

# City of Ogallala

411 East 2<sup>nd</sup> Street  
Ogallala, NE 69153  
Phone 308-284-3607  
City Fax 308-284-6565



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**NOVEMBER 12, 2013**

## **AGENDA ATTACHMENTS**

- 2.A. Minutes of the Regular Meeting held October 22, 2013.
- 3.A. &
  - 5.D. Class C Liquor License – 1 Eleven Lounge LLC DBA 1 Eleven Lounge.
- 4.A. Nebraska Public Power District Letter of appreciation.
- 4.B. Adoption Fees at the pound (Tanya Jellison).
- 5.A. Calling Various Purpose Bonds, Series 2008, Dated December 2, 2008. (Res. 1403).
- 5.B. Issuance of General Obligation Refunding Bonds. (Ord. 1306).
- 5.D. Corporate Manager License for Gregory G. Gifford in connection with Class C Liquor License – 1 Eleven Lounge LLC DBA 1 Eleven Lounge.
- 5.E. Financial Report – October 2013.
- 6.B. Community Development – Reaffirming the City of Ogallala’s Obligation to distribute taxes to the Hospital Authority No. 1 of Keith County, Nebraska. (Res. 1404).
- 6.C. O.V.F.D. – Fire Safety and Severe Weather Education Trailer. (Dell Simmerman)
- 6.D. Police – Amending Special Fee Schedule. (Res. 1405).
- 6.E. Planning and Zoning – Deluna’s Subdivision located in the SE Quarter of Section 3, Township 13 North, Range 39, West of the 6<sup>th</sup> P.M.
- 6.F. Street - 2013 Certificate of Compliance – Maintenance Agreement Number 43.
- 6.G. Street – 2014 City Maintenance Agreement No. 43 Renewal.



**MINUTE BOOK**  
CITY OF OGALLALA, NEBRASKA

REGULAR MEETING OF THE CITY COUNCIL

OCTOBER 22, 2013

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 October 2013, at 7:30 o'clock P.M. Present were: President of the Council: Harold Peterson; Council Members: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. Absent: None. City Manager: Aaron Smith; City Clerk-Treasurer: Jane M. 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 October 22, 2013 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 advance 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.

Councilman Block moved to approve the consent agenda. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried and the consent agenda was approved as follows:

- A. Claims.
- B. O.V.F.D. – Resignation of Kelli Iverson.

Claims were approved as follows:

**General Fund:**

St Of Ne-4,048.78-Sit; 125 Plan-558.06-Pretrx; Am Fam Ins-370.45-Ins; Eftps-15,755.94-Fit; Hosp & Med-17,238.54-Ins; ICMA-511.50-Pen; KC Court-283.65-P/R; Manulife-6,343.19-Pen; NE Child Support-25.00-P/R; Pinn Bank-49,226.78-Pp#20; Valley Bank-1,189.00-HSA; 125 Plan-558.06-Pretrx; Eftps-14,884.23-Fit; Hartford Life-1,346.15-Ins; Hosp & Med-17,238.54-Ins; ICMA-511.50-Pen; KC Court-283.65-P/R; Manulife-7,316.74-Pen; NE Child Support-25.00-P/R; Pinn Bank-46,811.35-Pp#21; Valley Bank-1,189.00-HSA; Texas Fire Trucks-225,015.00-Su; Gen Fund-750.00-Su; NE Dept Of Aero-3,190.83-Lease; NE Dept Of Rev-265.90-Sales Tax; Air Bp-11,524.35-Su; EMS Billing-1,436.56-Se; Moul's Modern Bldrs-62,592.00-Su/Se; Olsson Assoc-6,337.36-Se; Almquist,Maltzahn,Gallow-750.00-Se; Telvent Dtn-2,508.00-Su; Telegraph-82.12-Se; United Health Care-416.08-Refund; Lawrence Smith-204.50-Su; Pinn Bank-25.00-Se; Office Serv-(105.09)-Reverse; Visa-1,149.98-Su; 21st Century Equip-51.32-Su; Alco-188.90-Su; Windstream-31.90-Se; Alive Outside-262.94-Su; Napa-229.60-Su; Arnold Pool-202.25-Su; Baltzell-146.98-Se; Battery Junction-82.62-Su; B & D Office-9.89-Su; Bound Tree-528.81-Su; Bruckner-1,263.48-P/R; U-Save Pharm-2.19-Su; Cab Fresh Filter-38.00-Su; Candy Aero-1,000.00-Contract; Charter Comm-54.95-Se; Clia Lab-150.00-Se; True Value-83.26-Su; Cornhusker Glass-222.00-Su/Se; Culligan-111.50-Su/Se; Dlt Solutions-821.78-Su; Dol Gen-75.00-Su; Dp Electronics-467.98-Su; Eakes-388.22-Su; Extreme Mach-117.60-Se; Farmers Coop-9,194.75-Su; John Deere Finan-33.45-Su; Fastenal Co-42.27-Su; Home Pc Sales-96.00-Se; Hood, Tracy-100.00-Su; Humphreys-537.77-Su; Ideal Linen-136.48-Su; Waste Conn-755.26-Se; KC Hosp Auth-39,352.12-Sales Tax; KC News-600.80-Se; KC Sen Center-26.00-Su; KC Treasurer-11,296.82-Se; Kenfield Elec-246.93-Su; Kents Towing-100.00-Se; Kildare-61.38-Su; Sourcegas-2,962.13-Su; Linweld-205.23-Su; Lynn Card Co-35.95-Su; Neopost-375.00-Su; Mcm Truck-370.00-Se; Mcquillan Law-2,780.00-Se; Midwest Turf-153.45-Su; Mid-Am Research-280.89-Su; Mighty Clean Janitorial-70.00-Su; Mobile Mec-135.00-Se; Ne

2A.

**MINUTE BOOK**  
**CITY OF OGALLALA, NEBRASKA**

State Fire Marshall-5.00-Se; NPPD-19,570.00-Se; Office Service-839.77-Su; Banner Health-37.30-Su; Og Feed & Seed-18.97-Su; Og Ready Mix-202.45-Su; Og Water-11,210.70-Su; Scott England-840.00-Su/Se; Olsson Assoc-8,328.00-Se; Oshkosh Cleaners-43.50-Se; P.O.A.N.-165.00-Dues; Pioneer Products-673.35-Su; P.L. Custom Body-118,102.00-Su; Centurylink-884.93-Se; Reams Sprinkler-120.13-Su; Ron Pochon-101.00-Se; Sam's Club-45.00-Dues; Servicemaster-357.00-Se; Shopko-104.99-Su; Zoellner Ford-279.98-Su; T&C Srv-29.69-Su; Twomey Tree Svc-100.00-Su; U S Postal-79.46-Su; Verizon-944.32-Se; Visa-2,343.61-Su; Wingate Inn-179.90-Su;

**Select Flex:**

Rci-170.00-P/R; Rci-264.96-P/R; Rci-40.00-P/R;

**Water Dept:**

Ne Dept Of Rev-11,436.68-Sales Tax; Adams Bank-25.00-Se; Windstream-4.04-Se; Napa-119.44-Su; Bomgaar's-90.94-Su; Cornhusker Glass-106.31-Se; Farmers Coop-1,320.13-Su; Gen Fund-18,826.17-Su; HOA Solutions-19,862.60-Su; Humphreys-20.36-Su; Ideal Linen-138.76-Su/Se; Waste Conn-116.60-Se; Sourcegas-61.15-Su; Lawson Products-196.46-Su; League Of Ne Muni-80.00-Dues; Mcquillan Law-225.00-Se; Midwest Elec-6,416.09-Se; Monument Inn-86.24-Su; Municipal Supply-247.92-Su; Ne Rural Water-100.00-Dues; Ne Printworks-95.98-Su; NPPD-5,492.58-Su; Og Ready Mix-544.90-Su; Og Water-41.36-Su; Olsen's Ag Lab-73.50-Se; One Call-31.50-Su; Centurylink-134.96-Se; Sunmart-26.65-Su; St Of Ne-Dept Health Lab-52.00-Se; Verizon-50.34-Se; Canfield, Dan-48.27-Refund; Evans, Tony-7.59-Refund; Jones, Jerry-117.56-Refund; Pickens, Timothy-75.00-Refund; Seelhoff, Molly-12.92-Refund;

**Sewer Treatment Fund:**

Adams Bank-25.00-Se; Napa-103.83-Su; Aquaplates-46.58-Su; True Value-37.02-Su; Farmers Coop-191.27-Su; Gen Fund-13,587.90-Su; Ideal Linen-40.22-Su/Se; Waste Conn-132.71-Se; Sourcegas-966.55-Su; Lawson Products-143.35-Su; Mcquillan Law-83.00-Se; Mellen & Assoc-1,026.57-Su; Municipal Light-1,500.00-Se; NDEQ-125.00-Dues; NPPD-6,242.99-Su; Og Water-70.65-Su; Scott England-3,747.20-Se; Centurylink-207.42-Se; Sapp Bros-598.50-Su; Verizon-24.48-Se; Visa-50.00-Dues;

**GRC:**

Evans, Patty-(75.00)-Refund; Visa-917.23-Su;

**Youth Committee:**

Visa-29.95-Su;

**Hospital & Medical:**

Rci-12,885.00-Ins; Rci-2,945.94-Ins; Rci-669.51-Ins; Rci-2,665.91-Ins; Rci-2,933.21-Ins;

Councilman Bassett moved to approve the minutes of the regular meeting held October 8, 2013. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Karl Elmshaeuser, and Rodger Rankin. No: None. Absent: None. Abstain: Kevin Block and Harold Peterson. Motion declared carried.

Councilman Block moved to approve the claim payable to Rankin Sales & Service in the amount of \$56.16. Councilman Elmshaeuser seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, and Harold Peterson. No: None. Absent: None. Abstain: Rodger Rankin. Motion declared carried.

Councilman Bassett moved to approve the claim payable to West Central Nebraska Development District in the amount of \$357.50. Councilman Elmshaeuser seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: None. Abstain: Karl Elmshaeuser. Motion declared carried.

Councilman Block moved to approve, first amendment to site lease between the City of Ogallala and CIG Tower LLC. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Bassett moved to approve the CDBG Contract Amendment Request #2 for an additional 120 day extension to the CDBG Contract 10 DTR 108, asking for a contract end date of June 21, 2014, and authorizing the Council President to sign the certification letter

2.A.



**MINUTE BOOK**  
CITY OF OGALLALA, NEBRASKA

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.

\_\_\_\_\_  
Jane M. Skinner  
City Clerk

(S E A L)

**MINUTE BOOK**  
**CITY OF OGALLALA, NEBRASKA**

SUMMARY OF MINUTES OF REGULAR MEETING OF THE OGALLALA CITY  
COUNCIL

HELD AT CITY HALL COUNCIL CHAMBERS 7:30 P.M. OCTOBER 22, 2013

Present were: President of the Council: Harold Peterson; Council Members: Darrell Bassett, Kevin Block, Karl Elmshaeuser, and Rodger Rankin. Absent: None. City Manager: Aaron Smith; City Clerk-Treasurer: Jane Skinner; City Attorney: Michael McQuillan.

Moved to approve the consent agenda. Carried and the consent agenda was approved as follows:

- A. Claims.
- B. O.V.F.D. – Resignation of Kelli Iverson.

Claims were approved as follows:

**General Fund:**

St Of Ne-4,048.78-Sit; 125 Plan-558.06-Pretx; Am Fam Ins-370.45-Ins; Eftps-15,755.94-Fit; Hosp & Med-17,238.54-Ins; ICMA-511.50-Pen; KC Court-283.65-P/R; Manulife-6,343.19-Pen; NE Child Support-25.00-P/R; Pinn Bank-49,226.78-Pp#20; Valley Bank-1,189.00-HSA; 125 Plan-558.06-Pretx; Eftps-14,884.23-Fit; Hartford Life-1,346.15-Ins; Hosp & Med-17,238.54-Ins; ICMA-511.50-Pen; KC Court-283.65-P/R; Manulife-7,316.74-Pen; NE Child Support-25.00-P/R; Pinn Bank-46,811.35-Pp#21; Valley Bank-1,189.00-HSA; Texas Fire Trucks-225,015.00-Su; Gen Fund-750.00-Su; NE Dept Of Aero-3,190.83-Lease; NE Dept Of Rev-265.90-Sales Tax; Air Bp-11,524.35-Su; EMS Billing-1,436.56-Se; Moul's Modern Bldrs-62,592.00-Su/Se; Olsson Assoc-6,337.36-Se; Almqvist,Maltzahn,Gallow-750.00-Se; Telvent Dtn-2,508.00-Su; Telegraph-82.12-Se; United Health Care-416.08-Refund; Lawrence Smith-204.50-Su; Pinn Bank-25.00-Se; Office Serv-(105.09)-Reverse; Visa-1,149.98-Su; 21st Century Equip-51.32-Su; Alco-188.90-Su; Windstream-31.90-Se; Alive Outside-262.94-Su; Napa-229.60-Su; Arnold Pool-202.25-Su; Baltzell-146.98-Se; Battery Junction-82.62-Su; B & D Office-9.89-Su; Bound Tree-528.81-Su; Bruckner-1,263.48-P/R; U-Save Pharm-2.19-Su; Cab Fresh Filter-38.00-Su; Candy Aero-1,000.00-Contract; Charter Comm-54.95-Se; Clia Lab-150.00-Se; True Value-83.26-Su; Cornhusker Glass-222.00-Su/Se; Culligan-111.50-Su/Se; Dlt Solutions-821.78-Su; Dol Gen-75.00-Su; Dp Electronics-467.98-Su; Eakes-388.22-Su; Extreme Mach-117.60-Se; Farmers Coop-9,194.75-Su; John Deere Finan-33.45-Su; Fastenal Co-42.27-Su; Home Pc Sales-96.00-Se; Hood, Tracy-100.00-Su; Humphreys-537.77-Su; Ideal Linen-136.48-Su; Waste Conn-755.26-Se; KC Hosp Auth-39,352.12-Sales Tax; KC News-600.80-Se; KC Sen Center-26.00-Su; KC Treasurer-11,296.82-Se; Kenfield Elec-246.93-Su; Kents Towing-100.00-Se; Kildare-61.38-Su; Sourcegas-2,962.13-Su; Linweld-205.23-Su; Lynn Card Co-35.95-Su; Neopost-375.00-Su; Mcm Truck-370.00-Se; Mcquillan Law-2,780.00-Se; Midwest Turf-153.45-Su; Mid-Am Research-280.89-Su; Mighty Clean Janitorial-70.00-Su; Mobile Mec-135.00-Se; Ne State Fire Marshall-5.00-Se; NPPD-19,570.00-Se; Office Service-839.77-Su; Banner Health-37.30-Su; Og Feed & Seed-18.97-Su; Og Ready Mix-202.45-Su; Og Water-11,210.70-Su; Scott England-840.00-Su/Se; Olsson Assoc-8,328.00-Se; Oshkosh Cleaners-43.50-Se; P.O.A.N.-165.00-Dues; Pioneer Products-673.35-Su; P.L. Custom Body-118,102.00-Su; Centurylink-884.93-Se; Reams Sprinkler-120.13-Su; Ron Pochon-101.00-Se; Sam's Club-45.00-Dues; Servicemaster-357.00-Se; Shopko-104.99-Su; Zoellner Ford-279.98-Su; T&C Srv-29.69-Su; Twomey Tree Svc-100.00-Su; U S Postal-79.46-Su; Verizon-944.32-Se; Visa-2,343.61-Su; Wingate Inn-179.90-Su;

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Moved to approve the minutes of the regular meeting held October 8, 2013. Carried.

