

## REGULAR MEETING OF THE CITY COUNCIL

NOVEMBER 22, 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 22<sup>th</sup> day of November 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 November 18, 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 opened a public hearing regarding a proposal to amend the Ogallala Zoning Code, Chapter 44 at 7:01 P.M. The proposed amendments would add regulations pertaining to primary use utility structures within residential zoning districts and also would add regulations regulating temporary storage structures in residential zoning districts.

Ken Knoepfel, Planning and Zoning Administrator addressed the council regarding the proposal to amend the Ogallala Zoning Code, Chapter 44.

Starr Lehl, Western Field Service Representative - Nebraska Department of Economic Development and Mary Wilson, KCAD Executive Director presented the Ogallala/Keith County Business Retention and Expansion results from May 2016 business visits.

Jean Thunker addressed the council regarding lighting on South Spruce and East Railroad Streets and snow removal on South Spruce Street.

Council President Peterson recognized Riley Hilton for his five years of service to the City of Ogallala at the Wastewater Treatment Plant.

Council Member Block moved to approve the minutes of the regular meeting held November 8, 2016. Council Member Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Harold Peterson. No: None. Abstain: Rodger Rankin. Absent: None. Motion declared carried.

Council Member Bassett moved to approve the minutes of the special meeting held November 10, 2016. Council Member Elmshaeuser seconded the motion. The following council members voted Yes: Darrell Bassett, Karl Elmshaeuser and Harold Peterson. No: None. Abstain: Kevin Block and Rodger Rankin. Absent: None. Motion declared carried.

Council Member Block moved to approve the claims as presented. Council Member 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 and the claims were approved as follows:

### **General Fund:**

125 Plan-588.43-Pretx; Eftps-16,195.52-Fit; Hartford Life-1,350.75-Ins; Hosp&Med-18,795.80-Ins; John Hancock-10,542.91-Pen; Ne Child Support-46.15-P/R; Pinnacle Bank-50,800.33-Pp22; Valley Bank-2,412.00-Hsa; Ne Dept Of Rev-4,022.57-Sit; 125 Plan-588.43-Pretx; Am Fam Ins-374.90-Ins; Eftps-17,062.97-Fit; Hosp&Med-19,217.20-Ins; John Hancock-10,592.54-Pen; Ne Child Support-46.15-P/R; Pinnacle Bank-52,501.47-Pp23; Valley Bank-2,324.50-Hsa; Gen Fund-3,000.00-Su; Ne Dept Of Aero-3,190.83-Lease; Air Bp Aviation-15,851.50-Su; Ne Dept Of Rev-218.89-Salestx; Pinnacle Bank-25.00-Se; Coventry Health-(440.31)-Reverse; 911 Custom-139.99-Su; Allo-1,021.42-Su; Napa-579.91-Su; Arnold Pool-1,151.85-Su; Baltzell Vet-40.00-Se; Black Hills Energy-3,325.17-Su; Bound Tree Med-98.19-Su; Bruckner, Mike-842.32-P/R; U-Save-7.46-Su; Candy Aerotech-1,000.00-Contract; Cash-Wa-523.05-Su; Charter-15.79-Se; Chs Grainland-4,633.99-Su; Cna Surety-864.15-Ins; Coca-Cola-56.64-Su; Contractors Materials-179.00-Su; Cornhusker Glass-9.96-Se; Coventry Health-417.27-Refund; Cranmore Pest-45.00-Se; Culligan-79.50-Su/Se; Dickinson Land-769.00-Se; Dja Const-3,000.00-Su; Eichner Sales-38.32-Su; Ems Billing-1,389.72-Contract; Everclear Window-110.00-Se; Fairfield Inn-284.85-Su; John Deere Financials-472.70-Su; Fedex-26.46-Se; Dean & Sharon Friedel-100.00-Contract; Fyr-Tek-1,218.75-Su; Home Pc-29.00-Su; Humphreys Auto-810.81-Su; Icma-125.00-Se; Ideal Linen-343.16-Su/Se; Iowa League-130.00-Se; J&K Irrigation-350.00-Su; Waste Conn-1,043.72-Se; Kc Hosp-41,342.33-Salestx; Kc News-1,013.58-Se; Kc Sen Cen-66.00-Su; Kc Treas-10,471.39-Contract; Kc Court-17.00-Se; Kenfield Elec-220.00-Se; Kents Towing-375.00-Se; Kildare-180.69-Su; Linweld-156.88-Su; Makenzi's Photo-1,337.50-Su; Mcm Truck-386.00-Se; Mid-Am Research-647.42-Su; Mighty Clean Janitorial-280.00-Su; Mobile Mech-205.00-Se; Ne Dept Of Roads-266,971.69-Contract; Ne Printworks-15.80-Se; Nppd-16,659.17-Su; Ne Safety & Fire-135.00-Se; O'reilly Auto-16.99-Su; Off Svc-681.41-Su; Water Dept-171,984.50-Su; Scott England-840.00-Su/Se; Og Comm Hosp-28.30-Su; Ace Hardware-324.31-Su; Og Med Cen-39.60-Se; Olsson Assoc-4,062.00-Contract; Omaha World Herald-348.75-Se; Poan-150.00-Dues; Paulsen-1,303.77-Su; Pocket Press-108.89-Su; Pochon Irrigation-341.61-Su/Se; Reams Sprinkler-665.15-Su; Reg West Med Cen-5,260.00-Se; Rose Equip-228.39-Su; Schmidt Motors-90.00-Su; Almquist,Maltzahn,Gallow-2,140.00-Se; Snell Svc-658.50-Se; Steve's Body-125.00-Se; Stericycle-134.49-Su; Tlc Cleansweep-550.00-Se; T&C Srv-64.00-Su; Us Bank-3,337.93-Su; Us Postal Svc-87.00-Su; Verizon-824.03-Se; Weathercraft-1,685.00-Su; Western Insurors-142,329.23-Ins; Western Path-26.00-Se;

