

A REGULAR MEETING OF THE CITY COUNCIL

FEBRUARY 28, 2017

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 February, 2017, at 7:00 o'clock P.M. Present were: President of the Council: Darrell G. Bassett; Council Members: Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. Absent: None. City Manager: Bruce Smith. City Clerk-Treasurer: Jane 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 February 24, 2017 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 Member Schilz moved to approve the consent agenda. Council Member Peterson seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried and the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held February 14, 2017.
- B. Claims.
- C. Library – Appointment to Board – Library Building Advisory Committee County Representative – Toney Krajewski.

The Claims were approved as follows:

General Fund:

Ne Dept Of Rev-4,312.88-Sit; 125 Plan-192.30-Pretr; Am Fam Ins-342.13-Ins; Eftps-16,860.93-Fit; Hosp&Med-21,922.38-Ins; John Hancock-10,741.82-Pen; Ne Child Support-46.15-P/R; Pinn Bank-52,071.39-Pp3; Valley Bank-3,585.25-Hsa; 125 Plan-192.30-Pretr; Eftps-15,553.47-Fit; Hartford Life-1,421.45-Ins; Hosp&Med-21,997.38-Ins; John Hancock-10,670.68-Pen; Ne Child Support-46.15-P/R; Pinn Bank-49,080.72-Pp4; Valley Bank-3,690.25-Hsa; Eftps-941.42-Fit; Hosp&Med-1,793.64-Ins; Icma-533.08-Pen; Pinn Bank-2,421.00-P/R; Valley Bank-892.00-Hsa; Ne Dept Of Aero-3,190.83-Lease; Water Dept-646.00-Su; Ne Dept Of Rev-845.15-Salestr; Pinn Bank-25.00-Se; Concrete Ind & Abat-4,763.52-Su/Se; Dickinson Surveyors-3,291.50-Se; Nm Concrete & Abat-10,439.44-Su/Se; Nm Concrete & Abat-(10,439.44)-Reverse; Paulsen & Abat-1,713.35-Su/Se; Potts Elec & Abat-8,495.00-Su/Se; Sapp Bros & Abat-2,452.96-Su; Scotties Potties & Abat-64.20-Se; Simon Contractors & Abat-33,652.97-Su/Se; South Platte Excavat & Abat-15,500.00-Su/Se; Twin Rivers Test & Abat-4,865.81-Su/Se; Alive Outside-954.14-Su; Allo Comm-1,014.36-Se; Am Red Cross-300.00-Se; Napa-453.94-Su; Arnold Pool-197.40-Su; Arrow Intl-160.39-Su; Baltzell Vet-20.00-Se; Black Hills Energy-7,566.60-Su; Bok Financial-4,337.50-Se; Bound Tree Med-117.86-Su; Boy Scouts-300.00-Su; Bruckner, Mike-842.32-P/R; Bts-256.00-Se; Candy Aerotech-1,000.00-Contract; Chs Grainland-3,395.05-Su; Clouse, Nicole-924.00-Su; Coca-Cola-87.30-Su; Complete Cleaning-510.25-Se; Cornhusker Glass-11.54-Se; Correll Ref-328.00-Su; Cranmore Fire-558.00-Se; Cranmore Pest-45.00-Se; Marcia Crofutt-924.00-Su; Culligan-69.00-Su/Se; Danko Equip-28,958.82-Su; Datashield Corp-39.00-Se; Dollar Gen-9.00-Su; Eichner Sales-75.90-Su; Ems Billing-1,252.49-Contract; John Deere Financials-182.64-Su; Fenwick, Jon-100.00-Su; Fireguard-298.00-Su; Heartland Philanthropy-6,000.00-Contract; Heartland Moving-4,425.18-Se; Herman, James-924.00-Su; Dhhs-120.00-Se; Kary G & Kathryn Hoins-1,008.00-Su; Holiday Inn-185.90-Su; Home Pc Sales-72.00-Su;