Moved to approve the claim payable to Rankin Sales & Service in the amount of \$56.16. Carried.

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Moved to approve the CDBG Contract Amendment Request #2 for an additional 120 day extension to the CDBG Contract 10 DTR 108, asking for a contract end date of June 21, 2014, and authorizing the Council President to sign the certification letter in regard to the same. Carried.

Moved to approve Amendment No. 1 to the Business Façade Improvement Loan Program Guidelines, extending the construction time frame completion date to June 1, 2014, and authorizing the Council President to sign off on the same. Carried.

Moved to approve the project contract award to Weathercraft Companies for the replacement of the Goodall Recreation Center roof in the amount of \$89,926.00. Carried.

Moved to approve the Sale of Pumper Truck #30 (1986 Ford D80) to Keystone Lemoyne Fire Department, pending approval by the city manager. Carried.

City Manager Aaron Smith introduced the new Street Superintendent, Richard Brown.

The City Council gave updates regarding their committee assignments as follows:

- A. Chamber of Commerce – Kevin Block.
- B. Keep Keith County Beautiful – Buck Bassett.
- C. Keith County Area Development – Karl Elmshaeuser.
- D. Ogallala Community Hospital Advisory Board – Karl Elmshaeuser.

Moved to adjourn at 8:03 P.M. Carried.

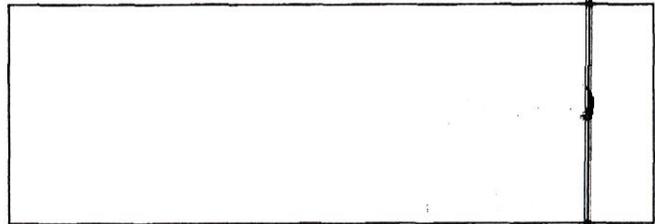
Jane M. Skinner, City Clerk

Harold L. Peterson, Council President

2.A.

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov/



**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK BUSINESS CLASS**

RETAIL LICENSE(S) Application Fee \$400 (non refundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- ID BEER, WINE, DISTILLED SPIRITS ON AND OFF SALE

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31  
All other licenses run from May 1 – April 30  
Catering license (K) expires same as underlying retail license

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)  
Commission will call this person with any questions we may have on this application**

Name GARY KRAJEWSKI Phone number: 308-284-3974

Firm Name KRAJEWSKI LAW OFFICE

**PREMISE INFORMATION**

Trade Name (doing business as) 1 ELEVEN LOUNGE

Street Address #1 111 EAST 1ST STREET

Street Address #2 \_\_\_\_\_

City OGALLALA

County KEITH

Zip Code 69153

Premise Telephone number 308-284-4024

E-mail \_\_\_\_\_

Is this location inside the city/village corporate limits:

YES

NO

Mailing address (where you want to receive mail from the Commission)

Name 1 ELEVEN LOUNGE C/O GREGORY G. GIFFORD

Street Address #1 405 MICHAELS STREET

Street Address #2 \_\_\_\_\_

City NORTH PLATTE

State NE

Zip Code 69101

**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**

**READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

**\*\*For on-premise consumption liquor licenses minimum standards must be met by providing at least two restrooms**

Length 23 feet

Width 56 feet

Is there a basement? Yes  No

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

*One story bldg approx 23' x 56'*  
*OK per phone gregory 10/8/13*

Ladies Bathroom

Mens Bathroom

Storage

Exit door

Back Bar Area

Seating

Building is

23' X 56'

Exhibit 1

1

Storage

Walk in cooler

Seating

Exit door

3 A.C.  
5 C.

**APPLICANT INFORMATION**

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES  NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
GREGORY GIFFORD			SEE ATTACHED NCJIS	

2. Are you buying the business of a current retail liquor license?

YES  NO

If yes, give name of business and liquor license number KINTZE'S 063365  
 a) Submit a copy of the sales agreement  
 b) Include a list of alcohol being purchased, list the name brand, container size and how many  
 c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

YES  NO

If yes, give name and license number KINTZE'S 063365

4. Are you filing a temporary operating permit to operate during the application process?

YES  NO

If yes:  
 a) Attach temporary operating permit (T.O.P.) (form 125)  
 b) T.O.P. will only be accepted at a location that currently holds a valid liquor license.

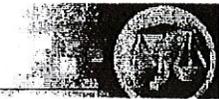
5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

3A  
 5C

**NCJIS**



# NEBRASKA DMV INFORMATION

Data provided by Nebraska DMV Administration as of 9/4/2013 4:36:52 PM

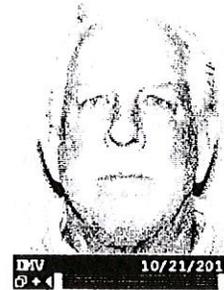
Because additions or deletions may be made at any time, a new copy should be requested from DMV to guarantee accuracy and currency.

Driver's License Number: G15028873 License Type License Status  
 Driver's Name: GIFFORD, GREGORY, G CDL DISQUALIFIED  
 Issue Date: 10/21/2011  
 Duplicate Issue Date:  
 Expiration Date: 07/14/2016  
 Active Permits:

**DEMOGRAPHIC INFORMATION**

Gender: MALE Address: 405 MICHAEL AVE  
 Race: WHITE NORTH PLATTE, NE 69101  
 Height: 5' 11"  
 Weight: 210 lbs  
 Eye Color: BLU  
 Hair Color: BLN

Alias: GIFFORD, GREGORY, G DOB: 07/14/1956



**LICENSE INFORMATION**

License Class: PASSENGER Restrictions:  
 Last CDL Class: A CDL Only Restrictions:  
 State of Record: Y V Restriction Area:  
 CDL Begin Date: 08/23/1996 X Restriction Speed:  
 CDL End Date: 10/21/2011 Z Restriction Special:  
 Military Card: Bioptic Lenses:  
 Endorsements:  
 Previous License State:  
 Previous License Number:  
 Surrendered to State:  
 Surrendered to License Number:

**CDL Self Certify**

**CONVICTION INFORMATION**

Citation Date: 11/09/2010 Enter/Modify Date: 10/07/2011  
 Citation Number: A2005618 Probation Release Date: 07/07/2012  
 Conviction Date: 10/07/2011 Probation Term: MONTH  
 Conviction Offense: DRV U/INFL-1ST Probation Time: 9  
 Points: 6 Withdrawal Type: IMPOUNDMENT  
 Conviction Setaside Date: Withdrawal Term: DAY  
 Commercial Vehicle: Withdrawal Time: 60  
 Hazardous Material: Withdrawal Date: 10/07/2011  
 Offense Reference: Eligibility Date: 10/07/2011  
 Locator Reference: Reinstatement Date:  
 Court Type: COC Jail Sentence Term: DAY  
 Court Location: LINCOLN Jail Sentence Time: 7  
 Jurisdiction State: NE Fine Amount: 815  
 Nebraska Use: Y

Citation Date: 12/30/2000 Enter/Modify Date: 05/31/2001  
 Citation Number: A1143718 Probation Release Date: 11/30/2001  
 Conviction Date: 05/31/2001 Probation Term: MONTH  
 Conviction Offense: DRV U/INFL-1ST Probation Time: 6  
 Points: 6 Withdrawal Type: IMPOUNDMENT  
 Conviction Setaside Date: Withdrawal Term: DAY  
 Commercial Vehicle: Withdrawal Time: 60  
 Hazardous Material: Withdrawal Date: 05/31/2001  
 Offense Reference: Eligibility Date: 07/16/2001  
 Locator Reference: Reinstatement Date:

3A &  
5C

Court Type: COC Jail Sentence Term:  
 Court Location: LINCOLN Jail Sentence Time:  
 Jurisdiction State: NE Fine Amount: 448  
 Nebraska Use: Y

Citation Date: 01/28/1993 Enter/Modify Date: 02/11/1993  
 Citation Number: 0800494 Probation Release Date: 08/01/1993  
 Conviction Date: 02/01/1993 Probation Term: MONTH  
 Conviction Offense: DRV U/INFL-1ST Probation Time: 6  
 Points: 6 Withdrawal Type: IMPOUNDMENT  
 Conviction Setaside Date: Withdrawal Term: DAY  
 Commercial Vehicle: Withdrawal Time: 60  
 Hazardous Material: Withdrawal Date: 02/01/1993  
 Offense Reference: Eligibility Date: 04/02/1993  
 Locator Reference: Reinstatement Date:  
 Court Type: COC Jail Sentence Term:  
 Court Location: LINCOLN Jail Sentence Time:  
 Jurisdiction State: NE Fine Amount: 200  
 Nebraska Use: Y

Extent Code: CDL ONLY Withdrawal Date: 10/12/2011  
 Reason Code: DIS/R DUI-1YR Optional Data: 11/09/2010  
 Type Code: DISQUALIFICATION  
 Eligibility Date: 10/12/2012  
 Jurisdiction: NE  
 Reinstatement Date:

Extent Code: ALL Withdrawal Date: 01/29/2001  
 Reason Code: ADMIN LIC REVO-1ST Optional Data: 12/30/2000  
 Type Code: REVOCATION  
 Eligibility Date: 04/29/2001  
 Jurisdiction: NE  
 Reinstatement Date: 04/24/2003

REDISSEMINATION OF THIS RECORD IS STRICTLY PROHIBITED.

This record is for investigatory purposes only. This is a response to a name based query and may not accurately reflect the driver history of the person being investigated. A fingerprint comparison must be completed to ensure the integrity of this information.

The use of this record is controlled by state and federal regulations. It is provided for OFFICIAL USE ONLY, and may be used only for this purpose.

**DMV Photo - Electronic Verification that the Request is for a Permitted Use Before Allowing Access**

State and federal laws restrict the release, use, and redisclosure of driver and vehicle record information. Access to driver and vehicle records maintained by the State of Nebraska is conditioned on the user agreeing to abide by all state and federal laws governing driver and vehicle record information.

The personal information [individual's driver identification number (driver's license number, license plate number or title number), name and address excluding zip code] contained on the driver or vehicle record(s) you are accessing is protected by the Nebraska Uniform Motor Vehicle Records Disclosure Act and may be used or redisclosed only for uses permitted.

**Limitations of permitted uses for personal information.** Any user shall only release personal information from a motor vehicle record, upon the verification of identity of a requester and for the following purpose: *use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions. Knowingly disclosing or knowingly permitting disclosure in violation of the law is a Class I misdemeanor.*

**The digital images and signatures are subject to the following limitations:** No law enforcement officer shall release a digital image or a digital signature except to a federal, state, or local law enforcement agency or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release. Any law enforcement officer, or agent, employee, or contractor of a law enforcement agency who knowingly discloses or knowingly permits disclosure of a digital image or digital signature in violation of the law shall be guilty of a Class IV felony and shall be subject to removal from office or discharge in the discretion of the Governor or agency head, as appropriate.

By accessing driver or vehicle records, user agrees to indemnify the State of Nebraska for any claims, losses, causes of action, fines or judgments and all incident expenses arising out of injuries to persons and for loss or damage to property which is proximately caused by the user's access to driver or vehicle records.

Persons disagreeing with these conditions shall not be granted access to any motor vehicle records.

By accessing DMV photos through NCJIS, I agree that my use is a permitted use and I accept the terms and conditions for access.

3A.9  
SC.

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DEPT OF TRANSPORTATION  
SEP 2 0 2013  
COMMUNICATIONS SECTION

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (All involved persons must be disclosed on application)

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner.

8. Is premise to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

**ADAMS BANK AND TRUST, OGALLALA NE. GREGORYG. AND JUDY M. GIFFORD**

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

**ROYAL BUFFET AND LOUNGE, C-73274, NORTH PLATTE NE. BUSINESS SOLD**

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- a) Individual, applicant only (no spouse)
  - b) Partnership, all partners (no spouses)
  - c) Corporation, manager only (no spouse) as listed on form 3c
  - d) Limited Liability Company, manager only (no spouse) as listed on form 3c
- Needs training*

Applicant Name	Date Trained (mm/yyyy)	Name of program where trained (name, city)
GREGORY GIFFORD	08-2006	NORTH PLATTE POLICE DEPT.

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

- Lease: expiration date \_\_\_\_\_
- Deed
- Purchase Agreement

14. When do you intend to open for business? AS SOON AS LICENSE IS GRANTED

15. What will be the main nature of business? LOUNGE

16. What are the anticipated hours of operation? 5:00 P.M. -12:30 A.M. 6 DAYS A WEEK. CLOSED TUESDAYS

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
GREGORY G. GIFFORD	5-81	TODAY	JUDY M. GIFFORD	5-81	TODAY
NORTH PLATTE NE			NORTH PLATTE NE		

If necessary attach a separate sheet.

*3A & 5.C.*

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued based on the information submitted in this application is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures.  
<http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>

Gregory G. Gifford  
 Signature of Applicant

Judy M. Gifford  
 Signature of Spouse

\_\_\_\_\_  
 Signature of Applicant

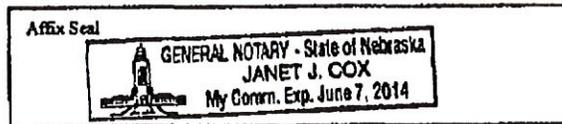
\_\_\_\_\_  
 Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska  
 County of Lincoln  
10-9-13  
 date

The foregoing instrument was acknowledged before me this  
 by Gregory G. Gifford & Judy M. Gifford  
 name of person acknowledged

Janet J. Cox  
 Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
 A ten day advance period is required in writing to produce the alternate format.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

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Must be signed in the presence of a notary public by applicant(s) and spouse(s) See guideline for required signatures.  
<http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>

  
Signature of Applicant

  
Signature of Spouse

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

ACKNOWLEDGEMENT

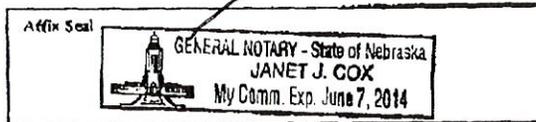
State of Nebraska  
County of Lincoln

Sept 25 2013  
date

The foregoing instrument was acknowledged before me this

Janet J. Cox  
name of person acknowledged

Janet J. Cox  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format.

3A:  
56.



