits of The Municipal Code of The City of Ogallala, Nebraska. Council President Peterson announced that ordinance 1348 has been read for the second time.

Michael McQuillan, City Attorney, clarified the chain of command with the City Manager and the City Council in a First Class City with a City Manager form of government.

Mary Wilson, Keith County Area Development, addressed the council concerning the Rural Business Development Grant Revolving Loan Fund Pledge.

Councilman Elmshaeuser moved to direct the City Attorney to render a legal opinion concerning public funds and whether or not they would be deemed private purposes for this particular program. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: Harold Peterson. Motion declared carried.

Josh Wendell, McQuillan and Wendell, PC, addressed the council on the Labor Standards Mitigation Plan regarding the Department of Economic Development CDBG Implementation.

Councilman Bassett moved to adopt the Labor Standards Mitigation Plan regarding Department of Economic Development CDBG Implementation and the Environmental Assessment Mitigation Plan regarding Department of Economic Development CDBG Implementation as presented. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Abstain: Karl Elmshaeuser. Motion declared carried.

Councilman Bassett moved to approve the probationary membership of Austin Wheeler to the Ogallala Volunteer Fire Department. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried.

A special meeting to discuss the fiscal year 2016-2017 street improvement projects will be held on November 10, 2016 at 12:00 P.M.

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 Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried and the meeting adjourned at 8:24 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 October 11, 2016 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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