

## A REGULAR MEETING OF THE CITY COUNCIL

DECEMBER 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 December, 2020, at 7:00 o'clock P.M. Present were: President of the Council: Deb Schilz; Council Members: Darrell G. Bassett, Kevin Block, Chris Laflan and Darryl Weddington. Absent: None. 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 December 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 approve the consent agenda. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried and the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held December 8, 2020.
- B. Claims.
- C. Appointment to Board – Planning Commission (3).
  - 1) Allen Cerny – Three Year Term (01-01-21 – 12-31-23).
  - 2) Austyn DuPeire – Three Year Term (01-01-21 – 12-31-23).
  - 3) Kody Quint – Three Year Term (01-01-21 – 12-31-23).
- D. Appointment to Board – RSVP Advisory Committee (3).
  - 1) Gail Schreiter – Three Year Term (01-01-21 – 12-31-23).
  - 2) Robin Rankin – Three Year Term (01-01-21 – 12-31-23).
  - 3) Sondra Sharkey – Three Year Term (01-01-21 – 12-31-23).
- E. Appointment to Board – Tree Board (3).
  - 1) Drew Krab – Three Year Term (01-01-21 – 12-31-23).
  - 2) Steve Seamans – Three Year Term (01-01-21 – 12-31-23).
- F. Wastewater – Independent Contractor Agreement for Sanitary Sewer Jetting & Pumping/Vacuuming.
- G. Water - Specifications, Advertising and Bid Opening for the Water Department Vehicle.

The Claims were approved as follows:

### **General Fund:**

Ne Dept Of Rev-5,397.69-Sit; 125 Plan-257.01-PreTx; Am Fam Ins-413.93-Ins; Eftps-25,032.80-Fit; Hosp&Med-32,201.50-Ins; Icma-793.44-Pen; John Hancock-11,912.43-Pen; Ne Child Sup Cen-46.15-P/R; Pinn Bank-72,002.23-Pp25; Western States Bank-6,254.74-Hsa; 125 Plan-257.01-PreTx; Eftps-17,837.95-Fit; Hartford Life-1,495.73-Ins; Hosp&Med-32,201.50-Ins; Icma-793.44-Pen; John Hancock-11,583.95-Pen; Pinn Bank-57,046.91-Pp26; Western States Bank-5,462.74-Hsa; City Of Og-3,880.00-Su; Air Bp-9,596.99-Su; Pump & Pantry-1,944.42-Su; Water Dept-741.32-Su; Ne Dept Of Rev-282.26-Salestx; Pinn Bank-25.00-Se; Christensen&Son-7,941.03-Su; Ne Law Enforce Trng-250.00-Se; Airgas-389.93-Su; Allo-1,028.60-Su; Am Legal Publish-399.00-Su; Napa-502.98-Su; Arnold Pool-286.23-Su; Arthur J. Gallagher-4,321.00-Ins; Ascap-368.50-Se; Baldwin, Mona-16.00-Se; Bittersweet Bakery-73.80-Su; Black Hills Energy-6,362.95-Su; Bound Tree Medical-1,651.62-Su; Mike Bruckner-1,263.48-P/R; Candy Aerotech-

1,000.00-Contract; Charter-18.02-Su; Christensen&Son-18,270.67-Su; Chs Grainland-252.72-Su; City Of Og-75.00-Su; Consolid Mgmt-305.98-Su; Cornhusker Glass-12.51-Se; Correll Refrig-196.00-Su; Culligan-49.50-Su; Curtis, Jason-100.00-Su; Eakes Office-263.17-Su; Eichner Sales-302.59-Su; E-Logic-1,100.00-Su; John Deere Financials-786.75-Su; Front Street-483.13-Su; Fyr-Tek-100.00-Su; Dawn Haney-400.00-Se; Home Pc Sales-199.00-Su; Humphreys-55.88-Su; Ideal Linen-438.28-Su; Waste Conn-984.00-Se; Kc Clerk-386.70-Se; Kc Hosp Auth-13,588.48-Salestx; Kc News-461.10-Se; Kc Reg Of Deeds-10.00-Se; Kc Treasurer-12,969.59-Se; Kenfield Elec-526.11-Su; Lb840 Fund-19,023.88-Salestx; Logan Cont-19,404.00-Su; Mcquillan Law-1,183.00-Se; Mid-Am Research-497.46-Su; Nationwide Mgmt-300.00-Su; Ne Assn Of Airport Officials-150.00-Dues; Nmc Exchange-337.40-Su; Printworks-542.29-Su; Ne Law Enforce Trng-10.00-Se; Ne Muni Clerks Assn-35.00-Dues; Nppd-15,213.00-Su; Ne Supreme Crt Office-33.90-Su; O'reilly-9.98-Su; Off Svc-325.19-Su; Rotary-120.00-Dues; Water Dept-4,098.09-Su; Og Comm Hosp-667.54-Su; Ace Hardware-313.20-Su; Paulsen-625.03-Su; Potts Elec-348.59-Su; Prairie States Comm-383.70-Su; Psychological Resources-405.00-Se; Quadient Leasing-405.90-Contract; R&D Welding-30.30-Su; Reg West Med Cen-6,820.00-Se; Schreiter, Gail-40.95-Su; Scotties Potties-890.00-Su/Se; Sewer Fund-3,192.91-Ins; Sheks-75.00-Su; Shelco Construc-1,300.00-Su; Amgl-2,750.00-Se; Ashton Simmerman-140.00-Se; St Fire Marshall-50.00-Se; Ne St Acctg-77.00-Se; T&C Svc-19.00-Se; Us Bank-5,481.65-Su; Us Postal Svc-88.50-Su; Volunteer Software-300.00-Se; West Cen Ne Dev Dist-3,797.42-Se; Western Path Consult-57.50-Se; West Side Builders-150.00-Se; Wilson, Doris-70.56-Su; Winter Equip-2,712.19-Su; Ne Law Enforce Trng-135.00-Su;

