

A REGULAR MEETING OF THE CITY COUNCIL

AUGUST 27, 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 27th day of August, 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 August 23, 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 Weddington moved to approve the consent agenda. 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 and the consent agenda was approved as follows:

- A. Minutes of the Special Meeting held August 13, 2019.
- B. Minutes of the Regular Meeting held August 13, 2019.
- C. Claims.
- D. Renewal of Right of Way Contractor Licenses:
 - 1) Tavis Auwerda
 - 2) Morgan McClure
 - 3) Brent Wortman
 - 4) Zeb Peterson
- E. Application for Right of Way Contractor License:
 - 1) Martin Doolittle
- F. O.V.F.D. – Probationary Membership of Andrew Hammond.
- G. O.V.F.D. – Probationary Membership of Christopher Marlton.
- H. O.V.F.D. – Probationary Membership of Austin Wheeler.
- I. Appointment to the Ogallala Youth Committee. (1).
 - 1) Jo Brown – Five Year Term (01-01-2017 – 12-31-2021)

The Claims were approved as follows:

General Fund:

Ne Dept Of Rev-4,785.52-Sit; 125 Plan-461.91-Pretr; Am Fam Ins-413.93-Ins; Eftps-17,818.94-Fit; Hosp&Med-27,786.99-Ins; Icma-737.22-Pen; John Hancock-11,496.88-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-60,345.62-Pp16; Western States Bank-5,202.99-Hsa; 125 Plan-461.91-Pretr; Eftps-17,898.52-Fit; Hartford Life-1,409.16-Ins; Hosp&Med-27,786.99-Ins; Icma-737.22-Pen; Kc Court-201.16-P/R; John Hancock-11,540.64-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-59,475.91-Pp17; Western States Bank-5,202.99-Hsa; Wex Bank-3,618.67-Su; Ne Dept Of Transport-3,190.83-Lease; Water Dept-10,228.96-Su; Ne Dept Of Rev-606.65-Salestr; Pinn Bank-25.00-Se; 21st Century Equip-26.46-Su; 911 Custom-175.00-Su; Adams Bank-17,470.00-Se; Airgas-197.98-Su; Allo-1,244.71-Su; Amy's Towing-136.00-Se; Andersen Sign-395.74-Su; Napa-417.44-Su; Arnold Pool-6,843.05-Su; Baltzell Clinic-180.00-Se; Best Plmb-261.88-Se; Big Springs Equipment-5,992.83-Su; Black Hills Energy-2,425.29-Su; Bound Tree Med-223.85-Su; Bruckner, Mike-1,263.48-P/R; Candy Aerotech-1,000.00-Contract; Cash-Wa-348.41-Su; Chs Grainland-1,864.66-Su; Civil Air Patrol Mag-45.00-Se; Coca-Cola-108.48-Su; Contractors Materials-85.00-Su; Consolidated Mgmt-7.88-Su; Cornhusker Glass-

