

## A REGULAR MEETING OF THE CITY COUNCIL

MARCH 26, 2019

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 26<sup>th</sup> day of March, 2019, at 7:00 o'clock P.M. Present were: Vice President of the Council: Darryl Weddington; Council Members: Kevin Block, Dorie Nolde and LD Walker. Absent: Deb Schilz. City Manager: Absent. 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 March 22, 2019 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 Block moved to excuse Council President Schilz from the March 26, 2019 City Council meeting. Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

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

- A. Application for ROW Contractor License – Melissa Fangman.
- B. Minutes of the Regular Meeting held March 12, 2019.
- C. Claims.
- D. O.V.F.D. – Probationary Membership of Robert E. Birge.

The Claims were approved as follows:

### **General Fund:**

125 Plan-461.91-Pretx; Eftps-16,827.20-Fit; Hartford Life-1,424.66-Ins; Hosp&Med-28,739.16-Ins; Icma-737.22-Pen; John Hancock-11,291.65-Pen; Ne Child Sup-46.15-P/R; Pinn Bank-54,757.68-Pp5; Western States Bank-4,878.99-Hsa; Ne Dept Of Rev-4,613.27-Sit; 125 Plan-461.91-Pretx; Am Fam Ins-413.93-Ins; Eftps-16,713.75-Fit; Hosp&Med-28,739.16-Ins; Icma-737.22-Pen; Kc Court-222.69-P/R; John Hancock-11,294.45-Pen; Ne Child Sup-46.15-P/R; Pinn Bank-54,565.46-Pp6; Western States Bank-4,968.99-Hsa; Wex Bank-2,951.17-Su; Ne Dept Of Transport-3,190.83-Lease; Water Dept-825.08-Su; Ne Dept Of Rev-581.02-Salestx; Pinn Bank-25.00-Se; Adams Ins Advisors-3,276.00-Su; Airgas-331.99-Su; Allo-965.27-Su; Amy's Towing-166.00-Se; Napa-643.73-Su; Arnold Pool-1,098.80-Su; Arrow Intl-688.00-Su; Atco Intl-136.00-Su; Baltzell Vet-80.00-Se; Black Hills Energy-11,332.04-Su; Bok Financial-366.75-Lease; Bound Tree Med-260.57-Su; Bruckner, Mike-842.32-P/R; Candy Aerotech-1,000.00-Contract; Bill Christensen-65.00-Mi; Chs Grainland-189.44-Su; Coca-Cola-27.12-Su; Correll Refrig-562.00-Su; Cranmore Fire-375.00-Se; Cranmore Pest-4500-Se; Culligan-76.50-Su; Driftwood Og & Ccr Constr-3,600.00-Su; Driftwood Og & Sun Dog-3,600.00-Su; Driftwood Og & Hiltibrand-51,770.83-Su; Eakes Office-391.30-Su; Eichner Sales-425.59-Su/Se; Ems Billing-1,793.46-Contract; Ewert Builders-15,225.00-Su; John Deere Financials-983.22-Su; Fyr-Tek-139.25-Su; Hinton's Lock-402.00-Su; Humphreys-362.06-Su; Hydrotex-359.68-Su; Ideal Linen-304.36-Su/Se; J&M Displays-35,000.00-Su; Waste Conn-

1,230.65-Se; J Bar J Landfill-262.00-Se; KC Hosp Auth-37,090.01-Salestx; KC News-620.10-Se; KC Treasurer-12,969.59-Se; Kenfield Elec-37.00-Su; Kents Towing-125.00-Se; League Of Muni-2,010.00-Su; Linweld-179.10-Su; Mail Finance-405.90-Su; Markussen, Judy-76.72-Mi; Sue Mcconnell-100.80-Mi; Mcquillan Law-1,458.67-Se; Mead Lumber-9.82-Su; Mid-Plains Comm Coll-60.00-Se; Midland's Family Med-35.00-Se; Mobile Mechanic-250.00-Se; Nppd-17,380.25-Su; Ne Statewide Arboretum-131.75-Su; Dallas Newman-100.00-Su; O'reilly-20.93-Su; Office Service-508.53-Su; Chamber Of Comm-150.00-Su; Og Rotary-120.00-Dues; Water Dept-413.15-Su; Bond Acct-408.28-Se; Og Comm Hosp-101.93-Su; Ace Hardware-243.84-Su; Physio-Control-208.92-Se; R&D Welding-220.00-Su; Rembolt Ludtke-1,620.00-Su; Scotties Potties-875.00-Su/Se; Sheks-75.00-Su; Das State Acctg-55.00-Dues; Steve's Body-1,684.15-Su/Se; Tc Engineering-2,170.85-Se; Telegraph-56.24-Se; Tlc Cleansweep-440.00-Se; T&C Srv-415.00-Su; Us Bank-10,747.41-Su; Us Postal Svc-87.60-Su; West Cen Ne Dev Dist-3,075.00-Se; Western Path Consult-56.00-Se; Winter Equip-173.70-Su; Wolf Auto-198.75-Su; Zane Fenwick Contr-650.00-Se; Allen Siple-19,745.24-Su/Se;

**Select Flex:**

Rci-2,580.21-P/R; Rci-10.80-P/R;

