

A REGULAR MEETING OF THE CITY COUNCIL

APRIL 27, 2021

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 13<sup>th</sup> day of April, 2021, 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 April 23, 2021 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 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 the consent agenda was approved as follows:

- A. Minutes of the Regular Meeting held April 13, 2021.
- B. Claims.
- C. O.V.F.D. - Resignation of Brad Ernst.
- D. O.V.F.D. - Resignation of Jennifer Ernst.
- E. Corporate Manager License for Eduardo De Alba Huerta in connection with the Class I License for Margaritas Family Mexican Restaurant.

The claims were approved as follows:

**General Fund:**

125 Plan-314.14-Pretx; Eftps-17,291.84-Fit; Hartford Life-1,506.73-Ins; Hosp&Med-32,683.75-Ins; Icma-793.44-Pen; John Hancock-11,408.96-Pen; Western States Bank-5,367.83-Hsa; Ne Dept Of Rev-4,989.19-Sit; 125 Plan-314.14-Pretx; Am Fam Ins-413.93-Fit; Eftps-17,140.34-Ins; Hosp&Med-32,683.75-Ins; Icma-793.44-Pen; John Hancock-11,435.26-Pen; Western States Bank-5,367.83-Hsa; 125 Plan-314.14-Pretx; Eftps-17,207.60-Fit; Hartford Life-1,506.73-Ins; Hosp&Med-32,683.75-Ins; Icma-793.44-Pen; John Hancock-11,464.59-Pen; Ne Child Sup Cen-182.77-P/R; Western States Bank-5,367.83-Hsa; Gen Fund-3,000.00-Su; Air Bp-30,201.59-Su; Wex Bank-3,262.88-Su; Ne Dept Of Transport-1,330.83-Contract; Water Dept-877.82-Su; Ne Dept Of Rev-758.97-Salestx; Pinn Bank-25.00-Se; J&M Displays-25,000.00-Su; 21st Century-1,333.47-Su; Absolute Solutions-1,235.63-Su; Airgas-353.90-Su; Alive Outside-2,974.50-Su/Se; Allo-1,031.97-Su; Altec Ind-355.11-Su; Napa-1,219.39-Su; Arnold Pool-210.35-Su; Baltzell Vet-20.00-Se; Barco Muni Products-1,534.40-Su; Black Hills Energy-6,472.99-Su; Bound Tree Medical-1,014.53-Su; Mike Bruckner-842.32-P/R; Candy Aerotech-1,000.00-Contract; Charter-17.97-Se; Christensen & Son-9,284.76-Su; Chs Grainland-1,779.99-Su; Cima Co-2,262.85-Se; City Of Og-175.00-Su; Contractors Materials-500.00-Su; Consol Mgmt-415.41-Su; Consol Fleet Svc-825.72-Su; Corbin Willits-5,748.66-Se; Cornhusker Glass-33.69-Se; Correll Refrig-253.00-Su; Cranmore Fire-404.00-Se; Culligan-49.50-Su; D&B Towing-250.00-Se; Datashield-39.00-Se; Dudden & Fair-3,500.00-Se; Eakes Office-322.98-Su; Eichner Sales-517.04-Su; Evert Auction Svc-1,545.00-Se; Extreme Machine-

