

A REGULAR MEETING OF THE CITY COUNCIL

DECEMBER 11, 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 11th day of December, 2018, 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 December 7, 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 Weddington moved to excuse Council Member Peterson from the December 11, 2018 City Council Meeting. Council Member Schilz 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 minutes of the regular meeting held November 27, 2018. 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.

Bruce Smith, City Manager, thanked Buck Bassett for his years of service and presented him with a plaque in honor of his service to the community.

Council President Bassett exited the rostrum.

City Attorney Michael McQuillan administered the oath of office to Council Members Kevin Block and LD Walker.

City Attorney Michael McQuillan took his place to temporarily chair the meeting.

Council Member Block moved to elect a Council President by motion and vote. Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Block moved to elect Deb Schilz to Council President and to cease nominations. Council Member Walker seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council President Schilz took her place as Council President.

Council Member Block moved to elect a Council Vice-President by motion and vote. Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Nolde moved to elect Kevin Block as Council Vice-President. Council Member Block declined the nomination.

Council Member Block moved to elect Darryl Weddington to Council Vice-President and to cease nominations. Council Member Walker seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Block moved to approve the slate of appointments as presented: Board of Health – Deb Schilz; Chamber of Commerce – Kevin Block; Keep Keith County Beautiful – Dorie Nolde; Keith County Area Development – Deb Schilz; Kenfield Petrified Wood Gallery – LD Walker; Library Board – Darryl Weddington; Ogallala Community Hospital Advisory Board – Darryl Weddington; West Central Development District – Kevin Block; West Central Nebraska Development District (Alternate) – Darryl Weddington; West Central Nebraska Joint Housing Authority – Dorie Nolde; Ogallala Youth Committee – Kevin Block. Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

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

- A. Application for Plumbing Contractor License – Byron Barlow
- B. Plumbing Contractor License and Permit Bond – Granite Mechanical III, Inc. and Surety Rider – Byron Barlow.
- C. Appointment to Board – Planning Commission (4).
 - 1) Kevin Klockman – Three Year Term (1-1-19 – 12-31-21).
 - 2) Lance Larington – Three Year Term (1-1-19 – 12-31-21).
 - 3) David Schwasinger – Three Year Term (1-1-19 – 12-31-21).
- D. Appointment to Board – Library Board (2).
 - 1) Vicki Lynn Peters.
- E. Appointment to Board – Zoning Board of Adjustments (6).
 - 1) Mark Skinner – Three Year Term (1-1-19 – 12-31-21).

Jane Skinner, City Clerk, presented the financial report for November 2018.

Council Member Weddington moved to change the Regular City Council Meeting scheduled for December 25 at 7:00 PM to Wednesday, December 26, 2018 at 7:00 P.M. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Nolde moved to approve the specifications and bid opening date for the ambulance. Council Member Weddington seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Weddington moved to allow Walmart until February 28, 2019 to provide to the City plans and specifications and a construction schedule for permanent ingress and egress improvements to Lot 3, Plunkett Original Addition Replat #1, or the road and truck parking lot will be closed. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Nolde introduced Ordinance 1378, entitled: An Ordinance amending Section 7-202 – Building Moving Permits; Fees, 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 Block seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, Deb Schilz, LD Walker 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. 1378 was read by title and, thereafter, Council Member Weddington moved for the final passage of the Ordinance. Council Member Block seconded the motion. The President then stated the question: "Shall Ordinance No. 1378 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, Deb Schilz LD Walker 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. 1378 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Nolde introduced Ordinance 1379, entitled: An Ordinance Vacating a Portion of a Street and Alleys in a tract of land described as: the east-west alley lying south of Lots 1-4, Block 40, original Town of Ogallala, Keith County, Nebraska, described as follows: beginning at the southeast corner of Lot 1, said Block 40; thence westerly along the southerly line of Lots 1, 2, 3, and 4 to the southwest corner of said Lot 4; thence southerly on an extension of the westerly line of said Lot 4 to the northerly line of Lot 11, said Block 40; thence easterly on the northerly line of Lots 11 and 12, said Block 40, to the northeast corner of said Lot 12; thence northerly on the easterly line of said Block 40 to the point of beginning. All of the east-west alley located in Block 65, Aufdengarten's Second Addition to the City Of Ogallala, Keith County, Nebraska. All that portion of the east half of "B" Street lying south of the north line of Lot 4, if extended westerly, Block 48, Aufdengarten's Second Addition to the City of Ogallala, Keith County, Nebraska to the South Platte River, reserving herewith the channel easement granted and conveyed to the City of Ogallala as recorded in miscellaneous book 62, page 395 in the Office of the Register of Deeds for Keith County, Nebraska. For the City of Ogallala, Nebraska to provide for publication of this ordinance; and providing for an effective date. and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Walker seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, Deb Schilz, LD Walker 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. 1379 was read by title and, thereafter, Council Member Weddington moved for the final passage of the Ordinance. Council Member Walker seconded the motion. The President then stated the question: "Shall Ordinance No. 1379 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, Deb Schilz LD Walker 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. 1379 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Doug Flores, Wasterwater Superintendent addressed the council regarding the proposed consent order in DBEQ case No. 3471.

Council Member Weddington moved to agree to the Consent Order in NDEQ Case No. 3471 and allow the Council President to sign the order. Council Member Nolde seconded the

motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Block moved to adjourn. Council Member Weddington seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: None. Motion declared carried and meeting adjourned at 7:56 P.M.

Jane M. Skinner
City Clerk

Approved:

Deb Schilz
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 December 11, 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

(S E A L)