Humphreys-343.77-Su; Icma Corp-125.00-Se; Ideal Linen-269.15-Su/Se; Intellicorp-53.40-Se; Waste Conn-1,095.91-Se; Barb Jeffres-150.00-Su; Kcad-60,844.32-Se; Kc Hosp Auth-35,684.98-Salestx; Kc News-609.11-Se; Kc Reg-92.00-Se; Kc Sen Cen-55.50-Su; Kc Treasurer-10,471.39-Contract; Kenfield Elec-919.86-Su; Kents Towing-350.00-Se; Kildare Lum-2.70-Su; Linweld-213.98-Su; Mcm Truck-398.00-Se; Mcmillan Plmb-1,973.94-Su/Se; Mid-Am Research-626.69-Su; Mid-States Org Crim-100.00-Dues; Mighty Clean Janit-140.00-Se; Mobile Mechanic-260.00-Se; Moore, Barbara Anne-924.00-Su; Ne Clerk's Inst-223.00-Su; Munro, Summers-175.00-Se; Ne Dept Of Roads-42,281.45-Su/Se; Printworks-61.05-Su; Nppd-17,794.10-Su; Ne Safety&Fire-261.60-Su; O'reilly Auto-12.75-Su; Office Svc-1,019.66-Su; Chamber Of Comm-300.00-Su; Water Dept-458.77-Su; Scott England-180.00-Se; Og Comm Hosp-754.43-Su; Ace Hard-9.99-Su; Og Med Ctr-198.00-Se; Olsson Assoc-9,599.81-Se; Zane & Colette Powell-924.00-Su; Prairie States Comm-28.90-Su; Quill Corp-504.84-Su; R&D Welding-124.57-Su; Reg West Med Ctr-4,700.00-Se; Rockmount Reasearch-360.40-Su; Scip-5,000.00-Contract; Smith, Bruce-187.26-Su; Snell Svc-1,320.00-Su; Sw Auto-191.97-Su; Telegraph-161.20-Su; Tlc Cleansweep-440.00-Se; T&C Srv-961.50-Su; Us Bank-6,408.83-Su; U S Postal Svc-85.20-Su; Verizon-981.65-Su; Visa-25.06-Su; Western Path-26.00-Se; Win Designs-65.96-Su; Windy Acre-571.95-Su; York-50.00-Refund.

Select Flex:

Rci-515.00-P/R.

Water Dept:

Water Dept-42.53-Su; Ne Dept Of Rev-8,652.20-Salestx; Adams Bank-25.00-Se; Allo-130.19-Se; Am Ag Lab-175.00-Se; Napa-399.22-Su; Beveridge Inc-1,000.00-Su/Se; Black Hills Energy-561.18-Su; Chs Grainland-548.43-Su; Cornhusker Glass-58.98-Se; Cranmore Fire-210.00-Se; Dickinson Surveyors-20.00-Se; Gen Fund-49,290.14-Se; Grainger-713.76-Su; Humphreys-17.94-Su; Ideal Linen-98.16-Su/Se; Waste Conn-148.55-Se; Mcmillan Plmb-1,283.31-Su; Midwest Elec-4,950.90-Su; Muni Supply-6,006.29-Su; Printworks-128.67-Su; Nppd-3,431.49-Su; Off Svc-425.86-Su; Simon Cont-1,238.42-Su; Ace Hardware-32.00-Su; One Call Concepts-20.82-Se; Paulsen-1,365.17-Su; R&D Welding-40.25-Su; Springer's App-85.00-Su; Ne Dept Health Lab-36.00-Se; Us Bank-307.58-Su; Verizon-125.87-Se; Brian Barnhill-36.81-Refund; Barbara Rau-37.55-Refund; Lukas Sudbeck-23.64-Refund.

Sewer Treatment Fund:

Water Dept-82.00-Su; Adams Bank-25.00-Se; Allo-117.16-Su; Black Hills Energy-3,494.45-Su; Chs Grainland-73.17-Su; Eakes Office-479.40-Su; Gen Fund-32,687.17-Se; Holiday Inn-189.90-Su; Ideal Linen-63.47-Su/Se; Waste Conn-169.09-Se; Jc Cross-4,668.82-Su; Nppd-4,916.87-Su; Scott England-4,090.60-Se; Potts Elec-72.50-Su; Centurylink-73.80-Su; Share Corp-1,729.28-Su; Superior Lamp-353.39-Su; Us Bank-505.98-Su; Verizon-53.77-Su.

Youth Committee:

City Of Og-75.00-Su; Luis, Juarez-250.00-Su; Rae's Kitchen-100.00-Su.

Medical Benefit:

Gen Fund-318.50-Su; Chamber Of Comm-260.00-Su; Rci-12,484.84-Ins; Rci-563.49-Ins; Rci-4,671.72-Ins; Rci-3,514.46-Ins; Rci-1,093.74-Ins; Rci-2,459.42-Ins.

Council President Bassett opened a public hearing regarding a request to rezone property located at 801 East 1st Street, more particularly described as Lots 3, 4 and 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from R-2 Residential District Medium Density to C-2 Highway Business District at 7:04 P.M.

Ken Knoepfel, Planning and Zoning Administrator addressed the council regarding the request to rezone property located at 801 East 1st Street, more particularly described as Lots 3, 4 and 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from R-2 Residential District Medium Density to C-2 Highway Business District.

Council President Bassett recognized Chris Wells for his twenty-five years of employment with the city of Ogallala as the mechanic.

No action taken on the agenda item regarding the street closing request for Wild West Junk Market. Makenzi Spurgin was not in attendance to address the council on the item.

Charlie Wortman, Keith County Housing Development Corporation, addressed the council requesting financial support for a county wide housing study.

