

## A REGULAR MEETING OF THE CITY COUNCIL

SEPTEMBER 22, 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 22<sup>nd</sup> day of September, 2020, at 7:00 o'clock P.M. Present were: Vice President of the Council: Darryl Weddington; Council Members: Kevin Block and Dorie Nolde. Absent: Deb Schilz. 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 September 18, 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 Nolde moved to excuse Council President Schilz from the September 22, 2020 City Council Meeting. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried.

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

- A. Appointment to Board – Library Board (3).
  - 1) Linda Block – Four Year Term (10-01-2020 – 09-30-2024).
  - 2) Dixie J. DeTuerk - Four Year Term (10-01-2020 – 09-30-2024).
- B. Appointment to Board – Community Redevelopment Authority (1).
  - 1) Steve Krause – Five Year Term (10-01-2020 – 09-30-2025).
- C. Claims.
- D. Minutes of the Regular Meeting held September 8, 2020.
- E. O.V.F.D. – Resignation of Robert E. Birge.
- F. Application for License to Perform Work within the Public Right of Way – Marcus A. Brown.

The Claims were approved as follows:

### **General Fund:**

125 Plan-257.01-Pretx; Eftps-16,987.14-Fit; Hartford Life-1,578.03-Ins; Hosp&Med-32,174.50-Ins; Icma-774.08-Pen; John Hancock-11,420.99-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-54,628.80-Pp18; Western States Bank-5,532.74-Hsa; Ne Dept Of Rev-4,984.38-Sit; 125 Plan-257.01-Pretx; Am Fam Ins-413.93-Ins; Eftps-16,953.53-Fit; Hosp&Med-32,174.50-Ins; Icma-774.08-Pen; John Hancock-11,365.30-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-54,302.79-Pp19; Western States Bank-5,532.74-Hsa; Ne Dept Of Rev-25.00-Se; Gen Fund-3,000.00-Su; Pump & Pantry-2,480.15-Su; Ne Dept Of Transp-1,330.83-Lease; Water Dept-12,871.87-Su; Ne Dept Of Rev-426.16-Salestx; Curtis, Jarrod-40.00-Se; Chamber Of Comm-300.00-Su; Og Med Cen-155.00-Se; Pinn Bank-25.00-Se; 5 Star Custom Designs-1,707.81-Su; 911 Custom-4,513.00-Su; Ace/Eaton Metals-8,088.26-Su; Airgas-408.87-Su; Allo-1,093.32-Su; Altec Ind-1,684.30-Su; Animal Clinic-183.55-Su; Napa-30.99-Su; Armscor-3,000.00-Su; Arnold Pool-11,719.47-Su; Black Hills Energy-2,011.06-Su; Bound Tree Med-1,273.67-Su; Mike Bruckner-842.32-P/R; Candy Aerotech-1,000.00-Contract; Charter-18.02-Su; Bill Christensen-161.00-Mileage; Chs Grainland-1,211.34-Su; Coca-Cola-45.47-Su; Contractors Materials-

1,900.00-Su; Consol Manage-63.51-Su; Marcia Crofutt-16.80-Mileage; Culligan-62.50-Su; Dickinson Surveyors-150.00-Se; Dol Gen-13.00-Su; Eakes Office-595.75-Su; Eichner Sales-205.24-Su; John Deere Financials-471.67-Su; Fyr-Tek-2,935.25-Su; Dawn Haney-200.00-Se; Hinton's Lock-404.00-Su; Hood, Tracy-81.84-Su; Humphreys-261.72-Su; Icma-125.00-Se; Ideal Linen-405.18-Su/Se; J&A Traffic-387.50-Su; Waste Conn-1,309.00-Se; Kc Hosp Auth-14,728.89-Salestx; Kc News-606.80-Se; Kc Reg Of Deeds-20.00-Se; Kc Treasurer-12,969.59-Se; Kenfield Elec-495.50-Su; Kenfield, Harvey-57.68-Mileage; Kenfield, Howard-47.60-Mileage; Kents Towing-325.00-Se; Kintz, James-900.00-Su; Lb840 Fund-20,711.47-Salestx; League Of Ne Muni-11,786.00-Su/Se; Markussen, Judy-59.92-Mileage; Sue Mcconnell-201.60-Mileage; Mcm Truck-195.00-Se; Mcquillan Law-910.00-Se; Mead Lumber-478.88-Su; Midwest Turf-1,043.60-Su; Mid-Am Research-22.88-Su; Printworks-258.75-Su; Ne Dept Of Ag-175.00-Dues; Nppd-17,437.38-Su; O'reilly-33.28-Su; Office Svc-599.31-Su; Og Rotary-120.00-Dues; Water Dept-462.11-Su; Bond Acct-5,547.28-Su; Og Comm Hosp-253.23-Su; Ace Hardware-2,681.27-Su; Olsson-4,032.34-Se; Paulsen-952.95-Su; Prairie States Comm-78.50-Su; Quadient Leasing-405.90-Lease; Quick Med Claims-1,757.73-Se; Rankin Sales-286.79-Su; Reams Sprinkler-1,116.53-Su; Reg West Med Cen-6,870.00-Se; Sandry Fire Supply-1,758.25-Su; Sandhills Architectural-6,559.32-Su; Og School Dist #1-8,131.00-Su; Scotties Potties-2,535.62-Su/Se; Sewer Fund-20.12-Su; Sherwin-Williams-1,070.83-Su; Ashton Simmerman-280.00-Se; Sw Area Clerks Assn-20.00-Dues; Ne State Acct-77.00-Dues; Steve's Body-470.00-Se; T&C Svc-19.00-Su; T&A Align-2,046.70-Su; Us Bank-1,301.36-Su; Us Postal Svc-88.50-Su; Van Diest Supply-3,055.50-Su; Western Path Consultants-28.75-Se; Wilson, Doris-75.60-Mileage; Wolf Auto-34,853.44-Su; Zink Painting-15,500.00-Su/Se;

