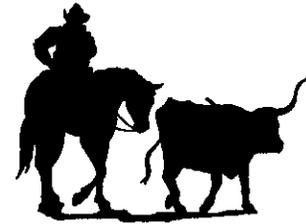


# City of Ogallala

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



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## MAY 24, 2016 AGENDA ATTACHMENTS

- 2.A. Claims.
- 2.B. Corporate Manager License for Daryl Cisney in conjunction with the Class C Liquor License for Ogallala Lodge #1624 Order of Moose.
- 2.C. Appointment to Board – Board of Health (1).
  - 1) Dr. Gabriel Godina – Three Year Term (1-1-2016 – 12-31-2018).
- 2.D. Appointment to Board – Keep Keith County Beautiful.
  - 2) Roxane Welsh
- 2.E. Appointment to Board – City Manager Selection Committee
  - 3) David Kling
- 4.A. Proclamation – Relay for Life
- 4.B. 2016 Playful City USA (Cheryl Roche).
- 5.A. Minutes of the Regular Meeting held May 10, 2016.
- 5.B. Application for a special designated liquor license for Silverchair, LLC DBA 1 Eleven events to be held June 16, 2016 from 6:00 PM to 9:00 PM and on June 23, 2016 from 6:00 PM to 9:00 PM.
- 5.C. Application for a special designated liquor license for Elks 1760 events to be held June 30, 2016 from 5:00 PM to 9:30 PM and July 7, 2016 from 5:00 PM to 09:30 PM.
- 6.A. Administration – A Franchise of the City of Ogallala, Nebraska granting a cable television franchise to Charter Communications. (Ord 1342).
- 6.B. Community Development – Revolving Loan Fund Proposal.
- 6.C. Planning and Zoning - A request to amend South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle’s First Addition and All of Block 9, Paxton’s Addition. (Res. 1472).
- 6.D. Planning and Zoning - A request to rezone property located at 601 West B Street, more particularly described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle’s First Addition and Lots 1 through 5, Block 9, Searle’s First Addition. Proposed rezoning is from R-2 Residential District Medium Density to C-1 Central Business District (City of Ogallala).
- 6.E. Police – Amending the Ogallala Municipal Code Chapter 27 – The investigation, declaration and abatement of nuisances. (Ord 1343).
- 6.F. Water – 2016 Backhoe Loader.



