

A REGULAR MEETING OF THE CITY COUNCIL

AUGUST 22, 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 22<sup>nd</sup> day of August, 2017, at 7:00 o'clock P.M. Present were: President of the Council: Darrell G. Bassett; Council Members: Dorie Nolde, Deb Schilz and Darryl Weddington. Absent: Harold Peterson. City Manager: Bruce Smith. City Clerk: 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 August 18, 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 excuse Council Member Peterson from the August 22, 2017 City Council Meeting. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried.

Council Member Weddington moved to approve the consent agenda. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried and the consent agenda was approved as follows:

- A. Minutes of the Special Meeting held August 8, 2017.
- B. Minutes of the Regular Meeting held August 8, 2017.
- C. Claims.
- D. O.V.F.D. – Probationary Membership of Wayne T. Jamitscheck.
- E. O.V.F.D. – Probationary Membership of Daniel Robinson.
- F. O.V.F.D. – Auxiliary Membership of Heather Robinson.
- G. O.V.F.D. – Resignation of Kyle Meininger.
- H. O.V.F.D. – Resignation of Ron Olson.
- I. Renewal of Journeyman Plumber License:
  - 1) John Piepho
- J. Renewal of Mobile Home Park License:
  - 1) Del and Beverly Humphrey dba Hillcrest Homes MHP

The Claims were approved as follows:

**General Fund:**

Ne Dept Of Rev-4,597.93-Sit; 125 Plan-192.30-Pretx; Am Fam Ins-342.13-Ins; Eftps-19,018.57-Fit; Hosp&Med-24,161.54-Ins; Icma-592.32-Pen; John Hancock-10,839.17-Pen; Child Sup Cen-406.16-P/R; Pinn Bank-61,916.28-Pp16; Western States-5,239.75-Hsa; 125 Plan-192.30-Pretx; Eftps-19,611.53-Fit; Hartford Life-1,502.75-Ins; Hosp&Med-24,161.54-Ins; Icma-592.32-Pen; John Hancock-10,897.81-Pen; Child Sup Cen-406.16-P/R; Pinn Bank-61,526.33-Pp17; Western States-4,298.50-Hsa; Ne Dept Of Aero-3,190.83-Lease; Water Dept-15,938.75-Su; Ne Dept Of Rev-692.53-Salestx; Pinn Bank-25.00-Se; Allied World Ins-20,509.00-Su/Se; Allo Comm-1,200.11-Se; Napa-396.07-Su; Arnold Pool-4,669.75-Su; Asap Const-2,800.00-Su; Awards Plus-92.00-Su; Baltzell Vet-170.00-Se; Bavco-27.40-Su; Bear Graphics-529.38-Su; Big Springs Equip-7.82-Su; Black Hills Energy-2,843.87-Su; Bok Financial-144,337.50-Lease; Bound Tree Med-502.70-Su;