**Select Flex:**

Rci-238.48-P/R; Rci-238.48-P/R;

**Water Dept:**

Ne Dept Of Rev-25.00-Se; Water Dept-50.38-Su; Ne Dept Of Rev-14,733.91-Salestx; Adams Bank-25.00-Se; Allo-128.93-Su; Am Ag Lab-58.50-Se; Napa-166.81-Su; Black Hills Energy-116.36-Su; Borer Const-2,500.00-Su/Se; Chs Grainland-316.56-Su; Cornhusker Glass-89.07-Se; Fyr-Tek-48.77-Su; Gen Fund-33,407.96-Su/Se; Humphreys-48.19-Su; Ideal Linen-116.48-Su/Se; Waste Conn-176.25-Se; Kc Reg Of Deeds-10.00-Se; Lawson Prod-274.23-Su; League Of Ne Muni-300.00-Su; Lincoln Winwater-6,125.75-Su; Mcquillan Law-432.90-Se; Mebulbs-1,758.83-Su; Midwest Elec-7,261.04-Su; Muni Supply-5,051.59-Su; Myers Const-73,113.81-Su; Ne St Treasurer-145.04-Su; Nppd-6,086.44-Su; Bond Acct-22,111.42-Su; One Call Concepts-71.08-Se; Potts Elec-1,465.34-Su; Quick Elec-2,140.00-Su; Sapp Bros-68.64-Su; Ne Dept Health Lab-1,141.00-Se; T&C Svc-1,389.56-Su; Us Bank-502.64-Su; Martha Amaya-12.82-Refund; Andrew Osborn-92.20-Refund;

**Sewer Treatment Fund:**

Water Dept-89.00-Su; Adams Bank-25.00-Se; A&A Roofing-54,160.00-Su/Se; Black Hills Energy-879.25-Su; Gen Fund-21,541.04-Su/Se; Hach Co-89.34-Su; Hoa Solutions-15,846.00-Su; Ideal Linen-65.38-Su/Se; Waste Conn-193.00-Se; Jwc Environ-327.70-Su; Kc News-25.87-Se; Kelly Supply-28.21-Su; Lawson Prod-111.03-Su; League Of Ne Muni-1,494.00-Dues; Nppd-5,307.09-Su; Bond Acct-14,388.76-Su; Potts Elec-874.21-Su; Scotties Potties-11,676.50-Su/Se; Us Bank-830.92-Su;

**Medical/Benefit:**

Rci-19,414.80-Ins; Rci-4,117.09-Ins; Rci-5,515.11-Ins; Rci-3,119.59-Ins; Rci-4,176.29-Ins;

Council Vice President Weddington opened a public hearing regarding a request to rezone property described as follows: Lot 2, Johnson's Subdivision. Proposed rezoning is from R-3 Residential High Density District to I-1 Industrial District at 7:06 P.M.

Mary Wilson, Keith County Area Development presented the 2019-2020 KCAD Annual Report.

Council Member Nolde introduced resolutions 2015-2016, Resolutions rescinding prior resolutions of declared nuisance property. Council Vice President Weddington 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 and Darryl Weddington. The following council Members voted “No”: None. Absent: Deb Schilz. Motion declared carried and resolutions 2015-2016 are adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Vice President Weddington closed a public hearing regarding a request to rezone property described as follows: Lot 2, JOHNSON’S SUBDIVISION. Proposed rezoning is from R-3 Residential High Density District to I-1 Industrial District at 7:33 P.M.

Council Member Block introduced Ordinance 1401, entitled: “An Ordinance Rezoning The Following Described Real Estate: Lot 2, Johnson’s Subdivision. Proposed Rezoning Is From R-3 Residential High Density District To I-1 Industrial District” and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Nolde seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Kevin Block, Dorie Nolde and Darryl Weddington. The following Council Members voted “No”: None. Absent: Deb Schilz. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1401 was read by title and, thereafter, Council Member Block moved for the final passage of the Ordinance. Council Member Nolde seconded the motion. The Vice President then stated the question: “Shall Ordinance No. 1401 be passed and adopted?” Upon roll call vote, the following Council Members voted “Yes”: Kevin Block, Dorie Nolde and Darryl Weddington. The following Council Members voted “No”: None. Absent: Deb Schilz. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the Vice 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. 1401 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Nolde moved to approve the lowest responsible bid from Sidney Roofing for Wastewater Treatment Plant Roof in the amount of \$147,408.50. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde and Darryl Weddington. No: None. Absent: Deb Schilz. 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. Darryl Weddington
  - 1) Library Board
  - 2) Ogallala Community Hospital Advisory Board
- B. Kevin Block
  - 1) Chamber of Commerce
- C. City Council Member/County Commissioner/School Board Meeting.

Council Member Nolde moved to adjourn. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dorie Nolde and Darryl Weddington. No: None. Absent: Deb Schilz. Motion declared carried and meeting adjourned at 7:51 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 September 22, 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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