CITY OF OGALLALA  
CLAIMS LISTING

Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60010	4/28/2016	12501	125 PLAN	384.60	DEPENDANT CARE-PRETX
00 12700	60010	4/28/2016	12501	125 PLAN	203.83	DEPENDANT CARE-PRETX
00 12700	60011	4/28/2016	EFT01	EFTPS	2,280.10	FEDERAL INCOME TAX
00 12700	60011	4/28/2016	EFT01	EFTPS	3,645.05	FEDERAL INCOME TAX
00 12700	60011	4/28/2016	EFT01	EFTPS	9,130.78	FEDERAL INCOME TAX
00 12700	60011	4/28/2016	EFT01	EFTPS	2,135.46	FEDERAL INCOME TAX
00 12700	60012	4/28/2016	HAR00	HARTFORD LIFE AND ACCIDEN	143.00	FIREFIGHTER LIFE INSURANC
00 12700	60012	4/28/2016	HAR00	HARTFORD LIFE AND ACCIDEN	143.00	FIREFIGHTER LIFE INSURANC
00 12700	60012	4/28/2016	HAR00	HARTFORD LIFE AND ACCIDEN	11.00	LIFE INSURANCE
00 12700	60012	4/28/2016	HAR00	HARTFORD LIFE AND ACCIDEN	669.75	LIFE INSURANCE
00 12700	60013	4/28/2016	HEA01	HOSPITAL & MEDICAL	20,266.50	MEDICAL INSURANCE
00 12700	60013	4/28/2016	HEA01	HOSPITAL & MEDICAL	762.50	MEDICAL INSURANCE
00 12700	60014	4/28/2016	ICM01	ICMA-RC PLAN #108596	548.24	PENSION
00 12700	60015	4/28/2016	MAN02	JOHN HANCOCK FINANCIAL SE	6,234.70	PENSION
00 12700	60015	4/28/2016	MAN02	JOHN HANCOCK FINANCIAL SE	153.15	PENSION
00 12700	60015	4/28/2016	MAN02	JOHN HANCOCK FINANCIAL SE	363.63	PENSION
00 12700	60015	4/28/2016	MAN02	JOHN HANCOCK FINANCIAL SE	378.88	PENSION
00 12700	60015	4/28/2016	MAN02	JOHN HANCOCK FINANCIAL SE	674.48	PENSION
00 12700	60016	4/28/2016	MAN04	JOHN HANCOCK FINANCIAL SE	2,486.90	PENSION
00 12700	60017	4/28/2016	NCS01	NE CHILD SUPPORT CENTER	46.15	CHILD SUPPORT
00 12700	60018	4/28/2016	PIN01	PINNACLE BANK	53,688.33	PP9 DIRECT PAY
00 12700	60019	4/28/2016	VAL07	VALLEY BANK-HEALTH SAVING	2,844.00	HSA HEALTH SAVINGS
00 12700	60020	4/30/2016	STA01	STATE OF NEB DEPT OF REV	4,162.78	STATE INCOME TAX
00 12700	60022	5/12/2016	12501	125 PLAN	384.60	DEPENDANT CARE-PRETX
00 12700	60022	5/12/2016	12501	125 PLAN	203.83	DEPENDANT CARE-PRETX
00 12700	60023	5/12/2016	AME01	AMERICAN FAMILY INSURANCE	41.86	AFLAC LIFE ATAX
00 12700	60023	5/12/2016	AME01	AMERICAN FAMILY INSURANCE	144.69	AFLAC LIFE ATAX
00 12700	60023	5/12/2016	AME01	AMERICAN FAMILY INSURANCE	187.69	AFLAC LIFE ATAX
00 12700	60023	5/12/2016	AME01	AMERICAN FAMILY INSURANCE	62.28	AFLAC LIFE ATAX
00 12700	60023	5/12/2016	AME01	AMERICAN FAMILY INSURANCE	33.28	AFLAC LIFE ATAX
00 12700	60024	5/12/2016	EFT01	EFTPS	2,403.98	FEDERAL INCOME TAX
00 12700	60024	5/12/2016	EFT01	EFTPS	3,802.86	FEDERAL INCOME TAX
00 12700	60024	5/12/2016	EFT01	EFTPS	9,325.34	FEDERAL INCOME TAX
