

A REGULAR MEETING OF THE CITY COUNCIL

MAY 12, 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 12th day of May, 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, LD Walker and Darryl Weddington. Absent: Dorie Nolde. 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 May 12, 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 Member Weddington moved to approve the consent agenda. Council member Block seconded the motion. The following council members voted Yes: Kevin Block, Deb Schilz, LD Walker and Darryl Weddington. No: None. Absent: Dorie Nolde. Motion declared carried and the consent agenda was approved as follows:

- A. Claims.
- B. Minutes of the Regular Meeting held April 28, 2020.

The claims were approved as follows:

LB840

5 Star Custom Designs-25.00-Su; Adkins-500.00-Su; Animal Clinic-250.00-Su; Bittersweet Bakery-500.00-Su; U-Save-325.00-Su; Stesha Burri-164.00-Su; Eichner Sales-500.00-Su; Mary Lou Garcia-300.00-Su; Hokes Bookstore-15.00-Su; J Dawg's Junk-500.00-Su; Lazy J Liquor-500.00-Su; Marina Landing-500.00-Su; Margaritas-500.00-Su; Off Svc-500.00-Su; Og Tour And Travel-500.00-Su; Og Ag Sup-500.00-Su; Petal Pushers-200.00-Su; Sawyer Rabe-250.00-Su; Jean A. Reimers-500.00-Su; Channing Renninger-500.00-Su; Scuba Steve's-500.00-Su; Melissa Skalsky-150.00-Su; Slow Lane Coffee-500.00-Su; Style Box Salon-100.00-Su; TD Lawn Svc-500.00-Su; Vogl's Lodge-500.00-Su; Karma Voycheske-500.00-Su; Wolf Auto-500.00-Su.

Jane Skinner, City Clerk-Treasurer presented the April 2020 Financial Report.

Council President Schilz announced Ordinance 1396 was introduced and read for the first time on April 14, 2020, and for the second time on April 28, 2020. Council President Schilz read Ordinance 1396 by title, 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 third time.

Council Member Block moved for the final passage of Ordinance 1396. Council Member Weddington seconded the motion. The President then stated the question: “Shall Ordinance No. 1396 be passed and adopted?” Upon roll call vote, the following Council Members voted “Yes”: Kevin Block, Deb Schilz, LD Walker and Darryl Weddington. The following Council Members voted “No”: None. Absent: Dorie Nolde. 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. 1396 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Block introduced resolution 1964, A resolution adopting and approving the execution of an Agency Agreement with the Department of Transportation, Aeronautics Division for Project No. 3-31-0061-013-2020 to be submitted by the Department to the Federal Aviation Administration to obtain federal non-development economic assistance for the airport under the provisions of the Federal CARES Act. 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, Deb Schilz, LD Walker and Darryl Weddington. The following council Members voted "No": None. Absent: Dorie Nolde. Motion declared carried and Resolution 1964 is adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to accept the lowest responsible bid from Mike Smith Construction Inc. in the amount of \$655,644.31 to Construct a 6 Place T-Hangar with Taxilanes and Hangar Approaches - Project No. 3-31-0061-012 and accept the good faith effort of the DBE goal at 0.0012% and to allow the Council President to sign the contract. 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: Dorie Nolde,. Motion declared carried.

Laura Nielsen, Executive Director of the Ogallala Housing Authority presented the 2019 Annual Report and Audit.

Council President Schilz announced Ordinance 1397 was introduced and read for the first time on April 28, 2020. Council President Schilz read Ordinance 1397 by title, 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 second time.

Council Member Weddington 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, Deb Schilz, LD Walker and Darryl Weddington. The following Council Members voted "No": None. Absent: Dorie Nolde. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1397 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. 1397 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Deb Schilz, LD Walker, and Darryl Weddington. The following Council Members voted "No": None. Absent: Dorie Nolde. 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. 1397 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to amend his earlier motion to accept the lowest responsible bid from Mike Smith Construction Inc. in the amount of \$655,644.31 to Construct a 6 Place T-Hangar with Taxilanes and Hangar Approaches - Project No. 3-31-0061-012 and accept the good faith effort of the DBE goal at **0.18%** and to allow the Council President to sign the contract. Council member Walker seconded the motion. The