**Nebraska Public Power District**  
"Always there when you need us"

Received  
9/25/13

September 24, 2013

Mayor Harold Peterson  
City of Ogallala  
411 East 2<sup>nd</sup> Street  
Ogallala, Nebraska 69153

Honorable Mayor Peterson:

Nebraska Public Power District's slogan is "Always There When You Need Us." We believe in that philosophy and strive to make sure that in every facet of our operation, we will be there to help.

During the recent flooding along the South Platte River and in Ogallala, we found that the support of the City of Ogallala, particularly the assistance of City Clerk Jane Skinner, played an important role in being there when we needed assistance. When it appeared that our facilities in the community could potentially be impacted by the flood waters coming out of Colorado, the City of Ogallala was there to help us.

In order to remain accessible to our customers in the area, city officials made available office space on a temporary basis to continue to provide on-going customer service. Much of this was on short notice, but having that available space allowed NPPD to maintain service to our customers, and at the same time allowed us the ability to protect our facility against any flooding, and not potentially put our employees and customers in harm's way.

While it was only a temporary, but short stay, we sincerely appreciate the effort put forth by the City of Ogallala to help us by allowing us the room to continue to serve the public, which is the backbone of public power in Nebraska.

Again, my sincere thanks to city officials for their assistance during a very trying time for everyone involved.

Sincerely,

Tim Arlt  
General Manager of Retail

Cc: Brian Vasa  
Robyn Tweedy

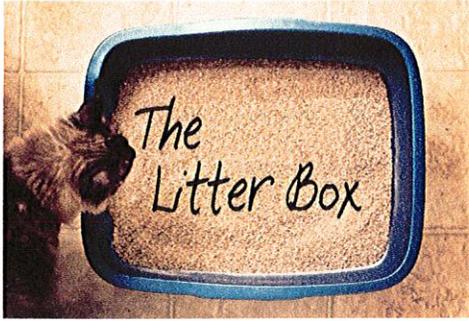
received  
11/6/13

CITY OF OGALLALA, NEBRASKA  
REQUEST TO BE PLACED ON THE AGENDA

Date Submitted:	November 6, 2013
Submitted By: Dept. &/or Name Address Phone Number	Tanya Jellison The Litter Box 280-0407
Persons Attending Meeting:	Tanya Jellison
Information or Material to be Distributed to Council:	<input checked="" type="checkbox"/> YES - Material is attached to this request. <input type="checkbox"/> YES - Material will be distributed at Council meeting. <input type="checkbox"/> NO - There is no material to be distributed.
Agenda Topic / Description:	Adoption Fees at the pound
Comments:	

<b>THE REMAINDER OF THE FORM IS TO BE COMPLETED BY CITY PERSONNEL.</b>	
Reason for Council Action:	
Type of Action:	<input type="checkbox"/> ORDINANCE - Number _____ <input type="checkbox"/> RESOLUTION - Number _____ <input type="checkbox"/> MOTION. <input type="checkbox"/> NONE.
Suggested Motion:	
Time Issues:	
Financial Issues:	
People/Business Issues:	
Dept. Supervisor Comments:	
City Manager Comments:	
City Attorney Comments:	

4.B.



PO Box 102  
Ogallala, NE 69153  
(308) 280-0407

November 5, 2013

Ogallala City Council  
411 East 2nd  
Ogallala, NE 69153

Re: Proposed Change to Adoption Fees

During the week of October 21, the pound impounded 6 14-16 week old kittens. While helping Officer Troxel place some of these kittens, I learned about the fee process for adoption.

One woman came in to adopt a kitten and was charged \$61, a \$35 adoption fee plus a \$26 licensing fee. She was charged a \$35 adoption fee for a kitten that had fleas, had worms, wasn't vaccinated, and wasn't spayed. She was then charged \$26 to license the animal in city limits because it wasn't spayed. Of course it wasn't spayed, she was just adopting it from the pound. While I acknowledge there are costs to the pound that need to be recouped, charging such a high amount isn't going to encourage adoption of animals that need helped and need saved.

That woman easily could have walked out the door, gone to swap shop or facebook and picked up a 'free' kitten that same day. That isn't good for anyone. The city would have eventually incurred a \$25 euthanization fee, or the kitten would have been farmed, most likely resulting in her death. On top of that, someone who didn't spay their cat would continue to think that getting rid of kittens is 'easy' so why spay their pet.

I would like to propose the following fee change to encourage more in-town adoptions. A \$20 flat adoption fee, and that fee includes the first licensing. It simplifies the process, it allows for one set fee without layering costs to the adoption process, and it makes the adoption process affordable.

During 2011-2012 there were 32 cats euthanized resulting in a cost of approximately \$800 to the city. If we could have adopted half of those cats out at the proposed \$20 flat fee, we would have incurred \$400 in costs and \$320 in revenue resulting in a \$80 cost versus a \$800 cost.

During 2011-2012 there were 62 cats adopted. While it is easy to get excited about that number, I believe 2/3 of the cats were farmed not resulting in any city revenue but resulting ultimately in a free euthanizing process. If half of those 2/3, or 20 cats, could have been adopted we could have received another \$400 in revenue and saved some cat's lives.

I realize we are talking about hundreds of dollars over a multimillion dollar budget. I am trying to show that lowering the adoption fee and making it simpler won't cost the city more money and it will hopefully save some furry lives.

Additionally, I would like to encourage spaying and neutering upon adoption, but I don't have an answer for that process. I know North Platte requires the animal to immediately go to the vet before it is allowed to go home. While that is effective, I don't think we are in position for something like that yet.

Cats from the pound are strays, they need medical attention. Almost all have worms from living outside, most have fleas, and many have eye problems or. This doesn't make them bad cats, they are just down on their luck and need someone to take care of them. I would like to try and increase the adoption rate but at the same time, not cost the city any more money.

Sincerely,

Tanya Jellison

4.B.

Hourly Weather F... x (7) Tanya Jellison... x City of Ogallala M... x (7) Candy Crush S... x A NSAA Class D Stat... x (7) Renee Robb Z... x Special Fees, Alf... x

www.ogallala-ne.gov/forms\_and\_documents/special\_fees\_list.php#ANIMALLICENSE

Facebook NE CO Pets A Draw Track A Draw XC A XC Grants Misc Trap Shoot catvets Kitten-Rescue.com Other adoption opti... Ogallala Public Scho... Other bookmarks

Top Of Page

ANIMAL LICENSE FEES/POLICE FEES	CASH ONLY
Spayed Female Dog Or Cat *	\$11.00
Neutered Male Dog Or Cat *	\$11.00
Unspayed Female Dog Or Cat *	\$26.00
Non-Neutered Dog Or Cat *	\$26.00
Replacement tag	\$5.00
Animal Care Fee	\$10.00/Day
Animal Impoundment/Release First Offense	\$35.00
Second Offense	\$50.00
Third & Subsequent Offenses	\$100.00
* Biennial	
Adoption Fee (May be waived by Chief of Police)	\$20.00
Accident/Criminal Reports	
Copy--Accident Report (Picked Up)	\$2.00
Copy--Accident Report (Mailed or Faxed)	\$4.00
Copy--Criminal Report Face Sheet (Picked Up)	\$1.00
Copy--Criminal Report Face Sheet (Mailed or Faxed)	\$2.00

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Show all downloads... x

8:50 PM 10/25/2013

100% battery icon

Wi-Fi, cellular signal, and other system icons

Taskbar icons: Internet Explorer, Google Chrome, File Explorer, etc.

4.B.

abandoned or is being cruelly neglected or cruelly mistreated may issue a citation to the owner as prescribed by law.

(3) Any law enforcement officer acting under this section shall not be liable for damage to property if such damage is not the result of the officer's negligence.

Statutory reference: Neb. RS 28-1012.

Historical reference: Ord. 951, passed 12-11-90.

**3-113. Interference with police.**

It shall be unlawful for any person to hinder, delay, or interfere with any municipal police officer who is performing any duty enjoined upon him or her by the provisions of this chapter or to break open or in any manner directly or indirectly aid, counsel, or advise the breaking open of the animal shelter, or any vehicle used for the collecting or conveying of animals to the shelter.

Statutory reference: Neb. RS 28-906.

**ARTICLE 2  
LICENSE REQUIREMENTS.**

Section.

3-201. License requirements.

**3-201. License requirements.**

Any person owning, keeping, harboring, having custody or control over a dog or cat over four months of age within the City, must obtain a license as herein provided:

(1) A license shall be issued only after payment of a fee herein specified and written application, on a form provided by the Chief of Police, which shall include the name, address, and telephone number of the applicant, a description of the dog or cat, proof of vaccination against rabies within twenty-four months.

(2) Application for a license shall be made within 30 days after a dog or cat attains the age of four months or within 30 days after the first day a dog or cat over the age of four months is owned, kept or harbored within the City.

(3) Unless revoked, a license shall be valid for two years from the date of issue.

(4) Upon proper application and payment of the applicable fee the City shall issue a suitable license tag bearing an identification number which shall be public record.

(5) License tags shall be affixed to the collar or harness and worn by the dog or cat when off the premises of the owner.

(6) No person shall place a license tag on any dog or cat other than the dog or cat for which the tag was issued.

Statutory reference: Neb. RS 16-206.

**ARTICLE 3  
ANIMALS AND FOWL**

Section.

3-301. Animals and fowl.

4.B.

**RESOLUTION NO. 1403**  
**CITY OF OGALLALA, NEBRASKA**

**A RESOLUTION CALLING VARIOUS PURPOSE BONDS, SERIES 2008, DATED  
DECEMBER 2, 2008.**

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF  
THE CITY OF OGALLALA, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on December 17, 2013, after which date interest on the bonds will cease:

Various Purpose Bonds, Series 2008, dated December 2, 2008, in the principal amount of \$715,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$55,000	December 1, 2014	676271 DS5
60,000	December 1, 2015	676271 DT3
60,000	December 1, 2016	676271 DU0
65,000	December 1, 2017	676271 DV8
70,000	December 1, 2018	676271 DW6
75,000	December 1, 2019	676271 DX4
75,000	December 1, 2020	676271 DY2
80,000	December 1, 2021	676271 DZ9
85,000	December 1, 2022	676271 EA3
90,000	December 1, 2023	676271 EB1

Section 2. These bonds are to be paid at the office of the City Treasurer in Ogallala, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(SEAL)

5.A.

**DRAFT COPY ONLY**

ORDINANCE NO. 1306

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF OGALLALA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF SEVENTY HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$725,000) TO REFINANCE CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS TO THE EXTENT NOT PAID FROM OTHER SOURCES; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF OGALLALA, NEBRASKA:

Section 1. The Mayor and Council find and determine:

(a) that the City has heretofore issue interest-bearing bonds, which remain unpaid and constitute a legal liability against the City as follows:

Various Purpose Bonds, Series 2008, dated December 2, 2008, in the outstanding principal amount of \$715,000, (the "Outstanding Bonds"); that by taking up and paying off such Outstanding Bonds by an issue of Refunding Bonds of the City, a substantial savings in the amount of yearly running interest will be made to the City;

(b) that by issuing its refunding bonds in the amount of \$725,000 together with a deposit of other available funds of the City, the Outstanding Bonds can be taken up and paid off on December 17, 2013, and have been called for redemption on said date; and

(c) that all conditions, acts and things required by law to exist or to be done precedent to the issuance of general obligation water refunding bonds in the amount of \$725,000 pursuant to Section 10-142, R.R.S. Neb. 2012, as amended, do exist and have been done in due form and time as required by law.

Section 2. For purposes as set out in Section 1 hereof, there shall be and there are hereby ordered issued General Obligation Refunding Bonds, to bear date of original issue of December 17, 2013, and to be in fully registered form (the "Bonds"). The Bonds shall bear interest at the rates per annum and mature on December 1 of each year in the principal amounts as follows:

**DRAFT COPY ONLY**

<u>Principal Amount</u>	<u>Maturing on December 1 of Year</u>	<u>Interest Rate Per Annum</u>
\$60,000	2014	
60,000	2015	
65,000	2016	
65,000	2017	
70,000	2018	
75,000	2019	
75,000	2020	
80,000	2021	
85,000	2022	
90,000	2023	

The Bonds shall be issued in the denomination of \$5,000 or any integral multiple thereof and shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchasers thereof. Interest on the Bonds shall be computed on the basis of a three hundred sixty day year consisting of twelve thirty-day months. Interest on the Bonds shall be payable semiannually on June 1 and December 1 of each year, starting June 1, 2014 (each such date, an "Interest Payment Date"). The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day of the calendar month immediately preceding the calendar month in which the Interest Payment Date occurs (the "Record Date"), subject to the provisions of Section 3 hereof. Payment of interest due on the bonds prior to maturity or redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check in the amount due for such interest on each Interest Payment Date to the registered owner of each bond, as of the applicable Record Date, to such owner's registered address as shown on the books of registration, as required to be maintained in Section 3 hereof. Payment of principal due at maturity or at any date fixed for redemption, together with any accrued interest then due, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the bonds to said Paying Agent and Registrar. In the event that bonds of this issue are held in the nominee name of a national clearinghouse or depository, payment of principal or interest shall be made by wire transfer of funds in accordance with any applicable regulations governing "Depository Eligible Securities". The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary whether such bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any bond shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the bonds or claims for interest to the extent of the sum or sums so paid. If any Bond is not paid upon presentation of the bond at maturity or any interest installment is not paid when due, the delinquent Bond or delinquent interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska, 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature.