Bruckner, Mike-1,263.48-P/R; Candy Aerotech-1,000.00-Lease; Cash-Wa-834.30-Su; Charter Comm-15.80-Se; Chs Grainland-5,012.53-Su; Contractors Materials-92.00-Su; Consolidated Mgmt-7.88-Su; Cranmore Pest-45.00-Se; Culligan-115.50-Su; Dash Med Gloves-111.85-Su; Datashield-39.00-Se; Eakes Off-163.99-Su; Eichner Sales-28.36-Su; Ems Billing-1,075.29-Contract; John Deere Financials-436.34-Su; Galls-298.53-Su; Humphreys-763.87-Su; Ideal Linen-311.35-Su/Se; Waste Conn-1,112.34-Su; Kcad-62,365.43-Se; Kc Hosp Auth-41,005.19-Contract; Kc News-675.61-Se; Kc Treasurer-10,471.39-Se; League Of Ne Muni-10,044.00-Dues; Linweld-224.27-Su; Logan Supply-26,222.20-Su; Lou Kraus Music-273.99-Su; Jeanne Mcneff-150.00-Refund; Mcquillan Law-1,081.30-Se; Michael Todd-69.78-Su; Mid-Am Research-281.72-Su; Midland's Fam Med-105.00-Se; Mighty Clean Janitor-140.00-Se; Ne Salt&Grain-3,856.73-Su; Ne Printworks-112.30-Su; Ne Law Trng Ctr-135.00-Su; Nppd-19,021.66-Su; Nsa/Poan Conf-280.00-Su; O'reilly-34.42-Su; Off Svc-416.20-Su; Og Rotary-120.00-Su; Water Dept-775.78-Su; Scott England-1,920.00-Su/Se; Og Comm Hosp-102.87-Su; Ace Hardware-127.81-Su; Paulsen-2,009.16-Su; Paxton Fire-361.16-Su; Pocket Press-179.80-Su; Poppe's Diesel-100.80-Su/Se; Quill Corp-1,194.55-Su; Rankin Sales-83.34-Su; Reams Supply-882.01-Su; Reg West Med Ctr-4,970.00-Se; Revize-1,200.00-Se; Sapp Bros-72.60-Su; Sewer Fund-103.06-Su; Siffring, Ron-87.55-Su; S Platte Excav-1,500.00-Se; Stryker Medical-457.66-Su; Tc Engineer-3,900.00-Su; Tlc Cleansweep-550.00-Se; T&C Srv-598.79-Su/Se; Traffic Logix-6,073.00-Su; Unitech-1,308.00-Su; Us Bank-5,857.33-Su; Us Postal Svc-85.20-Su; Van Diest-512.70-Su; Verizon-915.26-Se; Weathercraft-233.00-Su; West Central Dev Dist-4,443.39-Se; Western Path Consult-104.00-Se; Windy Acre Elec-86.13-Su;

**Select Flex Claims:**

Rci-192.30-P/R;

**Water Dept:**

Water Dept-46.55-Su; Ne Dept Of Rev-13,873.99-Salestx; Adams Bank-25.00-Se; Allo Comm-131.05-Se; Am Water Works-300.00-Se; Am Ag Lab-87.50-Se; Napa-44.81-Su; Black Hills Energy-147.78-Su; Chs Grainland-1,028.31-Su; Cornhusker Glass-47.55-Se; Eichner Sales-949.50-Su; Gen Fund-31,278.68-Su; Hoa Solutions-1,207.64-Su; Humphreys-252.49-Su; Ideal Linen-100.96-Su/Se; Waste Conn-148.55-Se; Kc Reg Of Deeds-10.00-Se; Lawson Products-351.98-Su; League Of Ne Muni-1,446.00-Dues; Midwest Elec-6,616.12-Su; Muni Supply-108.67-Su; Myers Construc-15,500.00-Su; Nppd-8,085.35-Su; Ace Hardware-117.68-Su; One Call Concepts-47.34-Se; Paulsen-298.50-Su; Sw Auto Tech-192.09-Su/Se; Ne Dept Health Lab-50.00-Se; Us Bank-1,047.32-Su; Verizon-145.85-Su; Weathercraft-1,715.10-Su;

**Sewer Dept:**

Water Dept-80.75-Su; Adams Bank-25.00-Se; Allo-117.20-Su; Black Hills Energy-629.12-Su; Chs Grainland-129.97-Su; Gen Fund-21,625.77-Su/Se; Ideal Linen-44.72-Su/Se; Waste Conn-169.09-Se; Kelly Supply-24.53-Su; Moore Plbg-227.00-Su/Se; Ne Labor Boiler-228.00-Se; Nppd-5,815.32-Su; Scott England-4,250.00-Su/Se; Potts Elec-260.00-Su; Centurylink-73.80-Su; Us Bank-1,889.42-Su; Verizon-54.83-Su; Wastewater Svc-240.00-Su;

**Youth Committee:**

City Of Og-175.00-Su; Og Youth Soccer-150.00-Su;

**Medical Benefit:**

Chamber Of Comm-360.00-Su; Rci-13,416.23-Ins; Rci-4,021.06-Ins; Rci-910.34-Ins; Rci-373.36-Ins;

Council Member Schilz moved to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event - Indian Summer Rendezvous - to be held 9-21-17 from 10 AM to 1 AM; 9-22-17 from 10 AM to 1 AM and 9-23-17 from 10 AM to 1 AM. to be held at Rendezvous Square. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried.

