

A REGULAR MEETING OF THE CITY COUNCIL

SEPTEMBER 12, 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 12th day of September, 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: Joshua Wendell.

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 September 8, 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 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 and the consent agenda was approved as follows:

- A. O.V.F.D. – Probationary Membership of Kellee A. Janitscheck
- B. Appointment to Board – Board of Health
 - 1) Christopher Wong – Medical Advisor - Alternate (09-12-2017 – 12-31-2018).
- C. Renewal of Right of Way Contractor Licenses:
 - 1) Zeb Peterson

Council President Bassett opened a public hearing regarding the Fiscal Year 2017-2018 Budget Hearing at 7:02 P.M.

Council President Bassett opened a public hearing regarding the Fiscal Year 2017-2018 hearing to Set Final Tax Request at 7:03 P.M.

Council President Bassett opened a public hearing regarding a request to rezone property located at 349 Highway 30 West, more particularly described as a 10.09-Acre Tract in the SE ¼ of Section 10, Township 13 North, Range 39 West of the 6th P.M. Proposed rezoning is from C-2 *Highway Business District* to I-1 *Industrial District (The RV Storage Place L.L.C.)* at 7:03 P.M.

Council Member Peterson entered the meeting at 7:04 P.M.

Ken Knoepfel, Planning and Zoning Administrator addressed the council regarding the request to rezone property located at 349 Highway 30 West.

Council Member Weddington moved to approve the minutes of the regular meeting held August 22, 2017. Council Member Nolde seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: None. Abstain: Harold Peterson. Absent: None. Motion declared carried.

City Clerk Skinner presented the financial report for August 2017.

Council Member Peterson moved to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 10-05-17 from 5 PM to 8 PM at Rendezvous Square, 112 East 2 Street, for a Community Business After Hours Event. 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 President Bassett closed a public hearing regarding the Fiscal Year 2017-2018 Budget Hearing at 7:13 P.M.

Council Member Nolde moved to approve the 1.00% increase in restricted funds above the base limitations for fiscal year 2017 – 2018. 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 approve the fiscal year 2017 – 2018 budget as presented. 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 President Bassett closed a public hearing regarding the Fiscal Year 2017-2018 hearing to Set Final Tax Request at 7:17 P.M.

Council Member Peterson introduced resolution 1720, a resolution setting the FY 2017 – 2018 property tax request. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell G. Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. The following council Members voted “No”: None. Absent: None. Motion declared carried and Resolution 1720 was 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 Ordinance 1363, entitled: An ordinance to appropriate the sums of money deemed necessary to defray, by means of taxation, all the necessary expenses and liabilities of the City of Ogallala, Nebraska, for the fiscal year ending September 30, 2018; specifying the objects or purposes for which such appropriations are made and the amount appropriated for each object, or purpose; containing the percentage levied for each object or purpose; providing for the certification of this ordinance to the County Clerk of Keith County, Nebraska; and prescribing the time when this ordinance shall be in full force and take effect 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. 1363 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. 1363 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. 1363 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Weddington introduced resolution 1721, a resolution amending the city of Ogallala Job Title – Salary Range Table. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell G. Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. The following council Members voted “No”: None. Absent: None. Motion declared carried and Resolution 1721 was 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 resolution 1722, a resolution amending the city of Ogallala special fee schedule. Council Member Schilz seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell G. Bassett, Dorie Nolde, Harold Peterson, Deb Schilz and Darryl Weddington. The following council Members voted “No”: None. Absent: None. Motion declared carried and Resolution 1722 was adopted, a copy of said Resolution 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 349 Highway 30 West, more particularly described as a 10.09-Acre Tract in the SE ¼ of Section 10, Township 13 North, Range 39 West of the 6th P.M. Proposed rezoning is from C-2 *Highway Business District* to I-1 *Industrial District (The RV Storage Place L.L.C.)* at 7:28 P.M.

Council Member Nolde introduced Ordinance 1364, entitled: An Ordinance Rezoning The Following Described Real Estate: A tract of land located in the SE¼ of Section 10, Township 13 North, Range 39 West of the 6th P.M., Keith County, Nebraska, being more particularly described as follows: Commencing at the Center Quarter corner of Section 10, Township 13 North, Range 39 West of the 6th P.M., Keith County, Nebraska; thence S 00°10'00" W on the west line of the SE¼ of said Section, 212.24 feet; thence S 88°22'38" E 1401.93 feet to a point on the north line of Highway #30 Right-of-Way, also being the beginning of a nontangent 5523.29 foot radius curve concave northwesterly; thence southwesterly on the arc of said curve 1114.64 feet (chord bearing S 68°08'01" W, chord length 1112.76 feet) on said line; thence S 16°05'06" E on said Right-of-Way line, 15.00 feet, to the beginning of a nontangent 5538.29 foot radius curve concave northwesterly; thence southwesterly on the arc of said curve 355.43 feet (chord bearing S 75°45'13" W, chord length 355.38 feet) on said Right-of-Way line; thence S 77°35'32" W on said Right-of-Way line, 30.72 feet to a point on said west line of the SE¼; thence N 00°10'00" E on said line 562.61 feet to the Point of Beginning containing 10.09 acres, more or less from C-2 Highway Business District to I-1 Industrial 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. 1364 was read by title and, thereafter, Council Member Peterson moved for the final passage of the Ordinance. Council Member Schilz seconded the motion. The President then stated the question: “Shall Ordinance No. 1364 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. 1364 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