78.14-Su; Correll Refrig-3,615.00-Su/Se; Csc Construc-78,743.22-Su/Se; Culligan-43.00-Su; D&B Full Svc-100.00-Se; Driftwood Og& Correll Refrig-20,555.39-Su; Driftwood Og& Hilti Construct-23,500.00-Su; Ems Billing-3,066.41-Contract; Tomas England-800.00-Se; Og Plumbing-152.50-Se; John Deere Financials-439.65-Su; Gis Workshop-2,250.00-Se; Golf & Sport Solutions-1,514.83-Su; Dawn Haney-200.00-Se; Home Pc Sales-32.00-Su; Hood, Tracy-100.00-Su; Humphreys-215.79-Su; Icma-125.00-Se; Ideal Linen-327.72-Su/Se; Waste Conn-1,230.65-Se; Kcad-58,650.00-Contract; Kc Hosp Auth-39,773.69-Salestx; Kc News-772.13-Se; Kc Treasurer-14,043.29-Su; Kc Treasurer-Traffic Diversion-2,396.25-Su; Kenfield Elec-258.24-Su; Kents Towing-500.00-Se; Keystone Sod-75.00-Su; K&K Svc-373.00-Se; Knight Tree Svc-3,800.00-Se; Meghann Lauts-100.00-Refund; McClure Construct-4,317.00-Su/Se; Mcquillan Law-1,967.90-Se; Mead Lumber-40.22-Su; Mid Am Research-167.03-Su; Midland's Fam Med-35.00-Se; Cheryl Moore-50.00-Refund; Ne Salt & Grain-12,427.32-Su; Printworks-196.00-Su; Ne Law Enforc Trng Ctr-40.00-Su; Nppd-17,755.70-Su; O'reilly-119.63-Su; Office Svc-1,032.97-Su; Chamber Of Comm-250.00-Su; Og Rotary-120.00-Dues; Water Dept-400.00-Su; Og Comm Hosp-458.80-Su; Ace Hardware-4,259.03-Su; Og Fire & Rescue-140.00-Se; Open Range Grill-100.00-Refund; Potts Elec-1,348.59-Su; Prairie States Comm-2,312.50-Su; Psychological Resources-405.00-Se; Quill Corp-70.98-Su; Rankin Sales-227.34-Su; R&D Welding-27.50-Su; Reg West Med Cen-11,400.00-Se; Sandry Fire Supply-4,385.42-Su; Schmidt Motors-29.07-Su; Og School Dist #1-8,066.50-Contract; Scotties Potties-900.00-Su; Sherwin-Williams-1,184.75-Su; Sheks-75.00-Su; St Of Ne Acctg-110.00-Dues; Virginia Steinke-75.00-Su; St. Paul's Church-150.00-Su; Powerwash-80.00-Su; T&C Srv-991.69-Su; Us Bank-5,553.17-Su; Us Postal Svc-87.60-Su; Van Diest Supply-2,869.95-Su; West Central Ne Dev Dist-9,520.45-Se; Western Path Consult-28.75-Se;

Select Flex:

Rci-219.98-P/R; Rci-308.10-P/R; Rci-83.08-P/R; Rci-247.68-P/R;

Water Dept:

Water Dept-50.38-Su; Ne Dept Of Rev-11,574.93-Salestx; Adams Bank-25.00-Se; Allo-154.38-Su; Am Water Works-309.00-Dues; Am Ag Lab-122.50-Se; Napa-68.88-Su; Black Hills Energy-160.71-Su; Bomgaar's-20.84-Su; Chs Grainland-387.86-Su; Cornhusker Glass-91.87-Se; Csc Const-1,068.75-Su; Eichner Sales-47.46-Su; Gen Fund-25,613.28-Su/Se; Gis Workshop-4,500.00-Se; Harcros Chemicals-1,724.69-Su; Hoa Solutions-1,184.70-Su; Humphreys-186.35-Su; Ideal Linen-111.16-Su/Se; Waste Conn-165.72-Se; Kc News-264.64-Se; Lawson Products-192.82-Su; Mcquillan Law-32.50-Se; Midwest Elec-7,694.75-Su; Muni Supply-5,524.63-Su; Nppd-5,284.70-Su; Bond Acct-5,544.93-Su; Ace Hardware-17.11-Su; One Call Concepts-61.90-Se; Quick Elec-5,154.50-Su; Safety-Kleen Corp-283.14-Su; Sapp Bros-1,012.80-Su; Sargent Drilling-1,079.41-Su; Scotties Potties-7,642.52-Su; Sewer Fund-844.41-Su; Ne Dept Health Lab-36.00-Se; Us Bank-417.94-Su; Lexi Lapp-61.10-Refund; David Detlefs-60.00-Refund; Lora Dunn-30.18-Refund; Jeff Rammage-27.59-Refund; Matt & Jamie Wieseler-19.30-Refund; Wmw Investments-16.26-Refund;

Sewer Dept:

Wex Bank-23.15-Su; Water Dept-90.75-Su; Adams Bank-25.00-Se; Allo-140.93-Su; Andersen Sign-300.00-Se; Black Hills Energy-892.83-Su; Cornhusker Glass-278.48-Su; Environmental Analysis-150.00-Se; John Deere Financials-434.98-Su; Gen Fund-18,634.11-Su/Se; Gis Workshop-2,250.00-Se; Grainger-74.25-Su; Hoa Solutions-1,020.48-Su; Ideal Linen-91.23-Su/Se; Waste Conn-180.06-Se; Kelly Supply-1,565.32-Su; Knapp Elec-4,610.00-Su; Mcquillan Law-32.50-Se; Midwest Lab-51.40-Su; Printworks-248.25-Su; Nppd-4,934.48-Su; Simon Contractors-8,727.38-Su; Ace Hardware-13.60-Su; Scotties Potties-1,700.00-Su; Us Bank-737.30-Su; Water Environ Federation-148.00-Dues; Weathercraft-860.00-Su/Se;