**Select Flex:**

Rci-384.60-P/R; Rci-384.60-P/R;

**Water Dept:**

Ne Dept Of Rev-11,065.42-Salestx; Adams Bank-25.00-Se; Allo-135.42-Su; Am Ag Lab-87.50-Se; Napa-46.17-Su; Black Hills Energy-185.09-Su; Chs Grainland-771.56-Su; Cna Surety-282.75-Ins; Cornhusker Glass-55.72-Se; Gen Fund-24,540.39-P/R; Hoa Solutions-1,064.54-Su; Humphreys-138.51-Su; Ideal Linen-98.35-Su/Se; Waste Conn-141.48-Se; Lawson Prod-225.06-Su; Midwest Elec-5,956.53-Su; Mid-Am Research-201.35-Su; Muni Supply-7,710.10-Su/Se; Ne Dept Of Roads-132,467.21-Contract; Nppd-3,533.15-Su; Og Ready Mix-524.84-Su; Water Dept-44.41-Su; One Call Concepts-54.45-Se; Safety-Kleen Corp-277.30-Su; Ne Dept Health-18.00-Se; T&C Srv-569.06-Su; Us Bank-903.99-Su; Verizon-126.01-Su; Western Insurors-27,927.18-Ins; Integrated Bus-4.46-Refund; Leslie Mendoza-37.55-Refund; April Troxel-24.27-Refund;