**Water Dept:**

Wex Bank-24.00-Su; Water Dept-51.54-Su; Ne Dept Of Rev-9,218.78-Salestx; Adams Bank-25.00-Se; Myers Constr-117,548.50-Su; Allo-128.32-Su; Am Ag Lab-52.50-Se; Black Hills Energy-735.05-Su; Chs Grainland-433.58-Su; Cornhusker Glass-78.26-Se; Gen Fund-27,645.44-Su/Se; Humphreys-155.37-Su; Ideal Linen-112.06-Su/Se; Waste Conn-165.72-Se; James L. Jones-288.98-Refund; Kenfield Elec-259.13-Su; Midwest Elec-3,985.79-Su; Muni Supply-3,567.12-Su; Printworks-245.00-Su; Nppd-3,044.89-Su; Office Service-15.98-Su; Simon Contractors-443.83-Su; Bond Acct-2,328.49-Su; Ace Hardware-32.07-Su; One Call Concepts-14.52-Se; Reg 12 Am Backflow-85.00-Su; Ne Dept Health Lab-3,729.00-Se; T&C Srv-19.02-Se; Us Bank-1,770.76-Su; Weathercraft Co-191.75-Su/Se; Melissa Schuh-149.36-Refund; Kris Springer-72.35-Refund;

**Sewer Dept:**

Water Dept-89.00-Su; Adams Bank-25.00-Se; Allo-117.63-Su; Ba Lawrence-1,210.00-Su/Se; Black Hills Energy-3,646.09-Su; Brody Chem-199.99-Su; Chs Grainland-59.92-Su; Consolidated Plumb-1,123.00-Su; Cornhusker Glass-4,809.00-Su; Deere Credit-6,380.89-Lease; Dustin Starkey Enter-200.00-Se; Elec Pump-10,950.00-Su; Gen Fund-19,478.02-Su/Se; Ideal Linen-60.82-Su/Se; Waste Conn-180.06-Se; Printworks-264.72-Su; Nppd-3,855.10-Su; Bond Acct-2,038.17-Su; Philip Carkoski Construct-40,742.00-Su; Potts Elec-3,368.83-Su; Scotties Potties-11,676.50-Se; Telegraph-111.05-Se; Us Bank-1,282.64-Su;

**Youth Committee:**

Scott Eveland-1,077.00-Su; KCounty News-8.10-Se;

**Medical/Benefit:**

Chamber Of Comm-220.00-Su; Rci-17,841.60-Su.

Council Vice President Weddington opened a public hearing regarding a request for special exception to allow a telecommunications tower to be erected on property located at 3002 West D Street, more particularly described as a 5.4-acre Tract located in the SW ¼ of 30-14-38, Ogallala, Nebraska at 7:08 P.M.

Ken Knoepfel, Planning and Zoning Administrator, and Chris Riha, Viaero Wireless addressed the Council regarding the request for special exception to allow a telecommunications tower to be erected on property located at 3002 West D Street.

Council Vice President opened a public hearing regarding an application for a Class IBK Liquor License for Driftwood Ogallala LLC dba Driftwood at 7:20 P.M.

Council Vice President read a proclamation declaring April 2, 2019 as National Service Recognition Day.

Council Member Block moved to approve the minutes of the special meeting held March 25, 2019. Council Member Nolde seconded the motion. The following council members

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

Council Vice President closed a public hearing regarding an application for a Class IBK Liquor License for Driftwood Ogallala LLC dba Driftwood at 7:28 P.M.

Council Member Nolde moved to recommend that the Class IBK Liquor License for Driftwood Ogallala LLC dba Driftwood be approved by the Nebraska Liquor Control Commission. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

Council Member Nolde moved to recommend that the Corporate Manager License for Jeremy Smith in connection with Class IBK Liquor License for Driftwood Ogallala LLC dba Driftwood, located at 118 North Spruce Street be approved by the Nebraska Liquor Control Commission. Council Member Weddington seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

Council Member Nolde moved to approve CDBG 18-HO-33058 (Owner Occupied Housing Rehabilitation) - Special Conditions for the Release of Funds: Grantee Information Sheet; Environmental Review; Authorization to Request Funds; Financial Management; Procurement Standards; Excessive Force Certification; Fair Housing; and Implementation Schedule. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

Mary Wilson, Keith County Area Development updated the council regarding Workforce Development; Business Retention and Expansion; Community Development Housing; Revolving Loan Fund; Nebraska Blueprint Committee; and 2019 Action Plan.

Council Vice President Weddington closed a public hearing regarding a request for special exception to allow a telecommunications tower to be erected on property located at 3002 West D Street, more particularly described as a 5.4-acre Tract located in the SW ¼ of 30-14-38, Ogallala, Nebraska at 7:50 P.M.

Council Member Block moved to allow a telecommunications tower to be erected on property located at 3002 West D Street, more particularly described as a 5.4-acre Tract located in the SW ¼ of 30-14-38, Ogallala, Nebraska. (Applicant Viaero Wireless / Property owner Blue Water Storage L.L.C.) Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

Council Member Nolde introduced resolution 1867, a resolution rescinding declared nuisance. Council Vice President Weddington read the resolution by title and Council Member Walker seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. The following council Members voted "No": None. Absent: Deb Schilz. Motion declared carried and Resolution 1867 was adopted, a copy of said Resolution 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. Darryl Weddington
  - 1) Library Board
- B. Kevin Block
  - 1) Chamber of Commerce
- C. Dorie Nolde
  - 1) Keep Keith County Beautiful

- D. LD Walker
  - 1) Kenfield Petrified Wood Gallery
- E. City Council Member/County Commissioner/School Board Meeting. Weddington and Block.

Council Member Block moved to adjourn. Council Member Nolde seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried and meeting adjourned at 8:02 P.M.

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Jane M. Skinner  
City Clerk

Approved:

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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 March 26, 2019 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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