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Section 3. The City Treasurer is hereby designated as Paying Agent and Registrar for the Bonds, provided that the Mayor and Council reserve the right, in their discretion, to appoint a bank with trust powers or trust company to serve as Paying Agent and Registrar under the terms of this Ordinance as may be determined from time to time. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at the office of the Paying Agent and Registrar in Ogallala, Nebraska or the principal corporate trust office of any duly-appointed successor, as applicable. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar upon surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to such Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar will register such transfer upon said registration books and deliver to the transferee registered owner or owners (or send by registered mail to the transferee owner or owners at such owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this ordinance, one Bond may be transferred for several such Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond or Bonds shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the Bonds surrendered and shall be entitled to all benefits and protection of this ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and the Paying Agent and Registrar shall not be required to transfer Bonds during any period from any Record Date until its immediately following interest payment. In the event that payments of interest due on the Bonds on an interest payment date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such interest payment date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 4. Bonds maturing on or after December 1, 2019 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after December 17, 2018, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the bonds to be redeemed from such optional redemption in its sole discretion but bonds shall be redeemed only in the amount of \$5,000 or integral multiples thereof. Notice of redemption of any bond called for redemption shall be given at the direction of the Mayor and Council by the Paying Agent and Registrar by mail not less than thirty days prior to the date fixed for redemption, first class postage prepaid, sent to the registered owner of such bond at said owner's registered address. Such notice shall designate the bond or bonds to be redeemed by number and maturity, the date of original issue, the date fixed for redemption and state that such bond or bonds are to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any bond partially redeemed, such notice shall specify the portion of the principal amount of such bond to be redeemed. No defect

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in the mailing of notice for any bond shall affect the sufficiency of the proceedings of the Mayor and Council designating the bonds called for redemption or the effectiveness of such call for bonds for which notice by mail has been properly given and the Mayor and Council shall have the right to further direct notice of redemption for any such bond for which defective notice has been given.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be executed on behalf of the City by being signed by the Mayor and the City Clerk, both of which signatures may be facsimile signatures, and shall have the City seal impressed on each Bond, which may be a facsimile seal. The City Clerk shall make and certify a transcript of proceedings had and done precedent to the issuance of said Bonds which shall be delivered to the purchaser of said Bonds. After being executed by the Mayor and City Clerk, said Bonds shall be delivered to the Treasurer of the City who shall be responsible therefor under his/her official Bond. Such Treasurer shall maintain a record of information with respect to said Bonds in accordance with the requirements of Section 10-140, R.R.S. Neb. 2012, as amended, and shall cause the same to be filed with the office of the Auditor of Public Accounts of the State of Nebraska. The Paying Agent and Registrar shall register each Bond in the name of its initial registered owner as designated by the initial purchaser. Each Bond shall be authenticated on behalf of the City by the Paying Agent and Registrar. The Bonds shall be issued initially as “book-entry only” bonds using the services of The Depository Trust Company (the “Depository”), with one typewritten Bond per maturity being issued to the Depository. In such connection said officers of the City are authorized to execute and deliver a letter of representations and inducement (the “Letter of Representations”) in the form required by the Depository (which may include any “blanket” letter previously executed and delivered), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon issuance of the Bonds as “book-entry-only” bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a “Bond Participant”) or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each a “Beneficial Owner”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds;

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(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable to or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the ultimate Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

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(i) any successor securities depository or its nominee;

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement (if any).

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication.

Section 7. The Bonds shall be in substantially the following form:

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UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
COUNTY OF KEITH  
CITY OF OGALLALA

No. GENERAL OBLIGATION REFUNDING BOND

<u>Interest Rate</u> %	<u>Maturity Date</u> December 1, ____	<u>Date of Original Issue</u> December 17, 2013	<u>CUSIP No.</u>
---------------------------	--	--	------------------

Registered Owner: \_\_\_\_\_

Principal Amount: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Ogallala, in the County of Keith, in the State of Nebraska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above the principal amount specified above in lawful money of the United States of America on the maturity date specified above, with interest thereon from date of original issue specified above or most recent interest payment date to which interest has been paid or provided for, whichever is later, to maturity (or earlier redemption) at the rate per annum specified above. Interest shall be payable semiannually on the first day of June and December in each year, starting June 1, 2014. Interest shall be computed on the basis of a three hundred sixty day year consisting of twelve thirty-day months. If this bond is not paid upon presentation at maturity or any interest installment hereon is not paid when due, the bond or interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature. The interest hereon due prior to maturity shall be paid on each interest payment date by the City Treasurer, as Paying Agent and Registrar for the City by wire transfer (but only in accordance with the limited terms of the authorizing ordinance), check or draft mailed to the registered owner hereof, as shown on the records of the Paying Agent and Registrar as of the close of business on the fifteenth day of the calendar month immediately preceding the month in which the interest payment date occurs, at such owner's registered address as it appears on the books of registration of the City. The principal of this bond and the interest due at maturity are payable on presentation and surrender to said Paying Agent and Registrar at the office of the Paying Agent and Registrar in Ogallala, Nebraska or the principal corporate trust office of any duly-appointed successor, as applicable. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, principal and interest as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

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The City, however, reserves the right and option of paying bonds of this issue maturing on or after December 1, 2019, in whole or in part, on December 17, 2018, or at any time thereafter, at the principal amount thereof plus accrued interest to the date fixed for redemption. Notice of any such redemption shall be given by mail, sent to the registered owner of any bond to be redeemed at said registered owner's address in the manner provided in the ordinance authorizing said bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof. Any bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new bond or bonds evidencing the unredeemed principal thereof.

This bond is one of an issue of fully registered bonds of the total principal amount of \$725,000, of like tenor herewith except as to denomination, date of maturity and rate of interest issued by the City for the purpose of refunding the City's outstanding Various Purpose Bonds, Series 2008, dated December 2, 2008, in the outstanding principal amount of \$715,000 in full compliance with Sections 10-142, Reissue Revised Statutes of Nebraska, 2012. This bond and the others of this issue have been duly authorized by an Ordinance duly passed and approved by the Mayor and Council of the City.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, its Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC

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OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitations imposed by law. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in said City, in addition to all other taxes, sufficient in rate and amount to pay the interest on this bond when and as the same becomes due and to create a sinking fund to pay the principal of this bond when the same becomes due, to the extent not paid from other sources, including revenues of the City's waterworks plant and distribution system.

IN WITNESS WHEREOF, the Mayor and Council of the City of Ogallala, Nebraska, have caused this bond to be executed on behalf of the City by being signed by the Mayor and Clerk of the City, both of which signatures may be facsimile signatures, and by causing the official seal of the City to be affixed hereto which may be a facsimile seal, all as of the date of original issue shown above.

CITY OF OGALLALA, NEBRASKA

By \_\_\_\_\_ (Sample - Do Not Sign)  
Mayor

ATTEST:

\_\_\_\_\_  
(Sample- Do Not Sign)  
City Clerk

(S E A L)

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds authorized by an ordinance passed and approved by the Mayor and Council of the City of Ogallala as described in said bonds.

\_\_\_\_\_  
(Sample - Do Not Sign)  
City Treasurer of Ogallala, Nebraska,  
as Paying Agent and Registrar

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(FORM OF ASSIGNMENT)

For value received \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_, Attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

SIGNATURE GUARANTEED

By \_\_\_\_\_

\_\_\_\_\_  
Authorized Officer

Note: The signature(s) of this assignment MUST CORRESPOND with the name as written on the face of the within bond in every particular without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Chicago or other stock exchange.

Section 8. The City Clerk shall make and certify a transcript of proceedings of the City precedent to the issuance of said Bonds which shall be delivered to the purchaser of the Bonds. After the Bonds have been executed, they shall be delivered to the City Treasurer who shall register the same in the names of the initial registered owners thereof as directed by the Initial Purchaser designated in Section 9 hereof and shall be responsible therefor under her official bond.

Section 9. The Bonds are hereby sold to Ameritas Investment Corp. (the "Initial Purchaser") for an aggregate purchase price of \_\_\_\_\_% plus accrued interest, if any, and the City Treasurer is authorized to deliver the Bonds to the Initial Purchaser upon receipt of said amount plus accrued interest to date of payment. The Bonds are sold to the Initial Purchaser subject to the opinion of Rembolt Ludtke LLP, as Initial Purchaser's bond counsel that the Bonds are lawfully issued; that the Bonds constitute a valid obligation of the City; and that under existing laws and regulations the interest on the Bonds is exempt from both Nebraska state and federal income taxes. Such purchaser and its agents, representatives and counsel (including Initial Purchaser's bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository (as defined herein) at closing. The Council Members and officers of the City (or any one of them) is hereby authorized to enter into a Bond Purchase Agreement substantially in the form presented herewith for the sale of the Bonds to the Initial Purchaser. The net proceeds of the Bonds shall be applied upon receipt for the purposes described in Section 1 hereof.

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Section 10. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount to pay interest on the Bonds as and when the same becomes due and to create a sinking fund to pay the principal of the Bonds when the same becomes due, to the extent not paid from other sources.

Section 11. The City of Ogallala, Nebraska, hereby covenants to the purchasers and holders of the Bonds hereby authorized that it will make no use of the proceeds of the Bonds, including monies held in any sinking fund for the payment of the Bonds, which would cause the Bonds to be arbitrage Bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and further covenants to comply with Sections 103 and 148 of the Code and all applicable regulations thereunder throughout the term of the Bonds. The City hereby covenants and agrees to take all actions necessary under the Code to maintain the tax-exempt status of interest payable on the Bonds with respect to taxpayers generally but not including insurance companies or corporations subject to the additional minimum tax. The City hereby designates the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not anticipate issuing tax-exempt obligations in calendar 2013 in an amount in excess of \$10,000,000.

Section 12. In order to promote compliance with certain federal tax and securities laws relating to the Bonds (as well as other outstanding obligations) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 13. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(S E A L)

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I, the undersigned, City Clerk for the City of Ogallala, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on \_\_\_\_\_, 2013; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; 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 said minutes from which the foregoing proceedings have been extracted 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 meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, publicly announced and posted during such meeting in the room in which such meeting was held.

\_\_\_\_\_  
City Clerk

(SEAL)

## EXHIBIT "A"

### Policy and Procedures Federal Tax Law and Disclosure Requirements for Tax-exempt Bonds and/or Build America Bonds

**ISSUER NAME:** City of Ogallala, Nebraska

**COMPLIANCE OFFICER (BY TITLE):** City Treasurer

#### POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds or as direct pay build America bonds to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with its bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

#### PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Council (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

#### Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the

Authorizing Proceedings relating to federal tax matters.

- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.ne.gov](http://www.lcc.ne.gov)

Office Use

Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006) and must provide proof of voter registration in the State of Nebraska
- 3) Must provide a copy of one of the following: state issued US birth certificate, naturalization paper or US passport
- 4) Must submit fingerprints (unless a non-participating spouse) (2 cards per person) and fees of \$38 per person, made payable to Nebraska State Patrol
- 5) Must be 21 years of age or older
- 6) May be required to take a training course

Corporation/LLC information

Name of Corporation/LLC: 1 Eleven Lounge LLC

Premise information

Premise License Number: \_\_\_\_\_

(if new application leave blank)

Premise Trade Name/DBA: 1 Eleven Lounge

Premise Street Address: 111 East 1st Street

City: Ogallala State: Ne Zip Code: 69153

Premise Phone Number: N/A

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.  
[http://www.lcc.ne.gov/license\\_search/licsearch.cgi](http://www.lcc.ne.gov/license_search/licsearch.cgi)

*See Att.*  
CORPORATE OFFICER/MANAGING MEMBER SIGNATURE  
(Faxed signatures are acceptable)

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
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  - 4) Must submit fingerprints (unless a non-participating spouse) (2 cards per person) and fees of \$30 per person, made payable to Nebraska State Patrol
  - 5) Must be 21 years of age or older
  - 6) May be required to take a training course

Name of Corporation/LLC: 1 Eleven Lounge LLC

Premise License Number: \_\_\_\_\_

Premise Trade Name/DBA: 1 Eleven Lounge (if new application leave blank)

Premise Street Address: 111 East 1st Street

City: Ogallala State: Ne Zip Code: 69153

Premise Phone Number: N/A

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.  
[http://www.lcc.ne.gov/license\\_search/licsearch.cgi](http://www.lcc.ne.gov/license_search/licsearch.cgi)

Gregory B. Agard  
CORPORATE OFFICER/MANAGING MEMBER SIGNATURE  
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

*Prints*

Gender:  MALE  FEMALE

Last Name: Gifford First Name: Gregory MI: G.

Home Address (include PO Box if applicable): 405 Michael Ave

City: North Platte County: Lincoln Zip Code: 69101

Home Phone Number: 308-530-1324 Business Phone Number: 308-284-4024

Social Security Number: 508-74-0669 Drivers License Number & State: Ne G15028873

Date Of Birth: 7-14-56 Place Of Birth: Pasadena CA

Are you married? If yes, complete spouse's information (even if a spousal affidavit has been submitted)

YES  NO

Spouse information

*Prints*

Spouses Last Name: Gifford First Name: Judy MI: M

Social Security Number: 505-84-9356 Drivers License Number & State: G15004602 NE

Date Of Birth: 2-10-58 Place Of Birth: Sutherland Ne

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

APPLICANT

SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
North Platte Ne	1981	Today	North Platte Ne	1981	Today

5.D.

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1979	Date	Self Employed		

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY. Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Gregory Gifford			See Attached NCJS	w/ #1 Main APP

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?  YES       NO

IF YES, list the name of the premise.

Royal Buffet & Lounge Class C-73274

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?  YES       NO

4. Have you enclosed the required fingerprint cards and **PROPER FEES** with this application? (Check or money order made payable to the **Nebraska State Patrol for \$38.00 per person**)

YES       NO

5. List any alcohol related training and/or experience (when and where).

8-2006, North Platte Police Dept

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

*Gregory Gifford*  
Signature of Manager Applicant

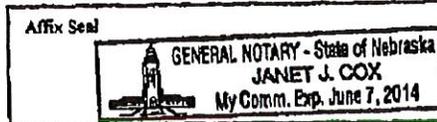
*Judy M Gifford*  
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska  
County of *Lincoln*  
*10-9-13*  
date

The foregoing instrument was acknowledged before me this  
by *Gregory G Gifford & Judy M Gifford*  
name of person acknowledged

*Janet J. Cox*  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.



The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

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Signature of Manager Applicant

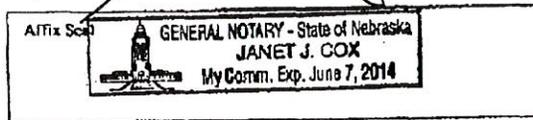
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska  
County of Lincola  
Sept. 25, 2013 date

The foregoing instrument was acknowledged before me this  
Janet J. Cox name of person acknowledged

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

5.D.

**CITY OF OGALLALA**  
**MONTHLY TREASURER'S REPORT**  
**FOR THE MONTH ENDING OCTOBER 31, 2013**

Fund Name	Beg. Fund Balance	Revenues	Expenses	End. Fund Balance	Cash Balance
10 - Administration	268,447.85	46,458.75	(50,427.98)	264,478.62	210,679.83
21 - Street	157,161.77	84,428.45	(112,546.33)	129,043.89	129,043.89
24 - Water	2,593,138.41	88,856.01	(300,027.50)	2,381,966.92	971,005.59
25 - Sewer	3,427,294.54	58,356.23	(28,939.62)	3,456,711.15	1,622,137.09
31 - Fire	65,444.95	18,248.38	(229,659.32)	(145,965.99)	(145,965.99)
32 - Police	284,738.92	62,413.37	(95,700.50)	251,451.79	251,451.79
34 - Cemetery	49,846.56	7,337.23	(13,479.86)	43,703.93	43,703.93
36 - Ambulance	134,697.04	15,188.25	(122,914.94)	26,970.35	26,970.35
37 - Public Transit	45,853.72	13,204.74	(14,728.44)	44,330.02	44,330.02
38 - RSVP	22,741.49	2,634.80	(5,557.46)	19,818.83	19,818.83
40 - Goodall Rec Center	89,989.79	19,314.60	(23,139.95)	86,164.44	86,164.44
41 - Outdoor Pool	68,664.06	3,891.71	(3,233.60)	69,322.17	69,322.17
42 - Parks	45,413.88	17,760.28	(26,266.30)	36,907.86	36,907.86
44 - Library	91,922.14	28,484.71	(24,344.11)	96,062.74	96,062.74
46 - Airport	260,936.94	33,430.07	(46,265.90)	248,101.11	248,101.11
47 - Community Dev.	256,529.42	8,052.68	(614.43)	263,967.67	263,967.67
48 - Planning	19,272.87	11,683.55	(8,335.80)	22,620.62	22,620.62
50 - Debt Service	482,745.24	17,359.04	0.00	500,104.28	486,867.34
51 - Agency	55,713.19	31,589.02	(39,352.12)	47,950.09	47,950.09
99 - Medical Benefit	237,739.82	34,538.58	(24,419.30)	247,859.10	261,310.34
<b>Totals</b>	<b>8,658,292.60</b>	<b>603,230.45</b>	<b>(1,169,953.46)</b>	<b>8,091,569.59</b>	<b>4,792,449.71</b>



1260 Change Fund	942.00
12700 General Checking	1,111,489.47
12701 Water Checking	610,563.64
12702 Sewer Checking	706,017.02
12704 Debt Service	526,053.61
12705 Medical Benefit	270,124.52
12708 Youth Committee	4,666.78
12709 125 Plan - Select Flex	7,709.63
12710 CDBG Housing Rehab	31,083.94
12712 CDARS - Water	105,208.14
12713 CDARS - Hospital	30,937.08
12714 CDARS - Cemetery	49,716.70
12715 GRC Expansion	66,983.04
12717 ICS - Cemetery	66,553.63
12718 ICS - Sewer	911,754.97
12719 ICS - Water	260,670.19
1273 Certificates of Deposit	31,975.35
	<u>4,792,449.71</u>

5.E.

