

## A REGULAR MEETING OF THE CITY COUNCIL

AUGUST 25, 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 25<sup>th</sup> day of August, 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: and 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 August 7, 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 Members Nolde from the August 25, 2020 City Council Meeting. Council Member Weddington 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.

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. O.V.F.D. – Resignation of Ashleigh Horton.
- C. O.V.F.D. – Resignation of Pamela Ogg.
- D. O.V.F.D. – Resignation of Tyler Dean.
- E. Application for a special designated liquor license for Keith County Chamber of Commerce event to be held 09-17-2020 from 9:00 AM to 1:00 AM, 09-18-2020 from 9 AM to 1 AM and 09-19-2020 from 7 AM to 1 AM at Rendezvous Square - 112 East 2nd Street – Ogallala Indian Summer Rendezvous.

The Claims were approved as follows:

### **General Fund:**

125 Plan-257.01-Pretx; Eftps-22,471.08-Fit; Icma-774.08-Pen; John Hancock-11,804.24-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-67,891.57-Pp16; Ne Dept Of Rev-8,869.53-Sit; 125 Plan-257.01-Pretx; Am Fam Ins-413.93-Ins; Eftps-18,383.59-Fit; Hosp&Med-32,174.50-Ins; Icma-774.08-Pen; John Hancock-11,415.30-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-60,285.74-Pp17; Western States Bank-5,532.74-Hsa; Air Bp-10,011.07-Su; Pump & Pantry-2,277.27-Su; Ne Dept Of Transport-1,330.83-Lease; Water Dept-15,316.61-Su; Ne Dept Of Rev-867.40-Salestx; Pinn-25.00-Se; Airgas-415.23-Su; Allo-1,110.60-Su; Napa-1,016.97-Su; Arnold Pool-5,620.33-Su; Awards Plus-68.00-Su; Best Plumbing-1,281.70-Su; Big Springs Equip-256.35-Su; Black Hills Energy-1,848.63-Su; Bound Tree Med-1,044.40-Su; Mike Bruckner-842.32-P/R; Candy Aerotech-1,000.00-Contract; Charter-18.02-Su; Chs Grainland-1,432.56-Su; Contractors Materials-149.00-Su; Correll Refrig-222.00-Su; Culligan-72.50-Su; Eakes-1,417.04-Su; Eichner Sales-295.44-Su; Tomas England-800.00-Se; John Deere Financials-164.85-Su; Gworks-4,500.00-Se; Gp Designs-19,705.50-Su; Dawn Haney-400.00-Se; Humphreys-260.59-Su; Ideal Linen-236.28-Su/Se; Waste Conn-1,309.00-Se; Kcad-59,823.00-Contract; Kc Hosp Auth-12,762.82-Salestx; Kc News-879.54-Su; Kc Reg Of Deeds-48.00-Su; Kc Treasurer-12,969.59-Se; Kc Court-51.00-Se; Kenfield Elec-410.64-Su; Kents Towing-850.00-Se;

Lawson Prod-136.05-Su; Lb840 Fund-61,322.26-Salestx; Lcl Truck Equip-3,875.00-Su; Mcquillan Law-1,830.40-Se; Mead Lumber-215.02-Su; Mid-Am Research-338.92-Su; Mid-Plains Comm Coll-195.00-Su; Murphy Tractor-1,574.71-Su; Ne Salt & Grain-24,450.32-Su; Printworks-89.00-Su; Ne St Fire Marshall-75.00-Se; Ne Law Enforce Trng-135.00-Su; Nppd-18,178.68-Su; Office Svc-13,531.17-Su; Water Dept-411.60-Su; Og Comm Hosp-175.65-Su; Og Youth Soccer-50.00-Su; Ace Hardware-93.87-Su; Ole's Steakhouse-1,855.75-Su; Page My Cell-600.00-Se; Paulsen-1,851.25-Su; Pierce Law-100.00-Se; Police Chiefs Assoc Of Ne-50.00-Dues; Potts Elec-2,062.01-Su; Quick Med Claims-2,822.24-Se; Rankin Sales-69.95-Su; Reg West Med Cen-8,300.00-Se; Sheks-75.00-Su; Snell Svc-31,338.74-Su; Ne St Acctg-77.00-Se; Steve's Body-200.00-Se; Stericycle-159.18-Se; Tools Plus-79.96-Su; T&C Svc-365.06-Su; Us Bank-5,799.66-Su; Us Postal Svc-88.50-Su; Van Diest Supply-1,549.00-Su; West Cen Ne Dev Dist-6,628.00-Se; Wolf Auto-443.07-Su;