Council Member Peterson moved to approve the Keith County Housing Development Corporation's request for \$2,500 to fund a county wide housing study. Council Member Schilz seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Nolde moved to approve and certify the list of volunteers, as submitted by the Certification Administrator, as qualified participants in the Volunteer Emergency Responder Plan of the City of Ogallala for 2016. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Weddington moved to declare Abat Lerew in default of their contract with the City of Ogallala on Project 3-31-0061-011, to notify Allied World Insurance Company of said default, and allow City Manager Smith and City Attorney McQuillan to pursue all legal means necessary to ensure the completion of the project. Council Member Schilz seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Peterson introduced Ordinance 1352, entitled: An ordinance rezoning the following described real estate: Lots 1, 2, 3, 4 and 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision From C-2 (Highway Business District) to R-2 (Residential District Medium Density) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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. 1352 was read by title and, thereafter, Council Member Schilz moved for the final passage of the Ordinance. Council Member Peterson seconded the motion. The President then stated the question: "Shall Ordinance No. 1352 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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, in the presence of the Council, 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. 1352 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Nolde introduced Ordinance 1353, entitled: An ordinance rezoning the following described real estate: Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition from R-2 (Residential District Medium Density) to C-1 (Central Business District) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Weddington seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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. 1353 was read by title and, thereafter, Council Member Schilz moved for the final passage of the Ordinance. Council Member Peterson seconded the motion. The President then stated the question: "Shall Ordinance No. 1353 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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, in the presence of the Council, 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. 1353 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Nolde introduced Ordinance 1354, entitled: An ordinance rezoning the following described real estate: A 5.4 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska described in metes and bounds as follows: Commencing at a point, said point being 325 feet South and 33 feet East of the Northwest corner of the SW ¼ of said Section 30, said point also being on the Easterly right of way line of West H Street, thence running East on a line that is parallel to the North Line of the SW ¼ of said Section 30 a distance of 839.33 feet, thence running South on a line that is parallel to the West line of the SW ¼ of said Section 30 a distance of 325 feet, thence running West on a line that is parallel to the North line of the SW ¼ of said Section 30 a distance of 490 feet, thence turning right 66°48'07" and running in a Northwesterly direction a distance of 208.09 feet, thence left 56°28' and continuing Northwesterly a distance of 276.30 feet to a point on the East right of way line of West H Street, said point also being 33 feet East of the West line of the SW ¼ of said Section 30, thence running North on said right of way line a distance of 116.54 feet to the point of beginning from R-3 (Residential District High Density) to C-2 (Highway Business District) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Schilz seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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. 1354 was read by title and, thereafter, Council Member Weddington moved for the final passage of the Ordinance. Council Member Nolde seconded the motion. The President then stated the question: "Shall Ordinance No. 1354 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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, in the presence of the Council, 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. 1354 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Schilz introduced Ordinance 1355, entitled: An ordinance rezoning the following described real estate: 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) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Peterson seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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. 1355 was read by title and, thereafter, Council Member Weddington moved for the final passage of the Ordinance. Council Member Nolde seconded the motion. The President then stated the question: "Shall Ordinance No. 1355 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie

Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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, in the presence of the Council, 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. 1355 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council President Bassett closed a public hearing regarding a request to rezone property located at 801 East 1st Street, more particularly described as Lots 3, 4 and 5 Except Tract for Highway, Block 2, Krueger’s Second Subdivision. Proposed rezoning is from R-2 Residential District Medium Density to C-2 Highway Business District at 7:37 P.M.

Council Member Peterson introduced Ordinance 1356, entitled: An ordinance rezoning the following described real estate: Lots 3, 4 and 5 Except Tract for Highway, Block 2, Krueger’s Second Subdivision. Proposed rezoning is from R-2 (Residential District Medium Density) to C-2 (Highway Business District) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Schilz seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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. 1356 was read by title and, thereafter, Council Member Nolde moved for the final passage of the Ordinance. Council Member Schilz seconded the motion. The President then stated the question: “Shall Ordinance No. 1356 be passed and adopted?” Upon roll call vote, the following Council Members voted “Yes”: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. 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, in the presence of the Council, 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. 1356 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Schilz moved to appoint Council Member Nolde as a liaison to the West Central Nebraska Joint Housing Authority. Council Member Peterson seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

The Council gave updates on the board appointments as follows:

- A. Keith County Area Development – Deb Schilz.
- B. Library Board – Darryl Weddington.
- C. City Council Member/County Commissioner Meeting/School Board – Buck Bassett
- D. Ogallala Youth Committee – Pete Peterson.

Council Member Weddington moved to adjourn. Council Member Peterson seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried and meeting adjourned at 7:55 P.M.

Jane M. Skinner
City Clerk

Approved:

Darrell G. Bassett

