

A REGULAR MEETING OF THE CITY COUNCIL

AUGUST 13, 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 23<sup>rd</sup> day of July, 2019, at 7:00 o'clock P.M. Present were: President of the Council: Deb Schilz; Council Members: Kevin Block, Dorie Nolde, LD Walker 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 July 19, 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 approve the consent agenda. 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 the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held July 23, 2019.
- B. Minutes of the Special Meeting held July 23, 2019 at 4:30 P.M.
- C. Renewal of Mobile Home Park License:
  - 1) Del & Beverly Humphrey dba Hillcrest Homes MHP.
  - 2) Andrew Houze dba AWH Ventures (Ogallala Estates).
  - 3) Joe Malone dba 3 Pines MHP.
- D. License and Permit Bond for Richard G. Cook.
- E. License and Permit bond for Michael Frye.
- F. Renewal of Gas Fitters Licenses:
  - 1) Eric Anderson
  - 2) Marc Fagullar
  - 3) Donald Flynn
  - 4) Troy Knoedler
  - 5) David Norman
- G. Renewal of Right of Way Contractor Licenses:
  - 1) Nick Burri
  - 2) Richard Cook
  - 3) Marc Fagullar
  - 4) Melissa Fangman
  - 5) Charles Morland
  - 6) Kurt C. Morland
  - 7) Vaughn Russell Jr.
- H. Renewal of Master Plumber License:
  - 1) Richard G. Cook
  - 2) Marc Fagullar
  - 3) Michael Frye
  - 4) Dan Heble
  - 5) Charles Morland
  - 6) Vaughn Russell Jr.
- I. Renewal of Journeyman Plumber License:
  - 1) Troy Knoedker
  - 2) Joe Malone

- 3) Kurt C. Morland
- 4) John Piepho

Council President Schilz opened a hearing regarding the implementation of Community Development Block Grant (CDBG) Tourism project 17-TD-001 for Driftwood Ogallala at 7:03 P.M.

CJ Poltack addressed the council regarding the implementation of Community Development Block Grant (CDBG) Tourism project 17-TD-001 for Driftwood Ogallala.

Council President Schilz closed a hearing regarding the implementation of Community Development Block Grant (CDBG) Tourism project 17-TD-001 for Driftwood Ogallala at 7:07 P.M.

Council President Schilz opened a hearing regarding a recommendation from Ogallala Planning Commission to amend the Ogallala Zoning Code Section 44-1709 at 7:08 P.M. Proposed amendment would modify regulations pertaining to the permitting process for telecommunication towers.

Ken Knoepfel, Planning and Zoning Administrator, addressed the council regarding the recommendation from Ogallala Planning Commission to amend the Ogallala Zoning Code Section 44-1709.

Council President Schilz recognized Eric Troxel for his 25 years of service to the City of Ogallala.

Coy Gager and Chelsea Godina addressed the council regarding the use of the Western Diamonds Sports Complex during the September 14-15, 2019 weekend.

Jane Skinner, City Clerk presented the July 2019 Financial Report.

Council Member Nolde moved to approve the appointments of Sarah Haverman, Andrew Krab, Ken Schilz, Brady Torpin, and Karla Scott to the LB840 Citizens Advisory Review Committee. 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 Olsson as the City of Ogallala's airport consultant. 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 President Schilz closed a hearing regarding a recommendation from Ogallala Planning Commission to amend the Ogallala Zoning Code Section 44-1709 at 8:04 P.M.

Council Member Nolde introduced Ordinance 1386, entitled: An Ordinance amending Section 44-1709 – Telecommunication Towers; 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 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. 1386 was read by title and, thereafter, Council Member Block moved for the final passage of the Ordinance. Council Member Weddington seconded the motion. The President then stated the question: "Shall Ordinance No. 1386 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. 1386 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

James Herman Police Chief and Nuisance Officer presented visual evidence regarding nuisance properties in the city of Ogallala.

Council Member Nolde introduced resolutions 1914-1916, resolutions of declared nuisance. Council President Schilz read the resolutions by title and Council Member Weddington 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 Resolutions 1914-1916 were adopted, copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Nolde moved to abate the nuisance properties identified as: 2019 OGA 005 - 216 West 2 Street; 2019 OGA 011 - 320 West A Street; 2019 OGA 015 - 215 West 4 Street, 2019 OGA 037 - 403 West 4 Street, 2019 OGA 038 - 407 West 4 Street, 2019 OGA 065 - 715 West 2 Street, 2019 OGA 070 - 714 West 3 Street, 2019 OGA 072 - 212 West F Street, 2019 OGA 075 - 718 West 4 Street, 2019 OGA 105 - 912 West 8 Street, 2019 OGA 109 - 908 West 9 Street, 2019 OGA 115 - 1007 West 9 Street, 2019 OGA 121 - 816 St. Mary’s Avenue, 2019 OGA 128 - 1012 West 5 Street. Council Member Walker seconded the motion. 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.

Council Member Block introduced resolutions 1917 - 1939, Resolutions rescinding declared nuisances. Council President Schilz read the resolutions by title and Council Member Weddington 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 Resolutions 1917 - 1939 were adopted, copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to approve the purchase of a water department pickup from Wolf Auto of Ogallala in the amount of \$37,392.70. Council Member Walker seconded the motion. 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.

Bruce Smith, City Manager informed the council that is now time to review the City Manager Compensation.

Bruce Smith, City Manager updated the Council regarding the various City projects.

Council Member Nolde move to go into closed session for the protection of the public interest to discuss the possible purchase of real estate for the City at 8:27 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 President Deb Schilz announced the City Council will now go into closed session for the protection of the public interest to discuss the possible purchase of real estate at 8:27 P.M.