**Select Flex:**

Rci-14.50-Pretx; Rci-215.60-Pretx; Rci-22.88-Pretx; Rci-238.48-Pretx;

**Water Dept:**

Water Dept-50.38-Su; Ne Dept Of Rev-14,867.87-Salestx; Adams Bank-25.00-Se; Allo-129.82-Su; Am Water Works-318.00-Dues; Am Ag Lab-356.50-Se; Napa-3.95-Su; Black Hills Energy-115.96-Su; Chs Grainland-452.78-Su; Consol Plumbing-168.88-Su; Cornhusker Glass-131.05-Se; Dickinson Land Surveyors-402.00-Se; Gen Fund-42,819.03-Su/Se; Gworks-2,250.00-Se; Harcros Chem-4,595.61-Su; Humphreys-13.75-Su; Ideal Linen-116.48-Su/Se; Waste Conn-176.25-Se; Mcquillan Law-845.00-Se; Midwest Elec-7,249.43-Su; Mid-Am Research-72.00-Su; Muni Sup-3,763.96-Su; Nppd-7,721.04-Su; Simon Contractors-573.52-Su; Ace Hardware-22.02-Su; One Call Concepts-113.38-Se; Paulsen-778.01-Su; R&D Welding-6.33-Su; Scotties Potties-200.00-Se; Ne Health Lab-648.00-Se; Tc Engineering-57,328.00-Se; Unitech-105.93-Su; Us Bank-969.45-Su; James Beisner-97.95-Refund; Double Nine Land-9.58-Refund; Jeff Hobbs-144.47-Refund; Trevor Lybarger-34.19-Refund; Adrian Pacheco-26.44-Refund; Pedro Rincon-15.74-Refund;

**Sewer Dept:**

Water Dept-90.75-Su; Adams Bank-25.00-Se; A&A Roofing-1,960.00-Su; Am Ag Lab-8.00-Se; Black Hills Energy-1,012.35-Su; Consol Plumbing-4,831.64-Su; E-Logic-39.00-Su; Environmental Analysis-475.00-Su; Gen Fund-27,790.73-Su/Se; Gworks-2,250.00-Se; Hach Co-793.09-Su; Hoa Solutions-17,260.00-Su; Ideal Linen-66.17-Su/Se; Waste Conn-193.00-Se; Kc News-24.64-Se; Kelly Supply-3,416.27-Su; Mebulbs-368.26-Su; Nppd-5,370.34-Su; Office Svc-60.00-Se; Chamber Of Comm-100.00-Su; Ace Hardware-999.99-Su; Philip Carkoski Construct-17,289.34-Su; Potts Elec-160.00-Su; Scotties Potties-4,890.60-Se; Us Bank-839.34-Su;

**Housing Rehab:**

Pierce Law-65.00-Se;

**Medical/Benefit:**

Chamber Of Comm-340.00-Su; Rci-20,758.56-Ins; Rci-8,930.98-Ins; Rci-1,077.02-Ins; Rci-4,335.11-Ins; Rci-7,890.76-Ins;

Council President Schilz opened a public hearing regarding a request for special exception to allow a beauty shop on property located in an R-2 Residential District - Medium Density. Proposed location is 515 East E Street more particularly described as Lot 4, Block 18, Paxton's Addition at 7:03 P.M.