00 12700	60024	5/12/2016	EFT01	EFTPS	2,180.90	FEDERAL INCOME TAX
00 12700	60025	5/12/2016	HAR00	HARTFORD LIFE AND ACCIDEN	55.00	LIFE INSURANCE
00 12700	60026	5/12/2016	HEA01	HOSPITAL & MEDICAL	19,550.40	MEDICAL INSURANCE
00 12700	60026	5/12/2016	HEA01	HOSPITAL & MEDICAL	725.00	MEDICAL INSURANCE
00 12700	60027	5/12/2016	ICM01	ICMA-RC PLAN #108596	363.20	PENSION
00 12700	60028	5/12/2016	MAN02	JOHN HANCOCK FINANCIAL SE	6,424.30	PENSION
00 12700	60028	5/12/2016	MAN02	JOHN HANCOCK FINANCIAL SE	153.15	PENSION
00 12700	60028	5/12/2016	MAN02	JOHN HANCOCK FINANCIAL SE	363.63	PENSION
00 12700	60028	5/12/2016	MAN02	JOHN HANCOCK FINANCIAL SE	422.69	PENSION
00 12700	60028	5/12/2016	MAN02	JOHN HANCOCK FINANCIAL SE	688.32	PENSION
00 12700	60029	5/12/2016	MAN04	JOHN HANCOCK FINANCIAL SE	2,390.62	PENSION
00 12700	60030	5/12/2016	NCS01	NE CHILD SUPPORT CENTER	46.15	CHILD SUPPORT
00 12700	60031	5/12/2016	PIN01	PINNACLE BANK	54,677.69	PP10 DIRECT PAY
00 12700	60032	5/12/2016	VAL07	VALLEY BANK-HEALTH SAVING	2,778.00	HSA HEALTH SAVINGS
00 12700	80	5/1/2016	NED01	NE DEPT OF AERONAUTICS	1,130.83	46-VOR, DME, AWOS
00 12700	80	5/1/2016	NED01	NE DEPT OF AERONAUTICS	2,060.00	46-HANGAR LOAN #2819
00 12700	96	5/19/2016	NER01	NE DEPARTMENT OF REVENUE	786.39	40-APR 2016 SALES TAX
00 12700	96	5/19/2016	NER01	NE DEPARTMENT OF REVENUE	215.15	41-APR 2016 SALES TAX
00 12700	96	5/19/2016	NER01	NE DEPARTMENT OF REVENUE	0.70	32-APR 2016 SALES TAX
00 12700	168	5/24/2016	PIN01	PINNACLE BANK	25.00	10-DIRECT DEPOSIT FEES
00 12700	59936	5/6/2016	KOH02	KOHLER TRAILER SALES & SE	(2,619.00)	Ck# 059936 Reversed
00 12700	60021	5/10/2016	NDH00	NDHSS	240.00	41-POOL OPERATOR TRAINING CLINIC
00 12700	60033	5/24/2016	21S01	21ST CENTURY EQUIPMENT	29.70	21-OIL FILTER
00 12700	60034	5/24/2016	ADA01	ADAMS BANK	125.00	31-2016 TRUST AGREEMENT-VERP
00 12700	60034	5/24/2016	ADA01	ADAMS BANK	125.00	36-2016 TRUST AGREEMENT-VERP
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	165.64	10-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	32.83	48-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	62.74	21-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	49.29	31-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	144.67	32-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	31.19	34-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	93.58	46-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	70.94	40-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALL06	ALLO COMMUNICATIONS	31.19	42-PHONE SVC APR 2016