CITY OF OGALLALA  
 CERTIFICATES OF DEPOSIT  
 FISCAL YEAR 2013-2014

BANK & CD	13-Oct	13-Nov	13-Dec	14-Jan	14-Feb	14-Mar	14-Apr	14-May	14-Jun	14-Jul	14-Aug	14-Sep
PIN 2900003471	3,760.42											
COMM DEVEL	3,760.42											
PIN 2900003200	28,214.93											
MEDICAL TOT	28,214.93											
<b>TOTAL CD'S</b>	<b>31,975.35</b>	<b>0.00</b>										
Pinnacle Bank Total	31,975.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ICS-Water	260,670.19											
ICS-Cemetery	66,553.63											
ICS-Sewer	911,754.97											
ICS Total	1,238,978.79				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water CDARS	105,208.14											
Sewer CDARS	0.00											
Medical CDARS	30,937.08											
Cemetery CDARS	49,716.70											
CDARS Total	185,861.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Investments</b>	<b>1,456,816.06</b>	<b>0.00</b>										

5.E.

**CITY OF OGALLALA**  
**REMAINING REVENUE BUDGET ANALYSIS**  
**92% OF YEAR REMAINING**

**PROPRIETARY FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
24-WATER	3,738,661.99	3,827,518.00	97.68
25-SEWER	689,143.77	747,500.00	92.19
<b>TOTAL</b>	<b>4,427,805.76</b>	<b>4,575,018.00</b>	<b>96.78</b>

**GOVERNMENTAL FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
10-ADMIN	579,465.25	625,924.00	92.58
21-STREET	3,120,055.55	3,204,484.00	97.37
31-FIRE	378,402.62	396,651.00	95.40
32-POLICE	951,063.63	1,013,477.00	93.84
34-CEMETERY	135,155.77	142,493.00	94.85
36-AMBULANCE	353,986.75	369,175.00	95.89
37-OPT	338,846.26	352,051.00	96.25
38-RSVP	60,380.20	63,015.00	95.82
40-GRC	369,729.40	389,044.00	95.04
41-OUTDOOR POOL	91,462.29	95,354.00	95.92
42-PARKS	292,968.72	310,729.00	94.28
44-LIBRARY	204,341.29	232,826.00	87.77
46-AIRPORT	388,099.93	421,530.00	92.07
47-COMMUNITY DEV	699,342.32	707,395.00	98.86
48-PLANNING	141,214.45	152,898.00	92.36
50-DEBT SERVICE	540,487.96	557,847.00	96.89
<b>TOTAL</b>	<b>8,645,002.39</b>	<b>9,034,893.00</b>	<b>95.68</b>

**INTERNAL SERVICE FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
51-AGENCY	351,684.98	383,274.00	91.76
99-MEDICAL BENEFIT	478,961.42	513,500.00	93.27
<b>TOTAL</b>	<b>830,646.40</b>	<b>896,774.00</b>	<b>92.63</b>

**CITY OF OGALLALA**  
**REMAINING EXPENSE BUDGET ANALYSIS**  
**92% OF YEAR REMAINING**

**PROPRIETARY FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
24-WATER	3,527,297.50	3,827,300.00	92.16
25-SEWER	703,300.38	732,240.00	96.05
<b>TOTAL</b>	<b>4,230,597.88</b>	<b>4,559,540.00</b>	<b>92.79</b>

**GOVERNMENTAL FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
10-ADMIN	660,247.02	710,675.00	92.90
21-STREET	2,957,358.67	3,069,905.00	96.33
31-FIRE	165,823.68	395,483.00	41.93
32-POLICE	931,115.50	1,026,816.00	90.68
34-CEMETERY	131,740.14	145,220.00	90.72
36-AMBULANCE	169,370.06	292,285.00	57.95
37-OPT	327,801.56	342,530.00	95.70
38-RSVP	57,522.54	63,080.00	91.19
40-GRC	337,269.05	360,409.00	93.58
41-OUTDOOR POOL	124,026.40	127,260.00	97.46
42-PARKS	302,499.70	328,766.00	92.01
44-LIBRARY	235,375.89	259,745.00	90.62
46-AIRPORT	436,499.10	482,765.00	90.42
47-COMMUNITY DEV	731,494.57	732,109.00	99.92
48-PLANNING	131,649.20	139,985.00	94.05
50-DEBT SERVICE	557,990.00	557,990.00	100.00
<b>TOTAL</b>	<b>8,257,783.08</b>	<b>9,035,023.00</b>	<b>91.40</b>

**INTERNAL SERVICE FUNDS**

	REMAINING BUDGET	ANNUAL BUDGET	% OF REMAINING BUDGET
51-AGENCY	343,921.88	383,274.00	89.73
99-MEDICAL BENEFIT	419,480.70	443,900.00	94.50
<b>TOTAL</b>	<b>763,402.58</b>	<b>827,174.00</b>	<b>92.29</b>

Percent of Year Remaining: 92%

Revenue Description	Current Month	Year to Date Actual	Annual Encumbrance	Annual Actual+Encum.	Annual Budget	Remain Budget	Rem%
30100 W/S SALES	142,374.65	142,374.65	0.00	142,374.65	1,714,000.00	1,571,625.35	92
30200 W/S TAPS & CONN	471.42	471.42	0.00	471.42	6,500.00	6,028.58	93
30400 W/S MISC INCOME	4,016.11	4,016.11	0.00	4,016.11	47,500.00	43,483.89	92
31100 GEN PROP TAX	47,308.41	47,308.41	0.00	47,308.41	752,085.00	704,776.59	94
31110 BOND PROP TAX	17,315.08	17,315.08	0.00	17,315.08	273,905.00	256,589.92	94
31130 IN LIEU OF PAY	0.00	0.00	0.00	0.00	50,000.00	50,000.00	100
31140 MOTOR VEHICLE	6,241.08	6,241.08	0.00	6,241.08	86,630.00	80,388.92	93
31200 KENO	0.00	0.00	0.00	0.00	80,000.00	80,000.00	100
31300 CITY SALES TAX	125,836.91	125,836.91	0.00	125,836.91	1,300,000.00	1,174,163.09	90
31301 CITY SALES TAX	12,204.22	12,204.22	0.00	12,204.22	122,225.00	110,020.78	90
31400 FRANCHISE	32,913.23	32,913.23	0.00	32,913.23	1,150,000.00	1,117,086.77	97
31410 CONTRACTS/AGREE	42,507.35	42,507.35	0.00	42,507.35	383,082.00	340,574.65	89
31510 TICKET & PASSES	8,783.22	8,783.22	0.00	8,783.22	134,000.00	125,216.78	93
31520 CONCESSIONS	315.14	315.14	0.00	315.14	5,690.00	5,374.86	94
31600 NON TAX REVENUE	14,445.75	14,445.75	0.00	14,445.75	160,625.00	146,179.25	91
31605 LOT SALES	0.00	0.00	0.00	0.00	7,000.00	7,000.00	100
31606 PERPETUAL CARE	200.00	200.00	0.00	200.00	9,800.00	9,600.00	98
31610 RENTAL REVENUE	8,316.55	8,316.55	0.00	8,316.55	82,550.00	74,233.45	90
31620 TRADE LICENSES	8,300.00	8,300.00	0.00	8,300.00	27,485.00	19,185.00	70
31621 ANIMAL LICENSES	278.00	278.00	0.00	278.00	2,500.00	2,222.00	89
31630 PERMITS	47.50	47.50	0.00	47.50	3,300.00	3,252.50	99
31631 BUILDING PERMIT	4,067.75	4,067.75	0.00	4,067.75	20,000.00	15,932.25	80
31632 PLUMBING PERMIT	65.00	65.00	0.00	65.00	1,000.00	935.00	94
31634 GAS PERMITS	0.00	0.00	0.00	0.00	100.00	100.00	100
31635 ROW PERMITS	15.00	15.00	0.00	15.00	150.00	135.00	90
31636 MANUF. HOME	0.00	0.00	0.00	0.00	100.00	100.00	100
31640 FINES & FEES	538.00	538.00	0.00	538.00	13,500.00	12,962.00	96
31700 LOCAL GRANTS	0.00	0.00	0.00	0.00	47,300.00	47,300.00	100
31800 INTEREST INCOME	650.03	650.03	0.00	650.03	8,100.00	7,449.97	92
32300 HIGHWAY ALLOCAT	47,914.04	47,914.04	0.00	47,914.04	554,047.00	506,132.96	91
32400 VEHICLE PRORATE	249.30	249.30	0.00	249.30	2,050.00	1,800.70	88
32401 MOTOR VEH FEE	11,954.46	11,954.46	0.00	11,954.46	44,200.00	32,245.54	73
32600 MUN EQUALIZAT	0.00	0.00	0.00	0.00	113,135.00	113,135.00	100
32700 OTHER ST FUNDS	1,752.00	1,752.00	0.00	1,752.00	187,524.00	185,772.00	99
33100 FED GRANT & REV	13,480.11	13,480.11	0.00	13,480.11	1,309,484.00	1,296,003.89	99
34100 MISCELLANEOUS	16,193.06	16,193.06	0.00	16,193.06	67,200.00	51,006.94	76
34200 INS REFUND	0.00	0.00	0.00	0.00	100,000.00	100,000.00	100
34210 EMP SHARE MED	5,643.12	5,643.12	0.00	5,643.12	63,000.00	57,356.88	91
34215 CITY SHARE MED	28,833.96	28,833.96	0.00	28,833.96	350,000.00	321,166.04	92
34300 BOND PROCEEDS	0.00	0.00	0.00	0.00	1,712,954.00	1,712,954.00	100
34400 LOAN PROCEEDS	0.00	0.00	0.00	0.00	3,288,964.00	3,288,964.00	100
35100 TRANSFERS IN	0.00	0.00	0.00	0.00	225,000.00	225,000.00	100
Total Revenue ----->	603,230.45	603,230.45	0.00	603,230.45	14,506,685.00	13,903,454.55	96

Expenses Description	Current Month	Year to Date Actual	Annual Encumbrance	Annual Actual+Encum.	Annual Budget	Remain Budget	Rem%
40100 CITY COUNCIL	0.00	0.00	0.00	0.00	9,600.00	9,600.00	100
40200 CITY MANAGER	10,960.80	10,960.80	0.00	10,960.80	95,000.00	84,039.20	88
40210 CITY CLERK	7,573.20	7,573.20	0.00	7,573.20	61,350.00	53,776.80	88
40220 SUPERVISOR	62,829.87	62,829.87	0.00	62,829.87	621,225.00	558,395.13	90
40222 MECHANIC	4,272.58	4,272.58	0.00	4,272.58	37,350.00	33,077.42	89
40223 PTE - HOURLY	90,084.15	90,084.15	0.00	90,084.15	789,200.00	699,115.85	89
40224 PTE - HOURLY	24,778.03	24,778.03	0.00	24,778.03	261,390.00	236,611.97	91
40225 OTHER - HOURLY	510.00	510.00	0.00	510.00	13,400.00	12,890.00	96
40226 OVERTIME	7,647.68	7,647.68	0.00	7,647.68	59,375.00	51,727.32	87
40227 SICK BENEFIT PY	0.00	0.00	0.00	0.00	18,720.00	18,720.00	100
40300 F.I.C.A.	15,243.91	15,243.91	0.00	15,243.91	135,975.00	120,731.09	89
40310 UNEMPLOYMENT	509.00	509.00	0.00	509.00	5,200.00	4,691.00	90
40320 WORKERS COMP	0.00	0.00	0.00	0.00	66,175.00	66,175.00	100
40330 RETIREMENT	9,803.35	9,803.35	0.00	9,803.35	93,185.00	83,381.65	89
40340 MED INS - CITY	41,718.96	41,718.96	0.00	41,718.96	571,965.00	530,246.04	93
40341 HEALTH SAVINGS	1,246.00	1,246.00	0.00	1,246.00	14,474.00	13,228.00	91
40345 MED INS SELF FD	11,534.30	11,534.30	0.00	11,534.30	250,000.00	238,465.70	95
40350 LIFE INS - CITY	416.90	416.90	0.00	416.90	6,725.00	6,308.10	94
40360 OTHER BENEFITS	687.26	687.26	0.00	687.26	24,130.00	23,442.74	97
40370 DISABILITY PAY	1,263.48	1,263.48	0.00	1,263.48	10,951.00	9,687.52	88

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Percent of Year Remaining: 92%