John Trecek, Ameritas Investment Corp., addressed the council regarding the issuance of General Obligation Various Purpose Bonds, Series 2017 in the principal amount of five hundred thousand dollars.

Council Member Nolde introduced Ordinance 1361, entitled: An ordinance authorizing the issuance of General Obligation Various Purpose Bonds, Series 2017, of the City Of Ogallala, Nebraska, in the principal amount of Five Hundred Thousand Dollars (\$500,000) issued for the purpose of paying the cost of constructing paving and related improvements in street improvement district nos. 2017-1 to 2017-3, inclusive, of the city; 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. Council Member Schilz seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1361 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. 1361 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: Harold Peterson. 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. 1361 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Dave Kling, Police Chief and Nuisance Officer presented visual evidence regarding nuisance properties in the city of Ogallala.

ReNee Peterson addressed the council regarding the property at 3108 Spruce Acres.

Council Member Schilz removed resolution 1696 and introduced resolutions 1697 and 1698, resolutions of declared nuisance. Council Member Weddington seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and Resolutions 1697 and 1698 were adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

The City Council discussed the property at 3108 Spruce Acres and directed Dave Kling, Police Chief and Nuisance Officer, to allow the property owner until January 2018 to clear the nuisance.

Council Member Schilz introduced resolutions 1699 to 1708, resolutions rescinding declared nuisance. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and Resolutions 1699 to 1708 were adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Nolde introduced resolutions 1709 to 1718, resolutions authorizing changing from Section 27-302 Administrative Nuisance Abatement to Section 27-303 Criminal Prosecution Enforcement. Council Member Weddington seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following council Members voted "No":

None. Absent: Harold Peterson. Motion declared carried and Resolutions 1709 to 1718 incorporated herein and made a part hereof.

Council Member Schilz introduced resolution 1719, a resolution determining final levy allocation for the Ogallala Community Development Authority. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and Resolution 1719 was adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Establishing an adult lifetime membership fee to the Goodall Recreation Center and Outdoor Pool was discussed by the City Council. The council would like to have a resolution presented at the next City Council meeting for an adult lifetime membership to the Goodall Recreation Center and Outdoor Pool.

City Manager Bruce Smith addressed the council regarding the Fiscal Year 2017-2018 Budget process. The aggregate levy for city will remain the same.

Council Member Weddington moved to go into closed session to conduct the employee evaluation of City Manager Bruce Smith at 8:24 P.M. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried.

Council President Bassett announced the council would go into closed session to conduct the employee evaluation of City Manager Bruce Smith at 8:24 P.M.

Council Member Weddington moved to return from closed session where the council conducted the employee evaluation of City Manager Bruce Smith at 9:03 P.M. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried.

Council Member Schilz introduced Ordinance 1362, entitled: An ordinance establishing the salary of the City Manager of the City of Ogallala, Nebraska. 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, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: Harold Peterson. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1362 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. 1362 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: Harold Peterson. 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. 1362 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

The City Council Members gave their committee reports as follows:

- A. Buck Bassett
  - 1) Board of Health
  - 2) Kenfield Petrified Wood Gallery

- B. Deb Schilz
  - 1) Keith County Area Development
- C. Dorie Nolde
  - 1) Chamber of Commerce
- D. Darryl Weddington
  - 1) Library Board
  - 2) Ogallala Community Hospital Advisory Board
- E. City Council Member/County Commissioner/School Board Meeting Darryl Weddington and Buck Bassett.

Council Member Schilz moved to adjourn. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Absent: Harold Peterson. Motion declared carried and meeting adjourned at 9:18 P.M.

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Jane M. Skinner  
City Clerk

Approved:

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Darrell G. Bassett  
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 August 22, 2017 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.

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Jane M. Skinner  
City Clerk

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