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**CITY OF OGALLALA  
CLAIMS LISTING**

Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	31.19	42-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	38.88	38-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	38.36	37-PHONE SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	27.00	10-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	5.00	48-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	25.00	21-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	69.07	31-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	10.00	36-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	25.00	34-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	40.00	46-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	37.00	40-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	35.00	42-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	5.00	38-INTERNET SVC APR 2016
00 12700	60035	5/24/2016	ALLO6	ALLO COMMUNICATIONS	5.00	37-INTERNET SVC APR 2016
00 12700	60036	5/24/2016	AOS01	NAPA OGALLALA	6.58	32-DRAIN PLUGS
00 12700	60036	5/24/2016	AOS01	NAPA OGALLALA	21.99	21-ANTIFREEZE
00 12700	60036	5/24/2016	AOS01	NAPA OGALLALA	27.69	32-FUEL CLEANER
00 12700	60036	5/24/2016	AOS01	NAPA OGALLALA	7.65	42-AIR FILTERS
00 12700	60036	5/24/2016	AOS01	NAPA OGALLALA	7.64	46-AIR FILTERS
00 12700	60037	5/24/2016	ARB01	ARBOR HEALTH PLAN	47.06	36-AMB REFUND
00 12700	60038	5/24/2016	ARN02	ARNOLD POOL CO.	4,699.64	41-DEFILTER POWDER, ACID MAGIC, ALGI
00 12700	60038	5/24/2016	ARN02	ARNOLD POOL CO.	117.45	41-VALVE, O-RING
00 12700	60039	5/24/2016	ARR05	ARROW INTERNATIONAL, INC.	125.29	36-EZ NEEDLES
00 12700	60040	5/24/2016	BAR05	BARNHILL, MARCIA	97.47	38-BANQUET DECORATIONS
00 12700	60041	5/24/2016	BLU01	BLUECROSS BLUESHIELD NEB	601.88	36-AMB REFUND
00 12700	60042	5/24/2016	BOU01	BOUND TREE MEDICAL, LLC	256.50	36-GLOVES, CATHETERS, TRACH TUBES, V.
00 12700	60042	5/24/2016	BOU01	BOUND TREE MEDICAL, LLC	529.98	36-BACKBOARD PAD
00 12700	60042	5/24/2016	BOU01	BOUND TREE MEDICAL, LLC	531.60	36-CATHETER, STETHOSCOPE, OXYGEN TL
00 12700	60042	5/24/2016	BOU01	BOUND TREE MEDICAL, LLC	4.28	36-STETHOSCOPE EARTIP
00 12700	60043	5/24/2016	BRU02	BRUCKNER, MIKE	842.32	32-PP#10, PP#11
00 12700	60044	5/24/2016	BTS01	BUSINESS TELECOMM SYSTEMS	812.02	10-VOICE MAIL HARD DRIVE, LABOR, MILE
00 12700	60045	5/24/2016	CAN04	CANDY AEROTECH SERVICE, L	1,000.00	46-AIRPORT ATTENDANT DUES FOR MAY
00 12700	60046	5/24/2016	CHA03	CHARTER COMMUNICATIONS	15.79	32-TV SERVICE-MAY/JUNE
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	814.82	21-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	57.70	31-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	789.23	32-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	276.34	34-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	92.92	36-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	1,046.36	37-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	127.46	42-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	53.11	46-FUEL CHARGES MAY 2016
00 12700	60047	5/24/2016	CHS01	CHS GRAINLAND	44.61	48-FUEL CHARGES MAY 2016
00 12700	60048	5/24/2016	CIM01	THE CIMA COMPANIES INC.	1,390.94	38-RENEWAL APPLICATION FOR INS/MEV
00 12700	60049	5/24/2016	CON17	CONSOLIDATED MANAGEMENT C	102.50	32-MEALS-HORTON 4/7-4/13/16
00 12700	60049	5/24/2016	CON17	CONSOLIDATED MANAGEMENT C	106.75	32-MEALS-HORTON 4/14-4/20/16
00 12700	60049	5/24/2016	CON17	CONSOLIDATED MANAGEMENT C	102.59	32-MEALS-HORTON 4/21-4/27/16
00 12700	60049	5/24/2016	CON17	CONSOLIDATED MANAGEMENT C	76.19	32-MEALS-HORTON 4/28-5/4/16
00 12700	60050	5/24/2016	COR02	CORNHUSKER GLASS INC.	10.62	32-SHIPPING
00 12700	60051	5/24/2016	CRA05	CRANMORE PEST CONTROL LLC	45.00	31-PEST CONTROL
00 12700	60052	5/24/2016	CUL01	CULLIGAN	23.50	21-WATER/DISPENSER
00 12700	60052	5/24/2016	CUL01	CULLIGAN	36.50	32-WATER/DISPENSER
00 12700	60052	5/24/2016	CUL01	CULLIGAN	26.00	34-WATER/DISPENSER
00 12700	60053	5/24/2016	DEE01	DEERE CREDIT, INC.	4,575.00	21-LOADER LEASE
00 12700	60054	5/24/2016	EIC01	EICHNER SALES & SERVICE	37.99	34-TRIMMER LINE
00 12700	60054	5/24/2016	EIC01	EICHNER SALES & SERVICE	315.00	34-TRIMMER
00 12700	60055	5/24/2016	EMS02	EMS BILLING SERVICES INC	1,971.53	36-CK'S REC'D PER CONTRACT
00 12700	60056	5/24/2016	EXT00	EXTREME MACHINE INC	49.88	37-RESURFACE ROTORS
00 12700	60057	5/24/2016	FAG01	OGALLALA PLUMBING	189.00	42-INSTALL FROSTLESS HOSEBIBBS
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	3.18	34-FASTENERS
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	6.57	21-BOLTS
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	12.16	37-BOLTS, GEAR LUBE
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	88.33	34-HOSE REEL, AIR HOSE, KEY BLANK, PLU
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	12.99	34-OIL
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	3.99	21-DIE
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	53.52	21-GRAB HOOKS
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	36.97	21-SLIP HOOKS, VISE GRIPS
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	11.16	34-FASTENERS, ADAPTERS

2A.