Expenses Description	Current Month	Year to Date Actual	Annual Encumbrance	Annual Actual+Encum.	Annual Budget	Remain Budget	Rem%
40380 RECOGN & RECRUIT	26.00	26.00	0.00	26.00	27,405.00	27,379.00	100
41100 ELECTRICITY	26,221.10	26,221.10	0.00	26,221.10	284,300.00	258,078.90	91
41105 STREET LIGHTING	12,206.87	12,206.87	0.00	12,206.87	151,000.00	138,793.13	92
41110 WATER & SEWER	11,403.91	11,403.91	0.00	11,403.91	56,700.00	45,296.09	80
41120 PHONE	2,124.75	2,124.75	0.00	2,124.75	28,970.00	26,845.25	93
41130 SANITATION	1,147.31	1,147.31	0.00	1,147.31	12,580.00	11,432.69	91
41140 NATURAL GAS	3,223.28	3,223.28	0.00	3,223.28	83,000.00	79,776.72	96
41200 INSURANCE	0.00	0.00	0.00	0.00	125,650.00	125,650.00	100
41210 E & O INSURANCE	0.00	0.00	0.00	0.00	6,695.00	6,695.00	100
41220 VOLUNTEERS-INS	341.00	341.00	0.00	341.00	6,175.00	5,834.00	94
41300 ENGINEERING	0.00	0.00	0.00	0.00	21,500.00	21,500.00	100
41310 AUDIT	750.00	750.00	0.00	750.00	16,050.00	15,300.00	95
41330 LEGAL	3,088.00	3,088.00	0.00	3,088.00	14,425.00	11,337.00	79
41340 JANITOR SER-SUP	1,235.02	1,235.02	0.00	1,235.02	21,900.00	20,664.98	94
41350 MISC SERVICE	2,063.80	2,063.80	0.00	2,063.80	20,700.00	18,636.20	90
41400 CONTRACTS & AGR	54,158.12	54,158.12	0.00	54,158.12	615,894.00	561,735.88	91
41410 LEASES	375.00	375.00	0.00	375.00	174,936.00	174,561.00	100
41420 RENTAL	350.00	350.00	0.00	350.00	15,500.00	15,150.00	98
41500 REP & MAINT	4,056.81	4,056.81	0.00	4,056.81	204,100.00	200,043.19	98
41501 REP & MAINT -ST	0.00	0.00	0.00	0.00	200,000.00	200,000.00	100
41502 R & M MAIN-WELL	2,492.10	2,492.10	0.00	2,492.10	95,900.00	93,407.90	97
41510 VEHICLE REPAIR	1,176.31	1,176.31	0.00	1,176.31	37,675.00	36,498.69	97
41511 GAS & OIL	10,749.02	10,749.02	0.00	10,749.02	99,450.00	88,700.98	89
41512 TIRES & TUBES	29.69	29.69	0.00	29.69	13,300.00	13,270.31	100
41513 MILEAGE	0.00	0.00	0.00	0.00	2,000.00	2,000.00	100
41520 STORM EXPENSE	0.00	0.00	0.00	0.00	52,000.00	52,000.00	100
41530 CODE ENFORCEMENT	144.87	144.87	0.00	144.87	28,000.00	27,855.13	99
41600 INVENTORY	247.92	247.92	0.00	247.92	25,000.00	24,752.08	99
41610 OFFICE SUPPLIES	370.38	370.38	0.00	370.38	17,950.00	17,579.62	98
41615 OPERATING SUPP	6,469.01	6,469.01	0.00	6,469.01	141,510.00	135,040.99	95
41616 UNIFORMS	266.45	266.45	0.00	266.45	26,650.00	26,383.55	99
41620 CONCESSIONS	0.00	0.00	0.00	0.00	5,050.00	5,050.00	100
41630 BOOKS & PERIOD	2,824.37	2,824.37	0.00	2,824.37	42,950.00	40,125.63	93
41640 DUES & SUBSCRIP	3,972.66	3,972.66	0.00	3,972.66	61,600.00	57,627.34	94
41645 TRAINING & TUIT	1,191.95	1,191.95	0.00	1,191.95	51,700.00	50,508.05	98
41650 PRINTING	105.95	105.95	0.00	105.95	3,640.00	3,534.05	97
41655 PUBLISHING	695.07	695.07	0.00	695.07	12,350.00	11,654.93	94
41660 POSTAGE	251.24	251.24	0.00	251.24	17,950.00	17,698.76	99
41710 SALES TAX	265.90	265.90	0.00	265.90	7,375.00	7,109.10	96
41720 CONS USE TAX	255.46	255.46	0.00	255.46	3,000.00	2,744.54	91
41730 BAD DEBT	5.34	5.34	0.00	5.34	0.00	-5.34	-534
42100 CAPITAL IMPROVE	98,619.96	98,619.96	0.00	98,619.96	5,640,639.00	5,542,019.04	98
42200 CAPITAL OUTLAY	343,117.00	343,117.00	0.00	343,117.00	570,463.00	227,346.00	40
43100 D/S PRINCIPAL	232,060.00	232,060.00	0.00	232,060.00	875,786.00	643,726.00	74
43200 D/S INTEREST	9,282.50	9,282.50	0.00	9,282.50	214,395.00	205,112.50	96
43300 D/S CONTRACTS	40.00	40.00	0.00	40.00	15,410.00	15,370.00	100
44100 MISCELLANEOUS	2,117.75	2,117.75	0.00	2,117.75	18,850.00	16,732.25	89
44218 CDBG GRANT	0.00	0.00	0.00	0.00	500,000.00	500,000.00	100
44300 HOSPITAL S.T.	39,352.12	39,352.12	0.00	39,352.12	376,374.00	337,021.88	90
44310 SCHOOL	0.00	0.00	0.00	0.00	6,900.00	6,900.00	100
45100 TRANSFERS OUT	0.00	0.00	0.00	0.00	225,000.00	225,000.00	100
Total Expenses ----->	1,169,953.46	1,169,953.46	0.00	1,169,953.46	14,421,737.00	13,251,783.54	92
Total of all ACCTS	-566,723.01	-566,723.01	0.00	-566,723.01	84,948.00	651,671.01	767

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**City of Ogallala**  
**Revenue 3 Year Comparison**

Account	Revenue Description	Month Totals			Month Totals		
		Oct-13	Oct-12	Oct-11	Oct-13	Oct-12	Oct-11
30100	W/S SALES	142,374.65	161,350.49	151,931.58	142,374.65	161,350.49	151,931.58
30200	W/S TAPS & CONN	471.42	257.48	621.34	471.42	257.48	621.34
30300	SALES TAX	0.00	(5.04)	(11.06)	0.00	(5.04)	(11.06)
30400	W/S MISC INCOME	4,016.11	3,678.00	3,492.57	4,016.11	3,678.00	3,492.57
31100	GEN PROP TAX	47,308.41	31,135.41	38,332.35	47,308.41	31,135.41	38,332.35
31110	BOND PROP TAX	17,315.08	11,382.10	20,395.76	17,315.08	11,382.10	20,395.76
31130	IN LIEU OF PAY	0.00	0.00	0.00	0.00	0.00	0.00
31140	MOTOR VEHICLE	6,241.08	6,767.16	7,398.32	6,241.08	6,767.16	7,398.32
31200	KENO	0.00	0.00	0.00	0.00	0.00	0.00
31300	CITY SALES TAX	125,836.91	122,172.41	118,992.74	125,836.91	122,172.41	118,992.74
31301	CITY SALES TAX-STREETS	12,204.22	14,438.84	8,765.64	12,204.22	14,438.84	8,765.64
31400	FRANCHISE	32,913.23	32,546.32	29,360.64	32,913.23	32,546.32	29,360.64
31410	CONTRACTS/AGREE	42,507.35	71,002.41	60,508.54	42,507.35	71,002.41	60,508.54
31510	TICKET & PASSES	8,783.22	6,454.05	4,799.65	8,783.22	6,454.05	4,799.65
31520	CONCESSIONS	315.14	153.80	49.23	315.14	153.80	49.23
31600	NON TAX REVENUE	14,445.75	17,412.54	21,748.20	14,445.75	17,412.54	21,748.20
31605	LOT SALES	0.00	660.00	441.67	0.00	660.00	441.67
31606	PERPETUAL CARE	200.00	715.00	335.00	200.00	715.00	335.00
31610	RENTAL REVENUE	8,316.55	7,391.15	5,378.25	8,316.55	7,391.15	5,378.25
31620	TRADE LICENSES	8,300.00	7,400.00	6,300.00	8,300.00	7,400.00	6,300.00
31621	ANIMAL LICENSES	278.00	188.00	133.00	278.00	188.00	133.00
31630	PERMITS	47.50	145.00	112.00	47.50	145.00	112.00
31631	BUILDING PERMIT	4,067.75	1,549.00	1,434.00	4,067.75	1,549.00	1,434.00
31632	PLUMBING PERMIT	65.00	40.00	25.00	65.00	40.00	25.00
31634	GAS PERMITS	0.00	30.00	0.00	0.00	30.00	0.00
31635	ROW PERMITS	15.00	15.00	15.00	15.00	15.00	15.00
31636	MANUF. HOME	0.00	0.00	0.00	0.00	0.00	0.00
31640	FINES & FEES	538.00	1,587.00	1,073.00	538.00	1,587.00	1,073.00
31700	LOCAL GRANTS	0.00	1,863.46	3,262.75	0.00	1,863.46	3,262.75
31800	INTEREST INCOME	650.03	891.55	808.51	650.03	891.55	808.51
32100	STATE AID	0.00	0.00	0.00	0.00	0.00	0.00
32300	HIGHWAY ALLOCAT	47,914.04	41,846.77	38,451.99	47,914.04	41,846.77	38,451.99
32400	VEHICLE PRORATE	249.30	0.00	189.61	249.30	0.00	189.61
32401	MOTOR VEH FEE	11,954.46	11,503.90	11,383.63	11,954.46	11,503.90	11,383.63
32600	MUNI EQUALIZATION	0.00	0.00	0.00	0.00	0.00	0.00
32700	OTHER ST FUNDS	1,752.00	2,177.00	2,900.80	1,752.00	2,177.00	2,900.80
33100	FED GRANT & REV	13,480.11	5,917.31	6,573.71	13,480.11	5,917.31	6,573.71
34100	MISCELLANEOUS	16,193.06	2,104.84	4,332.49	16,193.06	2,104.84	4,332.49
34200	INS REFUND	0.00	0.00	146.92	0.00	0.00	146.92
34210	EMP SHARE MED	5,643.12	4,955.75	5,390.98	5,643.12	4,955.75	5,390.98
34215	CITY SHARE MED	28,833.96	26,103.24	28,248.58	28,833.96	26,103.24	28,248.58
34300	BOND PROCEEDS	0.00	0.00	0.00	0.00	0.00	0.00
34400	LOAN PROCEEDS	0.00	128,544.00	0.00	0.00	128,544.00	0.00
35100	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00
Totals		603,230.45	724,373.94	583,322.39	603,230.45	724,373.94	583,322.39

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**City of Ogallala**  
**Expense 3 Year Comparison**

Account	Expense Description	Month Totals			Month Totals		
		Oct-13	Oct-12	Oct-11	Oct-13	Oct-12	Oct-11
40100	CITY COUNCIL	0.00	0.00	0.00	0.00	0.00	0.00
40200	CITY MANAGER	10,960.80	6,430.40	6,430.40	10,960.80	6,430.40	6,430.40
40210	CITY CLERK	7,573.20	4,339.20	4,020.00	7,573.20	4,339.20	4,020.00
40220	SUPERVISOR	62,829.87	55,833.24	55,571.75	62,829.87	55,833.24	55,571.75
40222	MECHANIC	4,272.58	2,666.40	2,576.80	4,272.58	2,666.40	2,576.80
40223	FTE - HOURLY	90,084.15	57,644.68	55,857.29	90,084.15	57,644.68	55,857.29
40224	PTE - HOURLY	24,778.03	14,443.17	12,327.60	24,778.03	14,443.17	12,327.60
40225	OTHER - HOURLY	510.00	186.00	211.92	510.00	186.00	211.92
40226	OVERTIME	7,647.68	2,993.62	2,773.18	7,647.68	2,993.62	2,773.18
40227	SICK BENEFIT PY	0.00	4,357.73	39.55	0.00	4,357.73	39.55
40300	F.I.C.A.	15,243.91	11,759.58	9,665.77	15,243.91	11,759.58	9,665.77
40310	UNEMPLOYMENT	509.00	0.00	0.00	509.00	0.00	0.00
40320	WORKERS COMP	0.00	54,253.00	66,016.50	0.00	54,253.00	66,016.50
40330	RETIREMENT	9,803.35	5,448.87	5,549.92	9,803.35	5,448.87	5,549.92
40340	MED INS - CITY	41,718.96	65,614.95	136,062.66	41,718.96	65,614.95	136,062.66
40341	HEALTH SAVINGS	1,246.00	1,040.00	1,209.00	1,246.00	1,040.00	1,209.00
40345	MED INS SELF FD	11,534.30	1,795.97	0.00	11,534.30	1,795.97	0.00
40350	LIFE INS - CITY	416.90	447.48	458.48	416.90	447.48	458.48
40360	OTHER BENEFITS	687.26	289.71	2,266.33	687.26	289.71	2,266.33
40370	DISABILITY PAY	1,263.48	842.32	842.32	1,263.48	842.32	842.32
40380	RECOGN & RECRUIT	26.00	362.41	155.56	26.00	362.41	155.56
41100	ELECTRICITY	26,221.10	29,192.39	24,098.91	26,221.10	29,192.39	24,098.91
41105	STREET LIGHTING	12,206.87	12,146.93	10,763.70	12,206.87	12,146.93	10,763.70
41110	WATER & SEWER	11,403.91	17,033.14	13,118.69	11,403.91	17,033.14	13,118.69
41120	PHONE	2,124.75	2,309.55	1,788.83	2,124.75	2,309.55	1,788.83
41130	SANITATION	1,147.31	1,068.84	965.08	1,147.31	1,068.84	965.08
41140	NATURAL GAS	3,223.28	4,454.59	1,784.90	3,223.28	4,454.59	1,784.90
41200	INSURANCE	0.00	110,572.16	100,136.22	0.00	110,572.16	100,136.22
41210	E & O INSURANCE	0.00	5,793.00	5,793.00	0.00	5,793.00	5,793.00
41220	VOLUNTEERS-INS	341.00	352.00	352.00	341.00	352.00	352.00
41300	ENGINEERING	0.00	0.00	0.00	0.00	0.00	0.00
41310	AUDIT	750.00	0.00	1,525.00	750.00	0.00	1,525.00
41330	LEGAL	3,088.00	593.50	1,917.00	3,088.00	593.50	1,917.00
41340	JANITOR SER-SUP	1,235.02	2,001.24	1,360.85	1,235.02	2,001.24	1,360.85
41350	MISC SERVICE	2,063.80	1,623.20	111.90	2,063.80	1,623.20	111.90
41400	CONTRACTS & AGR	54,158.12	55,070.86	59,020.76	54,158.12	55,070.86	59,020.76
41410	LEASES	375.00	248.85	3,998.85	375.00	248.85	3,998.85
41420	RENTAL	350.00	350.00	1,550.00	350.00	350.00	1,550.00
41500	REP & MAINT	4,056.81	4,667.91	4,956.91	4,056.81	4,667.91	4,956.91
41501	REP & MAINT -ST	0.00	1,188.76	78,697.97	0.00	1,188.76	78,697.97
41502	R & M MAIN-WELL	2,492.10	2,266.76	0.00	2,492.10	2,266.76	0.00
41510	VEHICLE REPAIR	1,176.31	374.02	5,005.02	1,176.31	374.02	5,005.02
41511	GAS & OIL	10,749.02	7,780.41	9,600.99	10,749.02	7,780.41	9,600.99
41512	TIRES & TUBES	29.69	0.00	80.52	29.69	0.00	80.52
41513	MILEAGE	0.00	0.00	0.00	0.00	0.00	0.00
41520	STORM EXPENSE	0.00	0.00	21,014.42	0.00	0.00	21,014.42
41530	CODE ENFORCMENT	144.87	140.95	123.99	144.87	140.95	123.99
41600	INVENTORY	247.92	0.00	805.66	247.92	0.00	805.66
41610	OFFICE SUPPLIES	370.38	1,657.26	235.25	370.38	1,657.26	235.25
41615	OPERATING SUPP	6,469.01	7,719.83	8,178.92	6,469.01	7,719.83	8,178.92
41616	UNIFORMS	266.45	219.44	230.85	266.45	219.44	230.85