**Select Flex:**

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

**Water Dept:**

City Of Og-300.00-Su; Water Dept-50.38-Su; Ne Dept Of Rev-10,200.93-Salestx; Adams Bank-25.00-Se; Allo-130.06-Su; Am Ag Lab-158.50-Se; Napa-108.48-Su; Black Hills Energy-452.05-Su; Chs Grainland-168.42-Su; Cornhusker Glass-1,444.15-Su; Eichner Sales-367.30-Su; Front Street-57.55-Su; Gen Fund-34,112.66-Su/Se; Humphreys-39.98-Su; Hydrotex-266.85-Su; Ideal Linen-194.83-Su/Se; Waste Conn-125.00-Se; Lawson Prod-119.27-Su; Mcquillan Law-6.50-Se; Mead Lumber-167.46-Su; Midlands Contracting-5,096.71-Su; Muni Supply-2,671.19-Su; Ne Rural Water Assn-250.00-Dues; Nppd-2,914.87-Su; Simon Contrac-1,209.53-Su; Ace Hardware-29.95-Su; One Call Concepts-26.88-Se; Safety-Kleen-283.14-Su; Scotties Potties-435.00-Su; Ne Dept Health Lab-908.00-Se; T&A Align-2,055.45-Su; Usa Blue Book-753.92-Su; Us Bank-2,425.98-Su; Mark Berger-35.73-Refund; Debby Devine-35.00-Refund; Robert Murphy-54.97-Refund; Twenty-Six-27.65-Refund;

**Sewer Treatment Fund:**

City Of Og-120.00-Su; Water Dept-89.00-Su; Adams Bank-25.00-Se; Allo-3.53-Su; Black Hills Energy-2,734.48-Su; Brody Chemical-199.99-Su; Consolidated Plmbg-321.00-Su; Environment Analysis-475.00-Se; Front Street-23.02-Su; Gen Fund-21,821.69-Su/Se; Hach Co-2,092.44-Su; Hoa Solutions-44,537.63-Su; Ideal Linen-68.31-Su/Se; Waste Conn-23.25-Se; Moore Plmb-382.00-Su/Se; Nppd-4,048.59-Su; Philip Carkoski Construc-8,296.09-Su; Scotties Potties-3,468.60-Su; Tc Engineering-47,750.00-Se; Unitech-1,457.50-Su; Us Bank-545.21-Su;

**Housing Rehab:**

West Central Ne Dev Dist-1,101.62-Se;

**Lb840 Acct:**

Ra Productions-3,000.00-Se;

**Medical/Benefit:**

City Of Og-220.00-Su; Curtis, Jarrod-40.00-Se; Sauer, John-90.00-Se; Usave Pharmacy-2,450.00-Su; Rci-15,646.05-Ins; Rci-4,607.92-Ins; Rci-6,730.57-Ins; Rci-370.61-Ins; Rci-96,425.11-Ins;

Council President Schilz opened a public hearing regarding a request for special exception to allow a single-family residence on property located in a C-2 Highway Commercial District. Proposed location is 100 East 11<sup>th</sup> Street more particularly described as the North 50 feet of Lots 1 & 2, Block 27, Searle's Third Addition, Ogallala, Nebraska. (PID# 064004100) at 7:04 P.M.

