

A REGULAR MEETING OF THE CITY COUNCIL

MAY 8, 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 8th day of May, 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: 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 May 4, 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.

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 24, 2018.
- B. Corporate Manager License for Nathan M. Malcom in connection with Class D Liquor License for Shopko Hometown #691 at 100 Texas Trail Drive.
- C. O.V.F.D. – Resignation of Kellee Janitscheck.
- D. Application for a special designated liquor license for Silverchair, LLC event to be held 06-14-2018 from 5:00 PM to 9:30 PM at 112 East 2 Street – Rendezvous Square (Sounds on the Square).
- E. Application for a special designated liquor license for Silverchair, LLC event to be held 06-21-2018 from 5:00 PM to 9:30 PM at 112 East 2 Street – Rendezvous Square (Sounds on the Square).

Council President Bassett opened a public hearing regarding a Class C Liquor License for C&N Development LLC dba Mallory's at 515 East A Street South at 7:03 P.M.

Council President Bassett opened a public hearing regarding a request to rezone property located at 2385 North Spruce Street, more particularly described as a 3.3-Acre portion of land located in the South 393.13 feet of the West 374.75 feet of a Tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., in Keith County, Nebraska: Proposed rezoning is from A-2 Agricultural Residential District to C-2 Highway Business District at 7:04 P.M.

Ken Knoepfel, Planning and Zoning Administrator, Dan Dobson, Jan and Roy Conway and Mike Snyder addressed the council regarding the request to rezone property located at 2385 North Spruce Street.

Council Member Schilz moved to approve the Professional Service Agreement with West Central Nebraska Development District for the CDBG Tourism Development Project. 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.

Council Member Weddington moved to approve the Memorandum of Understanding and State of Nebraska Department of Economic Development Community Development Block Grant Program Tourism Development Contract No, 17-TD-001. 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.

Mayor Bassett proclaimed May 7 – 12, 2018 as Economic Development Week.

Council Member Schilz moved to approve the funding to the Ogallala/Keith County Chamber of Commerce in the maximum amount of \$2,000 to be reimbursed pending receipts of expenses for the Bike Ride Across Nebraska Event to be held June 2nd and 3rd, 2018. Council Member Nolde 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 minutes of the special meeting held April 23, 2018. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell Bassett, Harold Peterson, Deb Schilz and Darryl Weddington. No: None. Abstain: Dorie Nolde. Absent: None. Motion declared carried.

Jane Skinner, City Clerk-Treasurer, presented the April 2018 financial report.

Council President Bassett closed a public hearing regarding a Class C Liquor License for C&N Development LLC dba Mallory's at 515 East A Street South at 7:59 P.M.

Council Member Nolde moved to recommend that the Class C Liquor License for C&N Development LLC dba Mallory's at 515 East A Street South be approved by the Nebraska Liquor Control Commission. 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.

Council Member Nolde moved to recommend that the Corporate Manager License for Nickolas T. Seevers in connection with Class C Liquor License for C&N Development LLC dba Mallory's at 515 East A Street South be approved by the Nebraska Liquor Control Commission. 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 1370, entitled: An Ordinance Amending Article 7 of Chapter 6, Boards and Committees, Duties of the Municipal Code of the City Of Ogallala, Nebraska 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. 1370 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. 1370 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. 1370 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Dell Simmerman, Fire Chief, presented the 2017 Ogallala Volunteer Fire Department Annual Report.

Council President Bassett closed a public hearing regarding a request to rezone property located at 2385 North Spruce Street, more particularly described as a 3.3-Acre portion of land located in the South 393.13 feet of the West 374.75 feet of a Tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., in Keith County, Nebraska: Proposed rezoning is from A-2 Agricultural Residential District to C-2 Highway Business District at 8:20 P.M.

Council Member Peterson introduced Ordinance 1371, entitled: An Ordinance Rezoning the following described real estate: A 3.3-acre portion of land located in the South 393.13 feet of the West 374.75 feet of a Tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., in Keith County, Nebraska: Proposed rezoning is from A-2 (Agricultural Residential District) to C-2 (Highway Business District).

Ordinance No. 1371 was read by title and, thereafter, Council President Bassett announced that ordinance 1371 has been read for the first time.

Council Member Nolde introduced resolution 1758, a resolution declaring the intent of the City of Ogallala, Nebraska, to reimburse the city for payment of expenditures for certain road improvements by issuing tax-exempt obligations. 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 1758 was adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Schilz introduced Ordinance 1372, entitled: An Ordinance amending Article 3 of Chapter 37, Streets, Truck Routes of the Municipal Code 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, 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. 1372 was read by title and, thereafter, Council Member Schilz moved for the final passage of the Ordinance. Council Member Weddington seconded the motion. The President then stated the question: "Shall Ordinance No. 1372 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. 1372 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

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 8:28 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 May 8, 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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