

A REGULAR MEETING OF THE CITY COUNCIL

APRIL 28, 2020

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 28th day of April, 2020, at 7:00 o'clock P.M. Pursuant to Executive Order 2020-03, signed by Governor Pete Ricketts on March 17, 2020 this meeting is being held via videoconference and made available to the public. Present were: President of the Council: Deb Schilz; Council Members: Kevin Block, Dorie Nolde and Darryl Weddington. Absent: LD Walker. 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 April 24, 2020 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 President Schilz removed the claim payable to Nolde's Auto Repair in the amount of \$500 from the claims listing on the consent agenda.

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, and Darryl Weddington. No: None. Absent: LD Walker. Motion declared carried and the consent agenda was approved as follows:

A. Claims.

B. Minutes of the Regular Meeting held April 14, 2020.

The claims were approved as follows:

General Fund:

125 Plan-257.01-Pretx; Eftps-18,088.18-Fit; Hartford Life-1,459.16-Ins; Hosp&Med-32,201.50-Ins; Icma-774.08-Pen; John Hancock-12,506.96-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-58,086.19-Pp7; Western States Bank-5,546.74-Hsa; Ne Dept Of Rev-5,061.17-Sit; 125 Plan-257.01-Pretx; Am Fam Ins-413.93-Ins; Eftps-16,418.31-Fit; Hosp&Med-33,279.00-Ins; Icma-774.08-Pen; Kc Court-342.63-P/R; John Hancock-12,473.08-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-50,901.59-Pp8; Western States Bank-6,358.74-Hsa; 125 Plan-257.01-Pretx; Eftps-16,510.64-Fit; Hartford Life-1,475.26-Ins; Hosp&Med-33,279.00-Ins; Icma-774.08-Pen; Kc Court-17.82-P/R; John Hancock-11,255.15-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-52,095.96-Pp9; Western States Bank-5,566.74-Hsa; Wex Bank-3,580.76-Su; Water Dept-827.91-Su; Dept Of Rev-479.09-Salestx; Pinn Bank-25.00-Se; 21st Century Equip-431.94-Su; 4d Trenching-2,000.00-Se; 911 Custom-624.40-Su; Airgas Usa-281.49-Su; Allo-1,003.51-Su; Napa-365.65-Su; Asbestos Ins Svc-200.00-Se; Baltzell Vet-60.00-Se; William Beamish-681.18-Refund; Black Hills Energy-5,833.55-Su; Bound Tree Med-2,026.63-Su; Mike Bruckner-842.32-P/R; U-Save-15.98-Su; Candy Aerotech-1,000.00-Contract; Charter-18.02-Su; Chs Grainland-171.66-Su; Consolidated Management-33.60-Su; Consolidated Fleet-1,088.80-Su; Corbin Willits-5,635.94-Se; Cornhusker Glass-25.03-Se; Correll Refrig-165.00-Su; Cranmore Fire-480.00-Su/Se; Culligan-43.00-Su; Danko Equip-138.08-Su; Datashield Corp-39.00-Se; Dickinson Land Surveyors-1,042.50-Se; Dol Gen-75.90-Su; Eichner Sales-63.17-Su; Valentin Esquivel-34.00-Refund; John Deere Financials-465.54-Su; Fedex-58.43-Se; Dawn Haney-400.00-Se; Hinton's Lock-60.00-Se; Humphreys-305.82-Su; Ideal Linen-371.54-Su/Se; J&M Displays-25,000.00-Su; Waste Conn-1,309.00-Se; J Bar J Landfill-25.64-Su; Trails West Casa-2,000.00-Contract; Kc Hosp Auth-11,341.18-Salestx; Kc News-879.41-Se; Kc Reg Of Deeds-178.00-Se; Kc Treasurer-12,969.59-Se; Kents Towing-200.00-Se; Kidwell-5,264.00-Su; Kustom Signals-1,071.00-Su; Lawson Products-

