

## A REGULAR MEETING OF THE CITY COUNCIL

JULY 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 28<sup>th</sup> day of July, 2020, at 7:00 o'clock P.M. 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 July 19, 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 Block moved to excuse Council Member Walker from the July 28, 2020 City Council Meeting. 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.

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 Special Meeting held July 14, 2020.
- C. Minutes of the Regular Meeting held July 14, 2020.
- D. Renewal of Gas Fitters Licenses:
  - 1) Donald Flynn
  - 2) Dell Simmerman
- E. Renewal of Right of Way Contractor Licenses:
  - 1) Todd Borer
  - 2) JD Peterson
  - 3) Greg Peters
  - 4) Lonnie Peters
- F. Renewal of Master Plumber License:
  - 1) Richard Aupperly, Jr.
  - 2) Bob Charron
  - 3) Robert Nelson
- G. Renewal of Journeyman Plumber License:
  - 1) Ryan K. Bekke
  - 2) Troy Brown
  - 3) Dan Dailey
  - 4) Bryan Siefford
  - 5) Chad Wittstruck
- H. Renewal of Mobile Home Park License
  - 1) Andrew Houze dba AWH Ventures, LLC (Ogallala Estates)
- I. License and Permit Bond – Ogallala Plumbing LLC

The claims were approved as follows:

### **General Fund:**

Ne Dept Of Rev-5,270.32-Sit; 125 Plan-257.01-Pretx; Am Fam Ins-413.93-Ins; Eftps-19,166.81-Fit; Hosp&Med-33,252.00-Ins; Icma-774.08-Pen; John Hancock-11,460.88-Pen; Ne Child Sup Cen-46.15-P/R; Ne Dept Of Rev-86.39-P/R; Pinn Bank-62,335.54-Pp14; Western States Bank-5,628.74-Hsa; 125 Plan-257.01-Pretx; Eftps-19,360.36-Fit; Hartford Life-1,690.30-Ins; Hosp&Med-33,252.00-Ins; Icma-774.08-Pen; John Hancock-11,590.01-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-62,749.19-Pp15; Western States Bank-5,628.74-Hsa; Gen Fund-3,000.00-Su; Wex Bank-2,447.20-Su; Ne Dept Of Trans-1,330.83-Contract; Water Dept-5,246.75-Su; Ne Dept Of Rev-533.57-Salestx; Pinn Bank-25.00-Se; 21st Century Equip-398.34-Su; 5 Star Designs-94.97-Su; Airgas-274.24-Su; Allo-957.53-Su; Napa-413.75-Su; Arcosa Lightweight-6,674.25-Su; Arnold Pool-18,505.91-Su/Se; Baltzell Vet-60.00-Se; Barco Muni-360.56-Su; Bavco Backflow-161.90-Su; Mark Beckius-74.47-Refund; Big Springs Equip-22.23-Su; Black Hills Energy-1,797.39-Su; Bound Tree Med-752.00-Su; Mike Bruckner-1,263.48-P/R; Candy Aerotech-1,000.00-Contract; Charter Comm-18.02-Su; Chs Grainland-1,487.77-Su; City Of Og-150.00-Su; Cobitco-27,807.20-Su; Coca-Cola-47.25-Su; Consolidated Plmb-96.00-Su; Cornhusker Glass-80.36-Se; Correll Refriger-2,103.00-Su; Cornhusker St Ind-15,254.00-Su; Culligan-62.50-Su; D&B Full Service-100.00-Se; Danko Equip-201.68-Su; Datashield-39.00-Se; Digital Ally-60.00-Su; Eakes Office-191.15-Su; Eichner Sales-217.61-Su; Tomas England-800.00-Se; John Deere Financials-337.41-Su; Fedex-73.28-Se; Fyr-Tek-78.75-Su; Golf & Sport-1,672.21-Su; Gt Distributors-268.97-Su; Dawn Haney-400.00-Se; Home Pc Sales-168.00-Su; Humphreys-181.92-Su; Ideal Linen-206.35-Su/Se; Waste Conn-1,309.00-Se; Kc Hosp Auth-12,426.28-Salestx; Kc News-659.85-Se; Kc Reg Of Deeds-16.00-Se; Kc Treasurer-12,969.59-Se; Kc Court-34.00-Se; Kents Towing-750.00-Se; K&K Service-200.00-Se; Lawson Prod-197.71-Su; Lb840 Fund-13,047.60-Salestx; Mcm Truck-175.00-Se; Mcquillan Law-629.20-Se; Mead Lumber-391.16-Su; Mebulbs-494.20-Su; Melchior Contracting-1,060.12-Su; Midwest Turf-102.83-Su; Mid Am Research-220.76-Su; Midwest Radar-200.00-Su; Nmc Exchange-17.31-Su; Printworks-151.65-Su; St Fire Marshall-75.00-Se; Ne Law Enforce Trng-10.00-Su; Nppd-15,582.40-Su; Ne Safety & Fire-150.00-Su; O'reilly-199.43-Su; Office Service-1,591.08-Su; Og Rotary-100.00-Dues; Water Dept-1,063.41-Su; Indian Summer Rendez-1,000.00-Su; Og Comm Hosp-560.89-Su; Ace Hardware-438.12-Su; Og Med Cen-120.00-Se; Olsson-7,749.88-Se; Omni Engineer-5,827.20-Su; Open Range Grill-100.00-Refund; Paulsen-123.00-Su; Pioneer Athletics-485.00-Su; Potts Elec-316.83-Su; Prairie States-658.50-Su; Quick Elec-60.00-Se; Quick Med Claims-1,020.04-Contract; Ramaker&Assoc-450.00-Dues; Rankin Sales-331.55-Su; R&D Welding-27.00-Su; Reams Sprinkler-391.55-Su; Reg West Med Cen-6,780.00-Se; Sandhills Architectural-2,812.64-Su; Scotties Potties-900.00-Su/Se; Springer's App-48.00-Su; Ne St Acctg-77.00-Dues; Stericycle-152.55-Se; T&C Service-38.00-Se; Usa Blue Book-254.29-Su; Us Bank-6,757.43-Su; Us Postal Service-88.50-Su; Patricia Warbuton-150.00-Refund; Wells Fargo-40,503.84-Lease; West Cen Ne Dev Dist-3,495.10-Se; Western Path-28.75-Se; Western Landscaping-577.50-Su; Wolf Landscape-2,190.00-Su; Wolf Auto-494.19-Su; Wolfe Comm-679.09-Su; Wolf Chrysler-125.51-Su;