Council Member Block moved to pledge \$25,000 to the Keith County Rural Workforce Housing Grant Application. Council Member Bassett seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Weddington moved to impound in place the following unit: 2017 OGA 027 – 310 West 32nd Street #21. Council Member Laflan seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council President Schilz announced Ordinance 1403 was introduced and read for the first time on November 24, 2020, and for the second time on December 8, 2020. Council President Schilz read Ordinance 1403 by title, An Ordinance Rezoning the Following Described Real Estate: A Tract of Land Situated in The Sw ¼ Of Section 30, Township 14 North, Range 38 West of the 6th P.M., Keith County, Nebraska, Said Tract of Land Is Hereby Described as Follows: Commencing At A Point, Said Point Being 325.0 Feet South And 33.0 Feet East Of The Northwest Corner Of The SW ¼ Of Said Section 30, Said Point Also Being On The Easterly Right Of Way Line Of A County Road, Thence Running East On A Line That Is Parallel To The North Line Of The SW 1/4 Of Said Section 30 A Distance Of 839.33 Feet, Thence Running South On A Line That Is Parallel To The West Line Of The SW ¼ Of Said Section 30 A Distance Of 325.0 Feet, Thence Running West On A Line That Is Parallel To The North Line Of The SW ¼ Of Said Section 30 A Distance Of 490.0 Feet, Thence Turning Right 66°48'07" And Running In A Northwesterly Direction A Distance Of 208.09 Feet, Thence Left 56°28' And Continuing Northwesterly A Distance Of 276.30 Feet To A Point On The East Right Of Way Line Of A County Road, Said Point Also Being 33.0 Feet East of The West Line Of The SW ¼ Of Said Section 30, Thence Running North On Said Right Of Way Line A Distance Of 116.54 Feet To The Point Of Beginning. Proposed Rezoning Is From C-2 Commercial (Highway District) To I-1 (Industrial District). Council President Schilz announced that Ordinance 1403 has been read for the third time.

No motion was made regarding the adoption of Ordinance 1403. The Council directed the Planning Commission to review the Municipal Code regarding C-2 Commercial (Highway District) and the special exceptions allowed.

Council President Schilz closed a public hearing regarding a request for special exception to allow a single-family residence on property located in a C-2 Highway Commercial District. Proposed location is 100 East 11<sup>th</sup> Street more particularly described as the North 50 feet of Lots 1 & 2, Block 27, Searle's Third Addition, Ogallala, Nebraska. (PID# 064004100) at 7:47 P.M.

Council Member Bassett moved to approve the request single-family residence on property located in a C-2 Highway Commercial District located at 100 East 11th Street more particularly described as the North 50 feet of Lots 1 & 2, Block 27, Searle's Third Addition, Ogallala, Nebraska. Council Member Laflan seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Weddington introduced Ordinance 1404, entitled: An Ordinance of the City of Ogallala, Keith County, Nebraska, Amending Section 150.15, 150.16 and adding Section 150.19 of the Municipal Code of the City, relating to adoption of the Updated International Building Code and Uniform Plumbing Code and adding the International Residential Code, repealing all Ordinances or parts of Ordinances in conflict herewith; providing for the effective date and publication thereof in pamphlet form and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Bassett seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: None. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1404 was read by title and, thereafter, Council Member Block moved for the final passage of the Ordinance. Council Member Bassett seconded the motion. The President then stated the question: "Shall Ordinance No. 1404 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: None. 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. 1404 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Matt Smith, Street Superintendent, presented the Street – Highway Budget and Expenditure Report for fiscal year ending September 30, 2020.

Council Member Weddington moved to approve the Road – Street – Highway Budget and Expenditure Report as presented for fiscal year ending September 30, 2020. Council Member Bassett seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Bassett introduced Resolution 2027, a resolution authorizing the City of Ogallala to sign the Year-End Certification of City Street Superintendent Form 2020. 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": Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. The following Council Members voted "No": None. Absent: None. Motion declared carried and resolution 2027 is adopted, a copy of said Resolution being attached hereto and by this express reference, incorporated herein and made a part hereof.

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) Keep Keith County Beautiful
- B. Chris Laflan
  - 1) Keith County Area Development
- C. Darryl Weddington
  - 1) Library Board
  - 2) Ogallala Community Hospital Advisory Board
- D. City Council Member/County Commissioner/School Board Meeting.

Council Member Weddington moved to adjourn. Council Member Laflan seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan, Deb Schilz and Darryl Weddington. No: None. Absent: None. Motion declared carried and meeting adjourned at 8:24 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 December 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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