107.06-Su; Lb840 Fund-11,908.24-Salestx; League Of Ne Muni-1,885.00-Su; Mcquillan Law-1,147.90-Se; Mead Lumber-32.94-Su; Mebulbs-521.64-Su; Midwest Turf-314.36-Su; Mid-Am Research-169.37-Su; Midwest Machinery-825.00-Su; Milano Imaging-102.72-Su; Muni Emergency Serv-7,732.33-Su; Ne Salt & Grain-9,010.49-Su; Printworks-173.26-Su; Ne Muni Power Pool-1,843.73-Dues; Ne Law Enforc Trn Ctr-40.00-Se; Nppd-15,176.79-Su; Ne Arboretum-130.00-Su; Bob Neuhalfen-89.57-Su; Dallas Newman-100.00-Su; O'reilly-15.57-Su; Office Serv-1,634.22-Su; Chamber Of Comm-400.00-Su; Water Dept-581.00-Su; Og Comm Hosp-366.92-Su; Ace Hardware-476.97-Su; Og Med Cen-120.00-Se; Chamber Of Comm Fireworks-2,634.83-Su; Paulsen-893.16-Su; Pierce Law-583.34-Se; Potts Elec-3,875.00-Su; Psychological Resources-270.00-Se; Quick Med Claims-2,905.61-Contract; Rankin Sales-619.85-Su; R&D Welding-261.45-Su; Reg West Med Cen-7,030.00-Se; Rlh Construc-177.50-Su; Rose Equipment-3,570.54-Su; Barbara Rounsborg-575.00-Refund; Scotties Potties-300.00-Su/Se; Sec Of St Notary-30.00-Se; Siple, Allen-8,300.00-Su/Se; Snell Serv-275.00-Su; Se Comm Coll-1,080.00-Se; Ne Das St Acct-132.00-Se; Sterling West-8,580.00-Su; To Haas-1,090.90-Su; T&C Serv-391.25-Su; T&A Align-228.14-Su; Umr-675.36-Refund; Unitech-1,395.40-Su; Us Bank-10,860.44-Su; Us Postal Serv-88.50-Su; Van Diest-4,270.00-Su; Wilma Weimer-90.71-Refund; Western Path-86.25-Se; Wolf Auto-390.94-Su; Wrg-20.00-Su; Travis Wright-25.50-Refund.

Water Dept:

Water Dept-50.38-Su; Ne Dept Of Rev-9,036.13-Salestx; Adams Bank-25.00-Se; Allo-128.01-Su; Am Ag Lab-105.00-Se; Napa-18.74-Su; Black Hills Energy-417.57-Su; Chs Grainland-327.86-Su; Cornhusker Glass-91.48-Se; Eichner Sales-73.08-Su; Gen Fund-32,744.42-Su/Se; Harcros Chemicals-2,754.00-Su; Humphreys-187.66-Su; Ideal Linen-116.48-Su/Se; Waste Conn-176.25-Se; Kc News-976.50-Se; Kc Reg Of Deeds-10.00-Se; Kimball Midwest-110.33-Su; Lawson Products-617.13-Su; Mcquillan Law-32.50-Se; Midwest Elec-3,806.86-Su; Mid-Am Research-132.20-Su; Muni Supply-3,590.92-Su; Ne Rural Water-275.00-Su; Printworks-89.56-Su; Nppd-2,600.00-Su; Office Serv-26.21-Su; Water Dept-9.83-Su; Ace Hardware-25.00-Su; One Call Concepts-41.40-Se; Rankin Sales-232.37-Su; Safety-Kleen-283.14-Su; Scotties Potties-225.00-Se; Siple, Allen-15,000.00-Su; Ne Dept Health Lab-18.00-Se; T&C Serv-16.00-Se; T&A Align-314.36-Su; Us Bank-1,813.20-Su; Lynn Gentry-20.88-Refund; Tobias Grace-49.07-Refund.

Sewer Treatment Fund:

Wex Bank-21.29-Su; Water Dept-89.00-Su; Adams Bank-25.00-Se; Allo-62.85-Su; Andersen Sign-50.00-Su; Aquaplates-188.69-Su; B.A. Lawrence-1,210.00-Su; Best Plumbing-120.14-Su; Black Hills Energy-2,807.20-Su; Chs Grainland-28.32-Su; Dustin Starkey-200.00-Se; Electric Pump-2,154.92-Su; Gen Fund-21,578.88-Su/Se; Hampton Inn-298.00-Su; Hydrotex-268.69-Su; Ideal Linen-66.17-Su/Se; Waste Conn-193.00-Se; Kelly Supply-199.99-Su; Printworks-248.25-Su; Nppd-4,203.32-Su; Ace Hardware-44.37-Su; Philip Carkoski Construc-138,372.96-Su; Potts Elec-50.00-Su; Scotties Potties-700.00-Se; Scotties Potties-852.30-Se; Us Bank-809.24-Su.