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**City of Ogallala**  
**Expense 3 Year Comparison**

41620 CONCESSIONS	0.00	0.00	0.00	0.00	0.00	0.00
41630 BOOKS & PERIOD	2,824.37	1,662.84	5,139.14	2,824.37	1,662.84	5,139.14
41640 DUES & SUBSCRIP	3,972.66	4,496.66	6,344.12	3,972.66	4,496.66	6,344.12
41645 TRAINING & TUIT	1,191.95	4,373.90	4,078.18	1,191.95	4,373.90	4,078.18
41650 PRINTING	105.95	518.36	172.60	105.95	518.36	172.60
41655 PUBLISHING	695.07	954.45	809.60	695.07	954.45	809.60
41660 POSTAGE	251.24	(2,670.61)	2,054.78	251.24	(2,670.61)	2,054.78
41710 SALES TAX	265.90	196.50	158.61	265.90	196.50	158.61
41720 CONS USE TAX	255.46	136.59	751.70	255.46	136.59	751.70
41730 BAD DEBT	5.34	0.00	9.88	5.34	0.00	9.88
41900 CASH VARIATION	0.00	0.00	(5.10)	0.00	0.00	(5.10)
42100 CAPITAL IMPROVE	98,619.96	50,099.25	229,212.82	98,619.96	50,099.25	229,212.82
42200 CAPITAL OUTLAY	343,117.00	17,333.18	15,198.95	343,117.00	17,333.18	15,198.95
43100 D/S PRINCIPAL	232,060.00	227,060.00	2,060.00	232,060.00	227,060.00	2,060.00
43200 D/S INTEREST	9,282.50	9,788.75	11,796.25	9,282.50	9,788.75	11,796.25
43300 D/S CONTRACTS	40.00	40.00	20.00	40.00	40.00	20.00
44100 MISCELLANEOUS	2,117.75	842.00	2,242.63	2,117.75	842.00	2,242.63
44211 HOUSING REHAB	0.00	0.00	0.00	0.00	0.00	0.00
44218 CDBG GRANT	0.00	0.00	0.00	0.00	0.00	0.00
44300 HOSPITAL S.T.	39,352.12	39,595.06	38,254.85	39,352.12	39,595.06	38,254.85
44310 SCHOOL	0.00	0.00	0.00	0.00	0.00	0.00
45100 TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
Totals	1,169,953.46	914,001.25	1,037,550.23	1,169,953.46	914,001.25	1,037,550.23

FRANCHISE FEE - OCCUPATION TAX  
FISCAL YEAR 2013 - 2014

COMPANY NAME	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	TOTAL
Allo													0.00
Charter Communications (5% of Gross Reve	14,261.77												14,261.77
NPPD (12% of Retail Revenue)													0.00
Source Gas LLC (\$0.01 per therm)													0.00
<b>Total - Franchise Fees</b>	<b>14,261.77</b>	<b>0.00</b>	<b>14,261.77</b>										
Allo Communications													0.00
Birch Communications, Inc	6.01												6.01
BullsEye Telecom Inc													0.00
Celco Partnership	27.98												27.98
CenturyLink	999.55												999.55
Charter Comm													0.00
Charter Fiberlink													0.00
Compliance Solutions, Inc.	2.39												2.39
Comtel Telcom													0.00
Dish Network	9.30												9.30
First Communications													0.00
Granite Telecommunications	58.12												58.12
New Cingular	25.25												25.25
NT & T	177.79												177.79
Omaha Cellular	181.24												181.24
Sprint Nextel	3.55												3.55
Sprint Spectrum	31.05												31.05
USCOC of Greater IA													0.00
USCOC OF NE/KS	180.71												180.71
Verizon/Alltel	5,057.45												5,057.45
Verizon/VAW	230.49												230.49
Viaero	1,152.59												1,152.59
WWC License LLC													0.00
hone Occupation Tax (5% of Gross Receipts)	8,143.47	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,143.47
Best Western Stagecoach Inn	620.75												620.75
Comfort Inn	1,559.84												1,559.84
Days Inn													0.00
Elms Motel	79.46												79.46
Holiday Inn Express	2,857.34												2,857.34
Oregon Trail Motel	3.60												3.60
Quality Inn (Kennedy Hospitality)	2,677.85												2,677.85
Pump & Pantry Motel	188.19												188.19
Roadway Inn	446.40												446.40
South Platte River Cabins & Kennels	65.50												65.50
Super 8 Motel	2,009.06												2,009.06
otel Occupation Tax (2% of Gross Receipts)	10,507.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,507.99
<b>Grand Total Franchise Fees/Occupation Tax</b>	<b>32,913.23</b>	<b>0.00</b>	<b>32,913.23</b>										

S.E.

## **RESOLUTION NO. 1404**

### **RESOLUTION REAFFIRMING THE CITY OF OGALLALA'S OBLIGATION TO DISTRIBUTE TAXES TO THE HOSPITAL AUTHORITY NO.1 OF KEITH COUNTY, NEBRASKA.**

**WHEREAS**, by its Resolution No. 851 dated August 27, 1996, the Council President and City Council agreed to submit to a special election a question for the imposition of a one-half cent sales and use tax “for the purpose of building a new modern hospital building, including related medical equipment, with the first priority being a sum sufficient to repay the bond and indebtedness” (the “Tax”).

**WHEREAS**, imposition of the Tax was approved at a special election by electors of the City of Ogallala on November 5, 1996;

**WHEREAS**, Hospital Authority No. 1 of Keith County (“Authority”) has constructed and equipped a new modern hospital building, including related medical equipment (the “Facility”);

**WHEREAS**, the Authority previously issued its \$5,500,000 Revenue Bonds (Ogallala Community Hospital Project) Series 1998, (the “Series 1998 Bonds”) to finance construction and equipping of the Facility, and the City, by its Resolution No. 904 dated July 14, 1998, affirmed its obligation to distribute to the Authority proceeds of the Tax to pay debt service on the Series 1998 Bonds;

**WHEREAS**, the Authority previously issued its \$4,625,000 Revenue Refunding Bonds (Ogallala Community Hospital Project), Series 2003, (the “Series 2003 Bonds”) to refund and repay the Series 1998 Bonds, and the City, by its Resolution No. 1098 dated July 8, 2003, affirmed its obligation to distribute to the Authority proceeds of the Tax to pay debt service on the Series 2003 Bonds;

**WHEREAS**, the Authority has determined that due to a reduction in interest rates, it can realize substantial interest savings by refunding the Series 2003 Bonds with proceeds of the Authority’s proposed \$1,500,000 Revenue Refunding Note (Ogallala Community Hospital Project) Series 2013, and has requested reaffirmation by the City of its obligation to distribute taxes to the Authority;

**NOW, THEREFORE**, be it resolved by the Council President and City Council of the City of Ogallala, State of Nebraska as follows:

6.B.

1. Pursuant to Resolution No. 851 of the Council President and City Council and the question approved by the electors on November 5, 1996, the City of Ogallala shall pay to the Authority, but solely from proceeds of the Tax, amounts sufficient to pay principal, interest and premium, if any, on the Revenue Refunding Note, Series 2013, to be issued by the Authority in the principal amount of \$1,500,000, or such other amount as is necessary to refund the outstanding Series 2003 Bonds, and any subsequent bonds issued for the purpose of refunding such bonds (collectively the "Bonds"), for the account of Ogallala Community Hospital and Health Foundation, Inc. ("OCHI") as Lessee of the Facility. Pending notification from the Authority that all principal, interest and premium, if any, on the Bonds have been fully paid, all proceeds of the Tax shall be paid to the Authority, for the account of OCHI upon receipt by the City.
2. The Bonds shall not be a debt or obligation of the City, nor shall they payable out of any funds or properties of the City. The City's sole obligation under this Resolution shall be to remit proceeds of the sales and use tax to the Authority, for the account of OCHI, for their use in accordance with Resolution No. 851 of the City and the question approved by the electors of the City on November 5, 1996.

**PASSED AND APPROVED THIS 12th DAY OF NOVEMBER 2013.**

---

Harold L. Peterson, Council President

ATTEST: \_\_\_\_\_

Jane M. Skinner, City Clerk

6.B.

## Fire Prevention and Severe Weather Education Trailer

The Ogallala Volunteer Fire Department is always looking for newer and better tools to further protect our community from the hazards associated with any emergency situation that may arise. Fire is only one of the things that we continually must educate our entire community about, especially our young citizens. Severe weather events are another type of possible emergency situation that could happen if we do not take the opportunity to properly educate and teach people about the dangers associated with the often unpredictable Mother Nature. With this outreach in mind, the Ogallala Volunteer Fire Department has the unique opportunity to give back to the citizens of our community.

Our department is currently raising funds to purchase a used 35 foot, bleacher style education trailer to not only further educate adults and children in our community about fire and severe weather events, but to be able to do a more thorough and in-depth educational experience with less volunteer manpower. With this tool in our box, we can cover more schools and day care centers than ever before due to the mobile nature and the well-engineered functionality of the trailer and we can do this with a crew of 3, instead of 6 or 8 the way we have been doing it. When we schedule schools, some of them have to come to the station and we travel to some schools. Invariably, due to scheduling issues, we cannot get to every institution that asks for us and we miss some opportunities to educate the public on these critically important points.

The packet describes the trailer in great detail and we have written a set of guidelines for the use of the trailer for our department. We understand that other agencies or communities may want to utilize it as well, and are currently formulating a written agreement along with a reasonable monetary value for this service. The monetary amount will be used for repairs and updating equipment on the trailer from time to time as needed.

Funding for purchase is being sought by donation and grant application. The trailer has ample space to display donor business names as well as individual's names. This is one of the many routes for funding that we have explored.

The Ogallala Volunteer Fire Department would like to ask the council to consider purchasing the yearly insurance for this trailer. The amount is approximately \$186.00 per year. (Based on \$75,000 replacement cost new)

Thank you for your consideration.

Sincerely,

Dell R Simmerman

City of Ogallala Fire Chief

bc.



## Ogallala Volunteer Fire Department Standard Operating Procedure/Guideline

Effective Date: October 1, 2013	SOP/SOG Identification Number & Section: <b>D-5 APPARATUS/EQUIPMENT</b>	Revision: 0
SOG Title: <b>Fire Safety House</b>	Source: Previous SOPs	
Authorized by:  Fire Prevention Officer and Fire Chief	Revaluation Date:  October 1, 2014	Number of Pages:  5

### PURPOSE:

The Ogallala Fire Safety House will be purchased to help educate the people in our community in Fire Safety. It can be used at schools, businesses and public events. The following policy will cover general information about the trailer, its functions, and the guidelines for its use during presentations.

This trailer has many added options to enhance the training environment. Many are expensive and all personnel who wish to be involved with its use will require a training class. Due to the above, it must be noted that, like matches and lighters, this trailer is a "tool" not a "toy!" It will be used for official public education functions only, not for "personal entertainment."

### TRAILER INFORMATION:

The FSH is a 35 foot long, bleacher-style education trailer. It has a curb-side entrance door, bleacher-style seating in the first room (kitchen) and two benches and a bed to sit on in the second room (bedroom). The "bedroom" also includes a full size exit door. The doorways are all full width and so they are all wheelchair compatible.

The first room has the bleacher seating, kitchen area with a working microwave and a false sink and stove. The stove does have two push button switches on the front that control its added options: a red light under the burners (to simulate heat) and a rotating pot on the burner. On the counter, next to the sink, is a phone. It is connected to the phone in the control room and also can connect to a phone that is plugged in to the jacks on the outside of the trailer. This room also includes the "Weather Smart" education system. This includes a TV, VCR, DVD player and full surround sound system. It also includes strobe lights mounted above the mini-blinds (simulated lightning) and moving mini-blinds (simulated wind). The switches for the blinds and strobes are on the street-side wall next to the kitchen cabinets. The entire system is used with a special DVD, which simulates a tornado.

The door between the first and second room is a heated door. This is pre-set at a temperature of 106 degrees. Its control switch is in the control room.

Next to the door is a small viewing window. This can be used by the instructors to make sure they are both ready for further "events."

The control room is on the curb-side of the trailer and has the electrical controls for the trailer. On the wall, there is a normal breaker box that controls all of the 110-volt fixtures in the trailer. Below the breaker box are multiple rows of white switches. These control all of the 12-volt fixtures in the trailer. All of the switches and breakers in the trailer are labeled for your convenience. Below the breakers and white switches is a battery disconnect switch. This controls all 12-volt electrical power in the trailer. Also in the room is a smoke machine. It is permanently mounted to a shelf and to the smoke piping. It has a wired controller and a wireless remote that hangs on a hook on the shelf. The remote should always be returned to its hook after use. The smoke piping has two valves. This controls the path of the smoke to either the kitchen or the bedroom. Below the valves are the back of the outside-viewing TV and VCR. It is also permanently mounted. On the floor of the control room is stored extra smoke liquid and a file box that contains all of the manufacturer's information on the trailer and any extra components.

In the bedroom are two benches and a bed. The bed and the bench under the window both have storage below that is access by lifting the seat. There is also a working window with ladder on the outside. On the street side wall is the exit door. On the wall behind the interior door, there are switches for the AC, heaters and lights. On the wall below the viewing window is the heated door thermostat. It has a digital readout and a built in temp alarm. Both are preset at the factory. If the alarm sounds, turn off the door.

The outside of the vehicle has multiple access doors. The curb side has a storage access at the front of the trailer. It accesses the pass through storage under the bleachers. Inside is a 100' extension cord, generator mounting parts, trailer power cord adapters and the stabilizing jack handles. Also on the curb side is the outside viewing TV/VCR access door. This door is mounted with a top hinge and struts to hold the door in the upright position. This TV can be used with any type of information video to entertain the people waiting to enter the FSH. The remotes for the TV/VCR are velcroed to the top of the TV, inside the control room. The street side of the trailer also has a storage access door on the front of the trailer that accesses the pass through storage under the bleachers. The spare tire for the trailer is stored in this area due to the fact that this door is larger than the access door on the curb side. Also in this area, on the wall to the right of the door, is a cord plugged into an outlet. This is the AC connection. If you are having problems with the AC running, check this connection. Next to this door is a small access door for the trailer's 110v power cord. This cord can be plugged directly into an outlet with the 100' extension cord or can be plugged in to the trailer's Honda generator.