99.75-Su; Og Plumbing-263.00-Su; John Deere Financials-358.96-Su; Fleet-Us-5,337.94-Su; Dawn Haney-400.00-Se; Hart's Auto Supply-289.83-Su; Hinton's Lock-404.00-Su; Humphreys-681.97-Su; Icma-125.00-Se; Ideal Linen-334.88-Su/Se; Waste Conn-984.00-Se; Kc Hosp Auth-11,043.72-Salestx; Kc News-1,363.18-Se; Kc Treasurer-12,969.59-Se; Kc Court-34.00-Se; Kents Towing-385.00-Se; Lb840 Fund-15,461.21-Salestx; Mcquillan Law Off-585.00-Se; Mc Schaff-10,341.00-Se; Mike Smith Construct-92,378.88-Su; Taylor Molzahn-75.00-Su; Mutt Mitt-929.87-Su; Printworks-45.00-Su; Ne Muni Power Pool-1,843.73-Dues; Nppd-15,380.82-Su; Newman Signs-5,221.23-Su; North Platte Monument Co-180.00-Su; Nsg Logistics-7,444.03-Su; O'reilly-66.89-Su; Office Svc-649.79-Su; Chamber Of Comm-4,332.31-Contract; Water Dept-400.00-Su; Ace Hardware-104.02-Su; Og Med Cen-280.00-Se; Olsson-9,225.34-Se; Paulsen-12,178.20-Su; Poppe's Diesel-455.30-Su/Se; Quick Med Claims-4,436.55-Se; Rankin Sales-221.69-Su; Rdj Specialties-621.86-Su; Reg West Med Cen-20,100.00-Se; Scotties Potties-1,400.00-Su/Se; Sheks-69.00-Su; Ne Dept Of Admin-132.00-Se; Tools Plus-296.71-Su; Unitech-1,428.00-Su; Us Bank-3,198.97-Su; Us Postal Svc-90.60-Su; Van Diest Supply-11,250.00-Su; West Central Ne Dev Dist-1,267.23-Se; Western Path Consultants-115.00-Se; Wolf Auto-150.51-Su; Wolf Chrysler Dodge-80.36-Su;

**Water Dept:**

Water Dept-52.25-Su; Ne Dept Of Rev-9,731.28-Salestx; Adams Bank-25.00-Se; Allo-130.43-Su; Am Ag Lab-156.00-Se; Napa-122.68-Su; Black Hills Energy-387.51-Su; Bomgaar's-6.94-Su; Borer Construct-1,500.00-Su/Se; Chs Grainland-1,333.51-Su; Cornhusker Glass-86.61-Se; Gen Fund-33,363.85-Su/Se; Humphreys-378.06-Su; Ideal Linen-175.08-Su/Se; Waste Conn-125.00-Se; Kenfield Elec-186.74-Su; Lawson Products-505.82-Su; Midwest Elec-3,229.88-Su; Mid-Am Research Chm-168.04-Su; Muni Supply-6,669.84-Su; Myers Construct-240,773.59-Su; Nemo Locksmith-50.83-Su; Nppd-2,852.07-Su; Office Svc-0.80-Su; Simon Contract-936.20-Su; One Call Concepts-219.86-Se; Sapp Bros-51.36-Su; Ne Dept Health Lab-175.00-Se; Us Bank-1,452.87-Su; Wolf Auto-44.60-Su; Dana Brown-248.91-Refund; Kelsey Ewert-45.16-Refund; Rhea Krauter-36.01-Refund; Jadan Orgeron-48.91-Refund; Madison Smith-31.13-Refund;

**Sewer Dept:**

Water Dept-89.00-Su; Adams Bank-25.00-Se; Allo-31.55-Su; Am Ag Lab-8.00-Se; Black Hills Energy-2,625.07-Su; Consolid Plmb-788.80-Su; Correll Ref-11,742.00-Su; Gen Fund-23,188.08-Su; Hach Co-84,575.83-Su; Ideal Linen-67.96-Su/Se; Waste Conn-117.75-Se; Kelly Supply-530.06-Su; Lake Mac Handyman-150.00-Se; Midwest Labs-398.85-Su; Muni Supply-973.70-Su; Nppd-4,888.69-Su; Ace Hardware-112.10-Su; Scotties Potties-6,762.10-Se; Usa Blue Book-112.31-Su; Us Bank-933.37-Su; Van Diest-403.15-Su;

**Medical/Benefit:**

City Of Og-260.00-Su; Sauer, John-70.00-Se; Rci-15,641.55-Ins; Rci-510.09-Ins; Rci-32,680.84-Ins; Rci-3,511.56-Ins; Rci-5,749.36-Ins; Rci-2,781.41-Ins;

Council President Schilz opened a public hearing regarding a request for special exception to allow a free-standing off-premise advertising sign on property located in a C-2 Highway Commercial District. Proposed location is 1711 North Spruce Street more particularly described as a 207.7' X 270' tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 088000900) at 7:03 P.M.

Council President Schilz opened a public hearing regarding a request for special exception to allow outside storage of licensed vehicles on property located in a C-2 Highway Commercial District. Proposed location is 3002 West D Street more particularly described as a 5.4-acre Tract in the Southwest 1/4, Outlots in Section 30, Township 14 North Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 087000500) at 7:03 P.M.