LB840:

5 Star Custom Designs-475.00-Su; Absolute Attractions-500.00-Su; U-Save Pharmacy-100.00-Su; Buenz Gifts-500.00-Su; Stesha L. Burri-336.00-Su; Carpet Barn-500.00-Su; Catalyst-500.00-Su; Front Street-500.00-Su; Hairy Situation-500.00-Su; Hehnkes-500.00-Su; Hokes Bookstore-485.00-Su; Impact Images-500.00-Su; Main Street Meats-500.00-Su; Makenzi's-500.00-Su; Ole's Steakhouse-500.00-Su; On-The-Go Hair-500.00-Su; Open Range Grill-500.00-Su; Peking Chinese-500.00-Su; The Petal Pushers-100.00-Su; Sawyer Rabe-250.00-Su; Rankin Sales-500.00-Su; Taco Johns-145.00-Su; Taco Jans-470.00-Su; Tin Cactus-500.00-Su; T&C Serv-500.00-Su; Vanfair Enterprises-500.00-Su; Crandall Creek Golf-500.00-Su; Wiest Hardware-500.00-Su; Windy Gap Saloon-500.00-Su; Wolf Chrysler Dodge Jeep-500.00-Su.

Medical/Benefit:

Chamber Of Comm-300.00-Su; Rci-20,082.43-Ins; Rci-3,592.14-Ins; Rci-1,615.97-Ins; Rci-5,377.48-Ins; Rci-1,653.84-Ins; Rci-55,755.52-Ins.

Council Member Block moved to approve the claim payable to Nolde's Auto Repair in the amount of \$500. Council Member Weddington seconded the motion. The following council members voted Yes: Kevin Block, Deb Schilz and Darryl Weddington. No: None. Abstain: Dorie Nolde. Absent: LD Walker. Motion declared carried.

Council President Schilz opened a hearing regarding a request to rezone property described as Lot 1-5 and the West 25 feet of Lot 6, Lee Acres at 7:13 P.M. Proposed rezoning is from A-2 Agricultural Residential District to R-2 Residential district, Medium Density. (Owner: Lynn & Judith Davis; Robert & Laura Nelson).

Council Member Walker entered Zoom meeting at 7:15 P.M.

Council President Schilz opened a hearing regarding a request for special exception to use property for purposes of a Church, Sunday school and place of worship at 7:18 P.M. Said property is located at 110 Industrial Road, Ogallala, more particularly described as Lot B, Jehorek's Replat located in S2, T13N., R39W of the 6th PM. (Owner: Kenneth Dyches).

Mayor Schilz proclaimed Friday, April 24 as Arbor Day.

Council Member Weddington moved to approve the claims payable to Adams Insurance Advisors in the amount of \$4,923.00. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde, LD Walker and Darryl Weddington. No: None. Abstain: Deb Schilz. Absent: None. Motion declared carried.

Council President Schilz announced that Ordinance 1396 was read for the first time on April 14, 2020, entitled: An Ordinance amending Section 90.15(B) – Animals and Fowl; Permits of the Municipal Code of the City of Ogallala, Nebraska. Council President Schilz announced that Ordinance 1396 has been read for the second time.

Council Member Block moved to approve the Fireworks Display Agreement for the July 4, 2020 show at a cost of \$25,000, and the Multiple Year Agreement with J&M Displays. 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 approve the Credit Line Promissory Note, Rehabilitation Contract and Truth-In-Lending Statement for Owner Occupied Housing Rehabilitation Project 18-HO-33058-01, in the amount of \$25,000, and authorizing the Council President to sign the same on behalf of the City of Ogallala. 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 closed a hearing regarding a request to rezone property described as Lot 1-5 and the West 25 feet of Lot 6, Lee Acres at 7:32 P.M.

Council Member Nolde introduced Ordinance 1397, entitled: An Ordinance rezoning the following described real estate: Lots 1-5 and the West 25 feet of Lot 6, Lee Acres in Ogallala, Nebraska: Proposed rezoning is from A-2 (Agricultural Residential District) to R-2 (Residential District Medium Density) and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Walker seconded the motion. The following council members voted Yes: Dorie Nolde. No: Kevin Block, Deb Schilz, LD Walker and Darryl Weddington. Absent: None. Motion declared failed.

Council Member Block introduced Ordinance 1397, entitled: An Ordinance rezoning the following described real estate: Lots 1-5 and the West 25 feet of Lot 6, Lee Acres in Ogallala, Nebraska: Proposed rezoning is from A-2 (Agricultural Residential District) to R-2 (Residential District Medium Density). Council President Schilz announced that ordinance 1397 has been read for the first time.