**Select Flex:**

Rci-553.18-P/R; Rci-185.18-P/R; Rci-602.18-P/R;

**Water Dept:**

Water Dept-50.38-Su; Ne Dept Of Rev-12,259.00-Salestx; Adams Bank-25.00-Se; Allo-130.49-Su; Am Ag Lab-58.50-Se; Napa-13.90-Su; Barco Muni-794.53-Su; Black Hills Energy-552.56-Su; Borer Const-3,850.00-Su; Chs Grainland-599.99-Su; Cornhusker Glass-63.75-Se; Eakes Office-539.80-Su; Gen Fund-41,242.21-Su; Humphreys-50.40-Su; Ideal Linen-193.97-Su/Se; Waste Conn-176.25-Se; Lawson Prod-251.42-Su; Mcquillan Law-267.05-Se; Midwest Elec-6,127.97-Su; Muni Supply-3,343.09-Su; Printworks-99.62-Su; Nppd-6,211.22-Su; Simon Cont-2,625.93-Su; Bond Acct-10,373.33-Su; One Call Concepts-64.58-Se; Paulsen-472.73-Su; Safety-Kleen-283.14-Su; Scotties Potties-647.50-Se; Sewer Treatment-1,337.45-Se; Sw Auto Tech-451.10-Su; Ne Health Lab-759.00-Se; Us Bank-986.80-Su; Justin/Kimberly Dinkel-24.03-Refund;

**Sewer Treatment:**

Wex Bank-118.09-Su; Water Dept-90.75-Su; Adams Bank-25.00-Se; Am Ag Lab-30.50-Se; Ba Lawrence-3,275.00-Su; Black Hills Energy-1,188.81-Su; Consolidated Plmb-105.40-Su; Environmental Analysis-150.00-Su; Flores, Doug-99.56-Su; Gen Fund-27,736.22-Su; Hach Co-8,589.95-Su; Ideal Linen-100.63-Su/Se; Idexx-4,579.40-Su; Waste