Ken Knoepfel, Planning and Zoning Administrator addressed the Council regarding the request for special exception to allow a free-standing off-premise advertising sign on property located in a C-2 Highway Commercial District located at 1711 North Spruce Street and the request for special exception to allow outside storage of licensed vehicles on property located in a C-2 Highway Commercial District located at 3002 West D Street.

Mayor Schilz proclaimed May 2 through May 8, 2021 as Professional Municipal Clerks Week.

Mayor Schilz proclaimed April 30, 2021 as Arbor Day.

Nathaniel J. Mustion, McCook City Attorney presented information to the Council regarding Land Banks and the possibility of forming a regional land bank. No action taken.

Council Member Laflan moved to approve the Claims payable to Adams Insurance Advisors in the amount of \$45.00. Council Member Weddington seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Chris Laflan and Darryl Weddington. No: None. Abstain: Deb Schilz. Absent: None. Motion declared carried.

Council Member Laflan moved to recommend that the addition to License for Class C Liquor License of the Loyal Order of Moose 1624 be approved by the Nebraska Liquor Control Commission. Council Member Block 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 Block introduced Ordinance 1407, entitled: An Ordinance of the City of Ogallala, Nebraska amending (1) Ordinance No. 1309 adopted by the City Council and Council President on December 20, 2013, and (2) Ordinance No. 1369 adopted by the City Council and Council President on April 24, 2018, to adjust prepayment provisions for certain outstanding promissory notes and to increase the principal amount of the 2018 promissory note authorized there by to \$3,000,000 to pay the costs of acquiring, constructing, improving, repairing, rehabilitating and extending the City's water supply system; approving the execution and delivery of amendments to the loan agreements with the Nebraska Department of Environment and Energy, formerly known as the Nebraska Department of Environmental Quality (NDEQ project nos. D311044 and D311616); providing for the publication of this ordinance; and authorizing certain actions and documents and prescribing other matters relating thereto and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Laflan 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. 1407 was read by title and, thereafter, Council Member Block moved for the final passage of the Ordinance. Council Member Laflan seconded the motion. The President then stated the question: "Shall Ordinance No. 1407 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. 1407 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council Member Bassett moved to approve the plans, specifications, advertising, and bid opening date for the renovations of the Goodall Recreation Center parking lot. 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.

Council President Schilz closed a public hearing regarding a request for special exception to allow a free-standing off-premise advertising sign on property located in a C-2 Highway Commercial District. Proposed location is 1711 North Spruce Street more particularly

described as a 207.7' X 270' tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 088000900) at 7:42 P.M.

Council President Schilz closed a public hearing regarding a request for special exception to allow outside storage of licensed vehicles on property located in a C-2 Highway Commercial District. Proposed location is 3002 West D Street more particularly described as a 5.4-acre Tract in the Southwest 1/4, Outlots in Section 30, Township 14 North Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 087000500) at 7:42 P.M.

Council Member Bassett moved to approve the request for a special exception to allow a free-standing off-premise advertising sign on property located in a C-2 Highway Commercial District. Proposed location is 1711 North Spruce Street more particularly described as a 207.7' X 270' tract in the NE ¼ of Section 31, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 088000900). 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 Bassett moved to approve the request for a special exception to outside storage of licensed vehicles on property located in a C-2 Highway Commercial District, on the condition that a 6 foot fence be erected around the proposed outside storage area. Proposed location is 3002 West D Street more particularly described as a 5.4-acre Tract in the Southwest 1/4, Outlots in Section 30, Township 14 North Range 38 West of the 6th P.M., Ogallala, Nebraska. (PARCEL ID# 087000500). Council Member Block 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 Laflan moved to approve the request for approval of Benson Replat of Tracts 3 & 4 of Morrow's Subdivision, located in Section 8, T.13 N., R.38W. of the 6th P.M., Keith County, Nebraska. 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.

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. Kevin Block
  - 1) Chamber of Commerce
- B. Buck Bassett
  - 1) Kenfield Petrified Wood Gallery
- C. Chris Laflan
  - 1) Keith County Area Development
- D. Darryl Weddington
  - 1) West Central Nebraska Joint Housing Authority
- E. 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 8:03 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 April 27, 2021 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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