On the front of the trailer is mounted a gasoline powered Honda generator. It has 110v and 220v capabilities and the fuel tank has a 3-gallon capacity. To use this generator follow these steps: attach the trailer power cord to the 30a, 3 pronged outlet, make sure the main breaker is off, turn on the fuel valve (located on the left side), confirm that the voltage selector is set to 110v, turn the auto-idle to "off", and turn the key. Once the generator is warmed up (1 – 2 minutes) turn the auto-idle to "On" and turn on the main breaker.

On the tongue of the trailer is the electric trailer jack. It has two switches on the top of it, one for up/down movement and one for the small light on the top. On the inside of the frame rail, below and behind the jack, is a power control box for the jack. On it is a rubber-

covered switch. This controls the jack's power. It should be kept in the "off" position when not in use.

## GENERAL USE GUIDELINES:

The FSH should be cleaned and vacuumed inside after each event. When needed, the outside should be hand washed with brushes and a garden hose. It should never be cleaned with a station high-pressure washer due to the possibility of damage to the siding and decoration stickers.

When at an event, chock blocks should be used. Just as with the apparatus, blocks should be deployed on each side of a trailer tire.

Mini-blinds should be pulled up and kept in the up position when moving the trailer and when doing presentations (except for the Weather Smart" presentations). This is to avoid damage by people trying to look out the closed blinds. The blinds should be down and in a closed position for storage.

The FSH has three ceiling vents with exhaust fans; one in each room and one in the control room. The 12v switches for all of them are labeled in each room and are also in the control room on the wall under the circuit breaker box. Open the vent fully with the hand crank before turning on the exhaust fans.

## PRESENTATION GUIDELINES:

People with severe asthma should be warned that the smoke might cause a reaction.

The FSH is set up with two rooms so that we can instruct two groups at the same time. There are also separate entrance and exit doors so that groups can pass through the vehicle and not have to double-back through the FSH. Since the exit door is on the street side of the trailer, always place the trailer in a location where it will be safe to enter and exit from both sides.

The first room is a kitchen/living area with bleacher style seating. In this room, educate the people on fire safety for both rooms and cooking safety for the kitchen. Some general topic guidelines are:

### Smoke Detectors

- Smoke is dangerous
- You cannot smell smoke when you are asleep
- A smoke detector can smell smoke day and night
- Test smoke detectors monthly
- Change the batteries at least twice a year

### Cooking Safety

- Never leave cooking unattended – stay in the kitchen
- How to extinguish a pan fire – turn off the heat, use a lid, baking soda or an extinguisher
- Pot handles should be turned in to prevent spilling hot contents (use the button!)

- Do not put metal in the microwave – it can cause a fire
- Unplug all appliances before trying to remove things that are stuck
- Do not place anything that can catch fire near the stove
- If you get burned, cool it by placing the burned area under cool running water

### 911

- 911 is for emergencies only!
- If your house is on fire, call 911 from outside the house
- 911 is for people only!!!

Also, in the kitchen/living area is the “Weather Smart” education system. This system consists of the TV, DVD, surround sound system, shaking mini-blinds and “lightning strobes.” This system is used to educate people on what to do if there is a severe weather event, such as a tornado or hurricane. This system is only for use in the kitchen/living area. Due to the severity of this presentation, it should only be shown to children 10 years old or older.

Before showing the video, discuss what to do in a severe weather emergency:

- Listen to local radio and TV stations for updates
- Know the difference between tornado “watch” and “warning”
  - Watch – conditions right for tornado formation
  - Warning – tornado has been sighted on radar or by the public
- Be aware of your surroundings – changing weather or sounds
- If outside, go inside a sturdy building
- If in a car, do not try to out run it. Drive away from the tornado’s path or get inside a sturdy building

When inside a sturdy building:

- Stay away from windows
- Go to a center hallway, bathroom or closet on the lowest floor of the building
- At a school or business – go to a windowless bathroom, hallway or stairway on the inside of the building, on the lowest level
- Cover yourself with some sort of thick padding, like a mattress

After the tornado passes:

- Stay away from downed power lines or water puddles – they may be electrified
- Avoid debris – nails, glass, metal or other sharp objects
- Use flashlights only – never use matches, lighters or candles. There may be broken gas lines or fuel tanks nearby
- Listen to local radio and TV stations for updates and instructions

To use the “Weather Smart” system:

- Make sure the blinds are down and closed
- Close the door to the bedroom
- Turn on the TV and DVD player
- Shut off the lights
- Turn on the “swinging” blinds and “lightning” strobes
- Turn the volume on the DVD to 14db
- Push play on the DVD player and select “Tornado”

- Watch the presentation
- When completed, turn off the strobes and blinds and turn on the lights

Once you are done in the kitchen/living area, move in to the bedroom area. You can use the following guidelines for this area:

#### Exit Drills

- Always have two ways out of a room
- Have easy to use exits (do windows and doors open easily?)
- Have a designated meeting place
- Practice your escape plan at least twice a year
- Check doors before opening to see if their hot (use the "Hot Door" when exiting)
- Never go back into the building

#### What To Do If Your House Is On Fire

- "Get low and go!" – crawl under the smoke  
Smoke and heat rise  
Easier to see and breathe
- You can't hide from smoke or fire – it will always find you!
- Remember your Exit Drills!!!!

When you've completed the presentation, inform the students that they will now practice exiting the Safety House and that the artificial smoke will not hurt them. Confirm with the students and teacher that no one has severe asthma. Fill the bedroom with smoke have the children "get low and go." Have them go by and check the heated door before they find their second exit from the bedroom. Always exit through the doorway, not the window, to prevent damage to the trailer's siding and ladder. When outside, students should go to the designated "meeting place" and wait for the firefighter.

#### REMINDERS:

- Remember to keep the door to the control room closed during all presentations.
- Remember; only fill the bleachers with the number of people who can fit comfortably in the bedroom!
- Always have a firefighter outside to talk with the groups that are waiting to enter the FSH. That person can do multiple things:
  1. Show them turnout gear and explain how it protects us in fires
  2. Tell them never to go back into a fire for ANYTHING!
  3. Teach them that firefighters are their friends
  4. Show them a Fire Safety Video

## **Ogallala Volunteer Fire Department Fire Safety House Use Rules**

To keep the Fire Safety House (FSH) in good working condition for as long as possible, the following rules will be followed:

**The FSH will not be used during wet or rainy weather.**

**No food or liquids of any kind are allowed in the FSH.**

The FSH will only be transported using a heavy duty utility vehicle, equipped with a trailer brake controller, and capable of safely hauling a 10,500 pound trailer with a 1500 pound tongue weight.

The FSH will only be transported using a driver that has experience hauling tall and long bumper-pull trailers. (FSH is 35' long)

Most damage done to these types of trailers occurs during transport

During transport, all interior doors will be closed to prevent damage.

The FSH will only be set up on a paved level surface.

The supplied wheel chocks will be placed when the unit is parked for use or storage.

The FSH will be set up only in areas without vehicular traffic on either side of the unit for the safety of the students.

The FSH windows will never be opened. This will prevent water damage due to forgetting to close them. Only vent fans will be used for smoke removal.

When available, the 110 volt shoreline should be used instead of the on-board generator due to exhaust and noise issues.

Only exit students via the rear bedroom door. The ladder on the bedroom window (rear of the trailer) is for example only.

Stow the folding steps for the exterior doors prior to moving the FSH.

The FSH will be cleaned and vacuumed prior to return.







6.C.

**RESOLUTION NO. 1405**  
**CITY OF OGALLALA, NEBRASKA**

**A RESOLUTION AMENDING THE SPECIAL FEE SCHEDULE FOR THE  
CITY OF OGALLALA.**

**WHEREAS**, Ogallala Municipal Code provides that the City Council shall establish fees for products and services provided by the City of Ogallala, Nebraska by Resolution;

**BE IT THEREFORE RESOLVED**, by the Council President and City Council of the City of Ogallala Nebraska that:

The City of Ogallala Special Fee Schedule should be and is hereby amended, as set forth in Exhibit "A".

The Effective date of Resolution shall be November 13, 2013.

**PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF NOVEMBER 2013.**

\_\_\_\_\_  
Harold L. Peterson, Council President

ATTEST: \_\_\_\_\_  
Jane M. Skinner, City Clerk

6.D.

ANIMAL LICENSE FEES/POLICE FEES	CASH ONLY
Spayed Female Dog Or Cat *	\$11.00
Neutered Male Dog Or Cat *	\$11.00
Unspayed Female Dog Or Cat *	\$26.00
Non-Neutered Dog Or Cat *	\$26.00
Replacement tag	\$5.00
Animal Care Fee	\$10.00/Day
Animal Impoundment/Release	First Offense \$35.00
	Second Offense \$50.00
	Third & Subsequent Offenses \$100.00
* Biennial	
Adoption Fee (May be waived by Chief of Police)	\$20.00
Accident/Criminal Reports	
Copy-Accident Report (Picked Up)	\$2.00
Copy-Accident Report (Mailed or Faxed)	\$4.00
Copy-Criminal Report Face Sheet (Picked Up)	\$1.00
Copy-Criminal Report Face Sheet (Mailed or Faxed)	\$2.00
Full Copies of Criminal Reports will only be released pursuant to a court order or subpoena.	
Copy-Photographs (On CD Rom or Emailed)	\$3.00
Research/Processing Fee (Billed in 1/4 Hr Increments)	\$20.00
Handgun-Application Fee to Purchase, Lease, Rent, Receive or Transfer (Neb. Stat 69-2404)	\$5.00
Motorized Vehicles	
Impounded Vehicle Daily Storage Fee (Paid at City Clerk's Office)	\$15.00/Day
Impounded Vehicle towing Fee (Paid at City Clerk's Office)	Amount set by tow company
ATV/UTV Permit (Good from January 1st through December 31st)	
From January 1st to June 30th	\$25.00
From July 1st to December 31st	\$12.50
Preliminary Breath Tests	
Nebraska Residents	\$5.00
Non-Residents	\$15.00
Parking Citations	
Restricted Zone/Handicapped Zone	\$10/\$15 after 6 days
Too Close-Fire Hydrant or Station	\$10/\$15 after 6 days
In front of School/Theater	\$10/\$15 after 6 days
Snow Emergency Route	\$10/\$15 after 6 days
All Other Parking Violations	\$5/\$10 after 6 days

OGALLALA PLANNING COMMISSION  
MEETING  
November 5<sup>th</sup>, 2013

Meeting of the Ogallala Planning Commission was called to order at 7:30 P.M. Members present were: Kris Springer, Lance Larington, Ron Bloomquist, Doug Davis, Dave Schwasinger and Clyde Bryant Absent members were Kevin Klockman and Steve Seitler. Also in attendance was Ogallala Zoning Administrator, Ken Knoepfel.

**AGENDA**

1. Roll call
2. Verification of publication and open meetings law.
3. Request for approval of Deluna's Subdivision located in the SE Quarter of Section 3, Township 13 North, Range 39, West of the 6<sup>th</sup> P.M.
4. Discussion on whether to rezone the property located in the SE Quarter of Section 3, Township 13 North, Range 39, West of the 6<sup>th</sup> P.M. at the airport back from Agricultural to Industrial.
5. Discussion on zoning regulations regarding boundary fences.
6. Adjourn

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. Notice of this meeting was simultaneously given to the Chairperson and to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the Notice to the Chairperson and to all members of the Planning Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Chairperson of the Planning Commission 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.

**AGENDA ITEM 3**

Knoepfel briefed the Commission on a request for approval of Deluna's Subdivision saying the property is located on County Road West 90, immediately west of the airport. The property is owned by Robert and Megan Jehorek. They wish to convey 4.67 acres of Industrial ground to their daughter and son in law, Cort and Michelle Deluna. The plat shows a triangular section of land that will be created by virtue of this subdivision. The property contains a 4000 square foot shop building that will be owned by the Deluna's. The area of 4.67 acres is more than adequate for a domestic well and septic system if need be.

Presentation was made to Jack Quinlivan with the county and he had no objections to this subdivision.

A motion was made by Bryant to recommend approval of Deluna's Subdivision located in the SE Quarter of Section 3, Township 13 North, Range 39, West of the 6<sup>th</sup> P.M. Schwasinger seconded the motion. There was no discussion. All members present voted "Yes". Motion was carried.

**Agenda Item 4** Discussion was made with respect to Property located in Lot B, Jehorek's Replat, a replat of Lot 2, Hillis's Replat, An Administrative Replat of Lot 3, Ogallala Industrial Addition. In March of 2013 this property was rezoned from Industrial to Agricultural to facilitate a family care facility. This facility never materialized and is now being offered for sale. A question was asked by a City Councilman whether this property can be considered for rezoning back to industrial since the property is no longer being considered for a family care facility.

It was the consensus of the Commission to start proceedings and go through the public hearing process to rezone the property back to Industrial.

**Agenda Item 5** Discussion was made with respect to amending the zoning code to include fence regulations.

It was the consensus of the Commission to start proceedings and go through the public hearing process to produce an ordinance amending fence regulations.

With no further business to discuss, the meeting was adjourned at 8:15 P.M.

Respectfully submitted by,

Lance Larington  
Secretary





# CERTIFICATE OF COMPLIANCE

Maintenance Agreement No. 43  
Maintenance Agreement between the Nebraska Department of Roads and the  
Municipality of Ogallala  
Municipal Extensions in Ogallala

We hereby certify that all roadway snow removal and/or surface maintenance has been accomplished as per terms of the Maintenance Agreement specified above.

As per Section 8d of the Agreement, we are submitting this certificate to District Engineer Gary Thayer, Department of Roads, North Platte, Nebraska.

ATTEST: 12 day of November, 2013.

\_\_\_\_\_  
*City Clerk*

\_\_\_\_\_  
*Mayor*

I hereby certify that all roadway snow removal and/or surface maintenance was performed as per the above listed agreement and payment for the same should be made.

\_\_\_\_\_  
*District Engineer, Department of Roads*

### For Office Use Only

Agreement No.: \_\_\_\_\_  
Pay/Bill Code: \_\_\_\_\_  
Contractor No.: \_\_\_\_\_  
Amount: \$ \_\_\_\_\_



# AGREEMENT RENEWAL

Maintenance Agreement No. 43  
Maintenance Agreement between the Nebraska Department of Roads and the  
Municipality of Ogallala  
Municipal Extensions in Ogallala

We hereby agree that Maintenance Agreement No. 43 described above be renewed for  
the period January 1, 2014 to December 31, 2014.

All figures, terms and exhibits to remain in effect as per the original agreement dated  
January 1, 2012.

In witness whereof, the parties hereto have caused these presents to be executed by  
their proper officials thereunto duly authorized as of the dates indicated below.

Executed by the City this 12 day of November, 2013.

ATTEST: City of Ogallala

\_\_\_\_\_  
*City Clerk* *Mayor*

Executed by the State this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST: State of Nebraska

\_\_\_\_\_  
*District Engineer, Department of Roads*

6.G.