Youth Committee:

Central Plains Library-412.50-Se; Kc News-8.10-Se; Og High School-25.00-Su; Og Youth Soccer-50.00-Su; Us Bank-184.14-Su;

Medical/Benefit:

Chamber Of Comm-640.00-Su; Og Comm Hosp-198.50-Su; Skinner, Jane-40.00-Se; Welsh, Roxane-40.00-Se; Rci-17,241.32-Ins; Rci-17,239.32-Ins; Rci-(26,719.22)-Reverse; Rci-2,749.49-Ins; Rci-14,701.05-Ins; Rci-2,548.40-Ins; Rci-3,668.75-Ins; Rci-11,302.68-Ins;

Council Member Nolde move to approve Lori Carter's Livestock/Fowl Permit for 3 chickens at 409 East 6th Street. Council Member Schilz seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz and Darryl Weddington. No: LD Walker. Absent: None. Motion declared carried.

Council Member Nolde moved to appoint Police Chief James Herman to the Keith County 911 Advisory 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 Weddington introduced resolution 1940, A Resolution determining final levy allocation for the Ogallala Community Development Authority. Council President Schilz 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, Deb Schilz, LD Walker and Darryl Weddington. The following council Members voted "No": None. Absent: None. Motion declared carried and Resolution 1940 was adopted, copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to approve Wastewater Improvements 2018-1 – Change Order #1 with DeWine Mechanical in the amount of \$8,280.00. 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 Block introduced resolution 1941, A Resolution Calling Water Revenue And Refunding Bonds, 2011 Series, Dated November 15, 2011 In The Principal Amount Of \$365,000. Council President Schilz read the resolution 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 Resolution 1941 was adopted, copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Weddington introduced resolution 1942, A Resolution authorizing a contract for loan between the Nebraska Department of Environment And Energy and the City Of Ogallala for Improvements to the Sanitary Sewer System in the City Of Ogallala, Nebraska. Council President Schilz read the resolution by title and 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 Resolution 1942 was adopted, copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to approve Contract for Engineering Services with TC Engineering, Inc. for the Wastewater Improvements 2018-1. 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 Weddington moved to go into closed session to conduct the employee evaluation of City Manager Bruce Smith at 7:21 P.M. 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 Deb Schilz announced the City Council will now go into closed session to conduct the employee evaluation of City Manager Bruce Smith at 7:21 P.M.

Council Member Block moved to return from closed session where the employee evaluation of City Manager Bruce Smith was conducted at 8:17 P.M. 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 Nolde introduced Ordinance 1387, entitled: An ordinance establishing the salary of the City Manager of the City of Ogallala, Nebraska, and moved that the statutory rule requiring the reading on three different days be suspended. In addition, Council Member Nolde moved that the City Manager Salary be set \$118,389.44. 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. 1387 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. 1387 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. 1387 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Bruce Smith, City Manager updated the Council regarding the various City projects and the Library Building Advisory Committee.

The City Council Members gave their committee reports as follows:

- A. Deb Schilz
 - 1) Board of Health
 - 2) Keith County Area Development
- B. Darryl Weddington
 - 1) Library Board
- C. Kevin Block
 - 1) Chamber of Commerce
 - 2) Ogallala Youth Committee
- D. Dorie Nolde
 - 1) Keep Keith County Beautiful
- E. LD Walker
 - 1) Kenfield Petrified Wood Gallery
- F. City Council Member/County Commissioner/School Board Meeting-Block, Schilz and Smith.

Council Member Block moved to adjourn. Council Member Weddington seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, Deb Schilz and Darryl Weddington. No: LD Walker. Absent: None. Motion declared carried and meeting adjourned at 8:33 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 August 27, 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.

Jane M. Skinner
City Clerk

(S E A L)