**Sewer Treatment Fund:**

Adams Bank-25.00-Se; Allo-111.90-Su; Andersen Sign-675.00-Se; Black Hills Energy-2,137.70-Su; Chs Grainland-44.53-Su; Cna Surety-276.40-Ins; Dezurik-1,354.72-Su; Gen Fund-18,020.61-P/R; Ideal Linen-48.40-Su/Se; Waste Conn-161.04-Su; Kc News-89.93-Se; League Of Ne Muni-80.00-Su; Muni Automation-839.46-Se; Ndeq-150.00-Su; Nppd-4,750.44-Su; Water Dept-82.00-Su; Scott England-3,750.00-Se; Olsson Assoc-12,309.82-Contract; Paulsen-29.23-Su; Snell Svc-617.69-Su; Telegraph-47.21-Se; Us Bank-1,121.56-Su; Verizon-53.82-Su; Western Insurors-27,164.20-Ins;

**Youth Committee:**

Og Youth Soccer-125.00-Se;

**Medical Benefit:**

U-Save-27.99-Su; Chamber of Comm-320.00-Su; Og Comm Hosp-1,507.58-Su; Rci-13,465.84-Ins; Rci-515.19-Ins; Rci-7,888.72-Ins;

Council Member Elmshaeuser moved to approve the claim payable to Rankin Sales and Services in the amount of \$11.16. Council Member Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Harold Peterson. No: None. Abstain: Rodger Rankin. Absent: None. Motion declared carried.

Council President Peterson closed a public hearing regarding a proposal to amend the Ogallala Zoning Code, Chapter 44 at 7:43 P.M. The proposed amendments would add regulations pertaining to primary use utility structures within residential zoning districts and also would add regulations regulating temporary storage structures in residential zoning districts.

Council Member Bassett introduced ordinance 1349. Council President Peterson read ordinance 1349 by title: An ordinance amending sections 44-1203 - special uses, 44-1303 - special uses, 44-1403 - special uses, 44-302 - permitted uses 44-602 - permitted uses, 44-802 - permitted uses and 44-1002 - permitted uses and adding sections 44-1712 - design standards and 44-1713 - design standards of the municipal code of the city of Ogallala, Nebraska. Council President Peterson announced that ordinance 1349 has been read for the first time.

Council Member Bassett moved to abate the nuisance properties identified as: 2016 OGA 002-1701 East 1st Street; 2016 OGA 004-1702 East 1st Street; 2016 OGA 005-203 ½ East M Street; 2016 OGA 006-215 East M Street; 2016 OGA 007-219 East M Street; 2016 OGA 171-202 East L Street; 2016 OGA 192-310 East 6th Street at the discretion of the City Manager using the most cost effective means. Council Member Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Abstain: Karl Elmshaeuser. Absent: None. Motion declared carried.

Council Member Bassett introduced a resolution of declared nuisance and moved for its adoption. Council Member 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. Abstain: Karl Elmshaeuser. Absent: None. Motion declared carried and Resolution number 1604 adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Block introduced Resolutions 1605 - 1615 rescinding declared nuisances and moved for their adoption. Council Member Bassett 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. Abstain: Karl Elmshaeuser. Absent: None. Motion declared carried and Resolution numbers 1605 - 1615 adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Bassett moved to accept the lowest responsible bid from Electric Pump in the amount of \$77,996.00 for Wastewater Treatment Plant Improvements 2016-1 for Effluent Pump and Controls. Council Member 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.

Council Member Elmshaeuser moved to exercise the option to purchase real estate pursuant to the terms of the agreement from Patrick and Patricia Vlasin. Council Member 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.

Council Member Rankin moved to approve the resignation of K.C. Bang from the Ogallala Volunteer Fire Department. Council Member 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 Members gave their committee reports as follows:

- A. Board of Health – Pete Peterson.
- B. Chamber of Commerce – Kevin Block.
- C. Keep Keith County Beautiful – Pete Peterson.
- D. Kenfield Petrified Wood Gallery – Buck Bassett.
- E. Library Board – Kevin Block.
- F. Ogallala Community Hospital Advisory Board – Karl Elmshaeuser.

There being no further business to come before the council, Council Member Elmshaeuser moved to adjourn. Council Member Block seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Motion declared carried and the meeting adjourned at 8:09 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 22, 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

(S E A L)