Conn-193.00-Se; Mcquillan Law-161.20-Se; Midwest Lab-737.00-Su; Muni Supply-1,040.58-Su; Nppd-5,053.90-Su; Ace Hardware-112.89-Su; Scotties Potties-2,260.00-Su; Us Bank-694.85-Su;

**Housing Rehab:**

Melchior Contracting-10,032.88-Su/Se;

**Medical/Benefit:**

Chamber Of Comm-360.00-Su; Og Med Cen-7,000.00-Su; Rci-20,754.06-Ins; Rci-1,261.11-Ins; Rci-5,247.07-Ins; Rci-3,451.41-Ins; Rci-9,122.92-Ins;

Council President Deb Schilz recognized Doug Flores for his 10 Years of service to the City of Ogallala.

Council Member Weddington moved to approve the Fowl Permit for 1 Peacock at 1201 St. Mary's Avenue for Debra Benner. Council Member Block 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.

Brad Slaughter, Piper Sandler & Co, addressed the Council regarding refunding various purpose bonds.

Council Member Block introduced resolution 1997, A Resolution authorizing the direction for call regarding the General Obligation Various Purpose Bonds, Series 2015B, of The City of Ogallala, Nebraska. 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 and Darryl Weddington. The following council Members voted "No": None. Absent: LD Walker. Motion declared carried and Resolution 1997 is adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Nolde introduced Ordinance 1398, entitled: "An Ordinance authorizing the issuance of General Obligation Refunding Bonds of the City of Ogallala, Nebraska, in the principal amount of not to exceed one million six hundred fifty thousand dollars (\$1,650,000) for the purpose of refunding outstanding indebtedness of the city; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; authorizing the officers of the city to establish the final terms of the bonds within certain parameters; appointing a paying agent and registrar; authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds; approving post-issuance tax compliance policies; authorizing a bond purchase agreement and other related documents; and ordering the ordinance published in pamphlet form" and 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, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: LD Walker. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1398 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. 1398 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: LD Walker. 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 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. 1398 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Weddington moved to approve the claims payable to Adams Insurance Advisors in the amount of \$377.00. Council Member Nolde seconded the motion. The

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

Mary Wilson, Executive Director of Keith County Area Development addressed the Council regarding:

- 1) BRE
- 2) Business and Industry Recruitment/Development.
- 3) Housing
- 4) Community Development
- 5) KCAD Revolving Loan Fund

Amber Kuskie, West Central Nebraska Development District Nuisance Officer, presented visual evidence regarding nuisance properties in the City of Ogallala.

Council Member Weddington introduced resolution 1998, Resolution of Declared Nuisance. Council President Schilz read the resolution by title and Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Kevin Block, Dorie Nolde, Deb Schilz and Darryl Weddington. The following Council Members voted “No”: None. Absent: LD Walker. Motion declared carried and Resolution 1998 is adopted, a copy of said Resolution 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: 2020 OGA 012- 936 Road West A North; 2020 OGA 014- 901 Road West A North; and 2020 OGA 066- 528 West M. 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.

Council Member Weddington introduced resolutions 1999-2007, Resolutions rescinding declared nuisances. 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 and Darryl Weddington. The following council Members voted “No”: None. Absent: LD Walker. Motion declared carried and Resolutions 1999-2007 are adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Nolde moved to approve Change Order Number 4 in the amount of negative \$1,263.50 and to accept the contract with Rogge General Contractors for the Kathleen Lute Public Library as complete. 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.

Bruce Smith, City Manager, addressed the Council regarding the various city projects occurring within the City of Ogallala.

The Council Members gave their committee reports as follows:

- A. Deb Schilz
  - 1) Board of Health
- B. Darryl Weddington
  - 1) Library Board
- C. Kevin Block
  - 1) Chamber of Commerce
  - 2) West Central Nebraska Development District
- D. Dorie Nolde
  - 1) Keep Keith County Beautiful
  - 2) West Central Nebraska Joint Housing Authority
- E. City Council Member/County Commissioner/School Board Meeting.

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: None. Absent: LD Walker. Motion declared carried and meeting adjourned at 8:01 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 July 28, 2020 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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