**CITY OF OGALLALA  
CLAIMS LISTING**

Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	45.98	34-GLOVES
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	281.86	42-GLOVES, FILTER, TREES, TIRE SEALANT
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	26.99	21-ADAPTER SLEEVE
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	27.98	21-GLOVES, COUPLER
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	767.84	34-TREES
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	7.99	21-HITCH PIN, CLIP
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	17.97	10-MULCH
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	221.94	42-TREES
00 12700	60058	5/24/2016	FAR04	JOHN DEERE FINANCIALS	49.48	42-TREES, ROPE
00 12700	60059	5/24/2016	GOL05	GOLF & SPORT SOLUTIONS	1,678.18	42-INFIELD MIX
00 12700	60060	5/24/2016	HINO3	HINTON'S LOCK & ALARM	399.06	40-CLAM SHELL CARDS
00 12700	60061	5/24/2016	HUM01	HUMPHREYS AUTO SUPPLY	97.56	36-OIL FILTER, OIL STABILIZER, FUEL CLEAI
00 12700	60061	5/24/2016	HUM01	HUMPHREYS AUTO SUPPLY	32.54	42-OIL FILTER, FUEL CLEANER, OIL STABLI
00 12700	60061	5/24/2016	HUM01	HUMPHREYS AUTO SUPPLY	32.54	46-OIL FILTER, FUEL CLEANER, OIL STABLI
00 12700	60061	5/24/2016	HUM01	HUMPHREYS AUTO SUPPLY	248.64	37-BATTERY
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	31.20	21-TOWELS, MATS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	41.43	10-TOWELS, MATS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	40.90	40-TOWELS, MATS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	30.94	21-TOWELS, MATS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	27.13	10-TOWELS, MATS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	56.99	10-TOWELS
00 12700	60062	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	239.74	42-TOWELS
00 12700	60063	5/24/2016	IIM01	INTL INSTIT MUNI CLERKS	155.00	10-ANNUAL MEMBERSHIP FEE-SKINNER
00 12700	60064	5/24/2016	INT20	INTELLICORP	38.14	37-BACKGROUND CHECK
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	89.97	10-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	90.00	32-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	92.37	46-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	262.63	40-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	424.47	42-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	78.13	34-TRASH SVC MAY 2016
00 12700	60065	5/24/2016	JBJ01	WASTE CONNECTIONS INC.	141.48	21-TRASH SVC MAY 2016
00 12700	60066	5/24/2016	KCC01	KEITH COUNTY CLERK	20.00	34-RECORDING FEES-HALL, RANDOLPH
00 12700	60067	5/24/2016	KCH01	K.C. HOSPITAL AUTHORITY	31,445.72	51-SALES TAX FEB 2016
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	60.00	10-PUBLISHING-CITY MANAGER
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	444.93	10-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	10.35	21-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	8.10	32-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	10.35	37-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	33.75	38-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	16.20	42-PUBLISHING
00 12700	60068	5/24/2016	KCN01	KEITH COUNTY NEWS	42.68	48-PUBLISHING
00 12700	60069	5/24/2016	KCS03	KEITH CO SENIOR CENTER	42.00	38-MEALS
00 12700	60070	5/24/2016	KCT01	KEITH COUNTY TREASURER	9,822.30	32-MONTHLY EOC CHARGES MAY 2016
00 12700	60070	5/24/2016	KCT01	KEITH COUNTY TREASURER	924.20	36-MONTHLY EOC CHARGES MAY 2016
00 12700	60070	5/24/2016	KCT01	KEITH COUNTY TREASURER	415.21	31-MONTHLY EOC CHARGES MAY 2016
00 12700	60071	5/24/2016	KEN01	KENFIELD ELECTRIC INC	113.40	42-SLICE KITS
00 12700	60072	5/24/2016	KEN08	KENTS TOWING	150.00	32-TOWING FEES
00 12700	60072	5/24/2016	KEN08	KENTS TOWING	100.00	32-TOWING FEES
00 12700	60072	5/24/2016	KEN08	KENTS TOWING	170.00	32-TOWING FEES
00 12700	60073	5/24/2016	KEY04	KEYSTONE SOD	150.00	34-SOD
00 12700	60074	5/24/2016	KIL01	KILDARE LUMBER	20.50	42-CONCRETE MIX
00 12700	60074	5/24/2016	KIL01	KILDARE LUMBER	4.80	34-SAND MIX
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	142.71	32-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	108.37	42-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	109.57	41-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	121.18	21-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	143.42	31-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	129.26	34-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	3,158.72	40-GAS SVC MAY 2016
00 12700	60075	5/24/2016	KNE01	SOURCEGAS	217.28	46-GAS SVC MAY 2016
00 12700	60076	5/24/2016	LIN01	MATHESON TRI-GAS INC (LIN	90.16	36-OXYGEN
00 12700	60076	5/24/2016	LIN01	MATHESON TRI-GAS INC (LIN	66.00	36-TANK RENTAL
00 12700	60077	5/24/2016	LYN02	LYNN CARD COMPANY	103.95	32-BADGES
00 12700	60078	5/24/2016	MCM02	MCMILLAN PLUMBING	120.00	40-REPAIR WOMENS SHOWER STALL
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	1,201.20	10-PROFESSIONAL SVC APR 2016
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	55.00	32-PROFESSIONAL SVC APR 2016
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	146.30	34-PROFESSIONAL SVC APR 2016