Ken Knoepfel, Planning and Zoning Administrator, and Mike Bell addressed the council regarding the request for special exception to allow a beauty shop on property located in an R-2 Residential District – Medium Density.

Council Member Weddington moved to approve the minutes from the special meeting held August 11, 2020. Council Member Walker 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.

Council Member Weddington moved to approve the minutes from the regular meeting held August 11, 2020. 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.

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

Council Member Weddington moved to abate the nuisance properties identified as: 2020 OGA 002- PID 037500300, 2020 OGA 003- 198 Johnson Drive, 2020 OGA 077- 818 West K, 2020 OGA 050- 414 Platteview Dr., 2020 OGA 056- 414 West M, 2020 OGA 062- 517 Platteview Dr. 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.

Council Member Block introduced resolutions 2008-2010, Resolutions rescinding prior resolutions of declared nuisance property. 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 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 Block introduced resolution 2011, A Resolution determining final levy allocation for the Ogallala Community Development Authority. 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 2011 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 introduced resolution 2012, A resolution on acquisition or development for outdoor recreation. 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 Resolution 2011 is adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council President Schilz closed a public hearing regarding a request for special exception to allow a beauty shop on property located in an R-2 Residential District - Medium Density. Proposed location is 515 East E Street more particularly described as Lot 4, Block 18, Paxton's Addition at 7:28 P.M.

Council Member Block moved to approve the request for special exception to allow a beauty shop on property located in an R-2 Residential District - Medium Density. Proposed location is 515 East E Street more particularly described as Lot 4, Block 18, Paxton's Addition. Council Member Weddington 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.

Council Member Weddington moved to approve the plans, specifications, advertising and bid opening dates for the Wastewater Treatment Plant Digester Roof. 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.

Council Member Block moved to approve the Change Order for the Ogallala Water Improvements 2015-1 – Contract No. 2 with Myers Construction, Inc., increasing the contract by \$352,315.06. Council Member Weddington 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.

Council Member Weddington moved to approve the Amendment to Standard Form of Agreement for Professional Services, Water Loadout Station, Fencing, and Hillcrest Water Improvements with TC Engineering in amount \$57,137. 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.

Council Member Weddington moved to approve the Easement located in the SW ¼ of Section 30 T.14N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows: A 10 foot wide tract located in the SW1/4 of Section 30, T. 14 N., R. 38 W. of the 6th P.M., Keith County, Nebraska, the south line being more particularly described as follows: Commencing at the NW corner of Block 2 of Schroeder's Second Subdivision, Phase One Replat, located in the SW1/4 of Section 30, T. 14 N., R. 38 W. of the 6th P.M., Keith County, Nebraska; thence N 00°56'13" E on the extended east line of West "D" Street, 29.05 feet to the Point of Beginning; thence S 88°50'38" E 1312.15 feet to a point on the extended west line of West "A" Street, also being the Point of Termination, containing 0.30 acres, more or less. The north sideline being prolonged or shortened to conform with the grantor's property line. The north sideline is to remain parallel to described south line. (hereinafter referred to as the "Easement Real Estate"). 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.

Brian Vasa, Community Redevelopment Authority Chairman addressed the Council, providing notice of intent to enter into a contract with Davis Land Investments LLC – 303 West 30 Street to the City Council.

Council Member Block moved to go into closed session to conduct the employee evaluation of City Manager Bruce Smith at 7:46 P.M. Council Member Weddington 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.

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 7:46 P.M.

Council Member Block moved to return from closed session where the employee evaluation of City Manager Bruce Smith was conducted at 8:38 P.M. Council Member Weddington 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.

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
- D. LD Walker
  - 1) Kenfield Petrified Wood Gallery
- 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, Deb Schilz, LD Walker

