

A REGULAR MEETING OF THE CITY COUNCIL

APRIL 24, 2018

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 24th day of April, 2018, 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: 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 April 20, 2018 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 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.

Mike McQuillan, City Attorney removed agenda item 2.C. Application for license to perform work within the Public Right of Way – Steve Hild from the consent agenda.

Council Member Peterson moved to approve the consent agenda. 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 and the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held April 10, 2018.
- B. Claims.

The Claims were approved as follows:

General Fund:

125 Plan-361.53-Pretx; Eftps-18,408.09-Fit; Icma-607.12-Pen; John Hancock-10,669.99-Pen; Ne Child Support-264.46-P/R; Pinn Bank-59,751.27-Pp7; Ne Dept Of Rev-7,437.74-Sit; 125 Plan-361.53-Pretx; Am Fam Ins-289.59-Ins; Eftps-16,243.24-Fit; Hosp&Med-25,960.96-Ins; Icma-607.12-Pen; John Hancock-11,014.67-Pen; Ne Child Support-264.46-P/R; Pinn Bank-52,307.28-Pp8; Western States Bank-4,525.25-Hsa; Gen Fund-3,000.00-Su; Air Bp-8,746.17-Su; Ne Dept Of Aero-3,190.83-Contract; Water Dept-795.16-Su; Ne Dept Of Rev-1,484.29-Salestx; Pinn Bank-25.00-Se; Ne Dept Of Trans-5,838.50-Su; Allo-974.82-Su; Napa-140.07-Su; Arnolds Upholstery-283.00-Se; Arnold Pool-202.50-Su; Atco Intl-124.00-Su; Bittersweet Bakery-108.00-Su; Black Hills Energy-7,238.36-Su; Bound Tree Med-241.62-Su; Bruckner, Mike-842.32-P/R; Candy Aerotech-1,000.00-Contract; Charter Comm-15.79-Se; Chs Grainland-4,271.76-Su; Coca-Cola-60.49-Su; Contractors Material-169.00-Su; Cornhusker Glass-10.88-Se; Correll Ref-2,075.00-Su; Cranmore Pest-45.00-Se; Culligan-95.00-Su; Curtis, Jason-100.00-Su; D&B Full Svc-200.00-Se; Danko Emerg-61.45-Su; Dickinson Land-1,590.25-Se; Eakes Off-16.50-Su; Eichner Sales-320.39-Su/Se; Ems Billing-1,905.08-Contract; Extreme Mach-49.88-Su; John Deere-117.99-Su; Fenwick, Jon-30.00-Refund; Fleet-Us-3,684.64-Su; Hinton's Lock-402.00-Su; Humphreys-556.24-Su; Ideal Linen-237.94-Su/Se; Intl Muni Clerks-160.00-Dues; J&A Traffic-1,221.25-Su; Waste Conn-1,161.83-Se; Kc Hosp Auth-29,983.87-Salestx; Kc News-1,110.67-Se; Kc Reg Of Deeds-80.00-Se; Kc Treasurer-10,724.89-Se; Kc Court-57.00-Se; Kenfield Elec-1,582.47-Su/Se; Kents Towing-300.00-Se; K&K Svc-133.00-Se; League Of Ne Muni-100.00-Su; Linweld-430.15-Su; Master's Transport-89.12-Su; Mcm Truck-195.00-Se; Mcquillan Law-2,081.20-Se; Mid-Plains Coll-90.00-Se; Mobile Mech-404.00-Se; Natl Pen Corp-233.64-Su; Printworks-151.06-Su; Ne Muni Power Pool-1,843.73-Dues; Nppd-16,355.06-Su; Ne Safety & Fire-125.00-Su; Ne Workforce Develo-3,020.00-P/R; Office Svc-465.84-Su; Chamber Of Comm-

4,081.93-Su; Simon Contrac-23.14-Su; Water Dept-476.46-Su; Bond Acct-545.09-Su; Og Comm Hosp-748.14-Su; Ace Hardware-41.74-Su; Paulsen-3,085.33-Su; Pioneer Prod-412.78-Su; Rankin Sales-350.44-Su; R&D Welding-115.70-Su; Reg West Med Cen-9,230.00-Se; Rose Equip-1,950.21-Su; Rr Donn-104.42-Su; Sapp Bros-20.48-Su; Schmidt Motors-65.85-Su; Scotties Potties-396.00-Su/Se; Sec Of State-30.00-Se; Sewer Fund-55.13-Su; Shelco Const-12,636.00-Su; Sw Area Clerks-20.00-Dues; Spyglass Group-1,749.88-Contract; St. Paul's Lutheran-150.00-Su; Superior Const-494.88-Su; Tlc Cleansweep-550.00-Se; T&C Srv-105.48-Se; Us Bank-16,711.72-Su; Us Postal Svc-86.10-Su; Van Diest Supply-5,820.90-Su; Wolf Landscape-1,324.00-Su; Wolf Auto Cnt-213.76-Su;

Select Flex:

Rci-890.71-P/R; Rci-293.13-P/R;

Water Dept:

Water Dept-49.13-Su; Ne Dept Of Rev-8,685.12-Salestx; Adams Bank-25.00-Se; 21st Century-325.97-Su; Allo-123.70-Su; Am Ag Lab-122.50-Se; Napa-16.87-Su; B&B Petroleum-384.65-Su; Black Hills Energy-468.82-Su; Chs Grainland-281.75-Su; Cornhusker Glass-369.02-Se; Gen Fund-36,999.59-Se; Humphreys-42.44-Su; Ideal Linen-107.14-Su/Se; Waste Conn-155.61-Se; Kc News-882.15-Se; Kimball Midwest-248.33-Su; Lawson Prod-600.23-Su; Lincoln Winwater-97.58-Su; Midwest Electric-5,033.19-Su; Muni Supply-3,159.28-Su; Ne Rural Water-375.00-Su; Nppd-2,634.97-Su; Simon Cont-47.71-Su; Bond Acct-2,564.83-Su; One Call Concepts-44.64-Se; Paulsen-96.84-Su; Ne Health Lab-18.00-Se; Tc Engineering-600.00-Se; T&C Srv Inc-32.00-Se; Us Bank-734.49-Su; Van Diest Supply-593.06-Su; Western Insurors-60.00-Su; Robert Joe-24.71-Refund;

Sewer Dept:

Water Dept-83.00-Su; Adams Bank-25.00-Se; Allo-116.41-Su; Am Ag Lab-130.50-Se; Ba Lawrence-2,885.00-Su; Black Hills Energy-3,433.96-Su; Brody Chemical-394.99-Su; Chs Grainland-72.54-Su; Fastenal Co-112.55-Su; Gen Fund-24,012.51-Se; Ideal Linen-46.90-Su/Se; Waste Conn-169.08-Se; Jc Cross-1,273.39-Su; John Fochi-200.00-Se; Moore Plmb-1,035.00-Su; Nppd-4,449.59-Su; Nsi Solutions-445.00-Su; Bond Acct-2,092.18-Su; Potts Elec-61.22-Su; Qa Balance Svc-150.00-Se; Rbp Const-121.80-Se; Scotties Potties-4,197.00-Se; Superior Lamp-397.24-Su; Us Bank-1,104.81-Su; Uv Superstore-5,631.74-Su;

Youth Committee:

Og Baseball Assn-25.00-Su;

Medical/Benefit:

Chamber Of Comm-360.00-Su; Rci-15,831.62-Ins; Rci-31,847.59-Ins; Rci-2,780.91-Ins; Rci-1,917.45-Ins;

Council Member Nolde moved to approve the application for license to perform work within the Public Right of Way for Steve Hild with the applicant being NebraskaLink LLC. 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 Peterson moved to approve the claims payable to Western Insurors of Nebraska in the amount of \$3,254.00. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Harold Peterson and Darryl Weddington. No: None. Abstain: Deb Schilz. Absent: None. Motion declared carried.

Council Member Nolde moved to approve the Interlocal Cooperation Agreement between the County of Keith, Nebraska and City of Ogallala, Nebraska for financial support of the Ogallala Library. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell Bassett, Dorie Nolde, Deb Schilz and Darryl Weddington. No: Harold Peterson. Absent: None. Motion declared carried.

Council Member Peterson moved to approve the State of Nebraska Department of Economic Development Civic and Community Center Financing Fund Assistance Award Contract No. 18-03-155 and allow the Council President to sign said contract. 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 the specifications, advertising, and bid opening date for the tennis court fence project. 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 Schilz introduced resolution 1757, a resolution authorizing Nebraska Link to install underground fiber optic cable on city right of way. Council President Bassett read the resolution by title and Council Member Peterson 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 1757 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 1369, entitled: An ordinance authorizing the issuance of a Water Revenue Bond of the City of Ogallala, Nebraska, in the principal amount of up to two million one hundred seventy-six thousand six hundred eighty-four dollars (\$2,176,684) for the purpose of paying the costs of constructing additions and improvements to the existing waterworks plant and distribution system of the City; authorizing the issuance of said bond in the form of a promissory note to evidence a loan from the Nebraska Department of Environmental Quality; approving the execution and delivery of a loan contract with the Nebraska Department of Environmental Quality; approving related documents with respect to said loan; prescribing the form, terms and details of said bond; pledging and hypothecating the revenues and earnings of the waterworks plant and distribution system owned by the City for the payment of said bond; entering into a contract on behalf of the City with the holder of said bond; authorizing the delivery of the bond to the Nebraska Department of Environmental Quality; determining that interest on said bond shall not be excludable from gross income for purposes of federal income taxation; 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, 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. 1369 was read by title and, thereafter, Council Member Nolde moved for the final passage of the Ordinance. Council Member Weddington seconded the motion. The President then stated the question: "Shall Ordinance No. 1369 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. 1369 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Bruce Smith, City Manager updated the council regarding the Library Building Advisory Committee activities.

The City Council Members gave their department reports as follows:

- A. Deb Schilz
 - 1) Keith County Area Development
- B. Dorie Nolde
 - 1) Chamber of Commerce
 - 2) West Central Nebraska Joint Housing Authority
- C. Pete Peterson
 - 1) Keep Keith County Beautiful
 - 2) Ogallala Youth Committee
- D. Darryl Weddington
 - 1) Library Board
- E. City Council Member/County Commissioner/School Board Meeting.

Council Member Nolde moved to adjourn. 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 and meeting adjourned at 7:37 P.M.

Jane M. Skinner
City Clerk

Approved:

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 April 24, 2018 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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