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**CITY OF OGALLALA  
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Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	385.00	40-PROFESSIONAL SVC APR 2016
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	27.50	47-PROFESSIONAL SVC APR 2016
00 12700	60079	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	586.30	48-PROFESSIONAL SVC APR 2016
00 12700	60080	5/24/2016	MIG01	MIGHTY CLEAN JANITORIAL	140.00	31-JANITORIAL SVC APR 2016
00 12700	60081	5/24/2016	MOB00	MOBILE MEC. MECHANIC SERV	152.00	32-TOWING FEES
00 12700	60081	5/24/2016	MOB00	MOBILE MEC. MECHANIC SERV	164.00	32-TOWING FEES
00 12700	60081	5/24/2016	MOB00	MOBILE MEC. MECHANIC SERV	125.00	32-TOWING FEES
00 12700	60081	5/24/2016	MOB00	MOBILE MEC. MECHANIC SERV	80.00	32-TOWING FEES
00 12700	60082	5/24/2016	MOS04	HARRY & SHIRLEY MOST, WRO	190.00	34-CEMETERY LOT BUY BACK
00 12700	60083	5/24/2016	NDH00	NDHSS	200.00	41-POOL OPERATOR TRAINING CLINIC
00 12700	60084	5/24/2016	NEB29	NEBRASKA PRINT WORKS	137.40	31-BURN PERMITS
00 12700	60085	5/24/2016	NEM04	NE MOSQUITO & VECTOR CONT	140.00	21-2016 MEMBERSHIP DUES, CONF REGIS
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	263.86	10-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	487.73	21-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	11,533.10	21-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	346.90	31-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	214.22	32-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	116.93	34-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	1,798.98	40-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	70.06	41-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	61.69	47-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	1,003.34	42-ELECTRIC SVC MAY 2016
00 12700	60086	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	448.48	46-ELECTRIC SVC MAY 2016
00 12700	60087	5/24/2016	NES09	NE SAFETY & FIRE EQUIPMEN	250.00	40-BATTERIES
00 12700	60087	5/24/2016	NES09	NE SAFETY & FIRE EQUIPMEN	125.00	40-FIRE ALARM SYSTEM INSPECTION
00 12700	60088	5/24/2016	NEW03	NEWMAN SIGNS	270.45	21-SIGN, DELINEATOR
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	3.00	48-LAMINATION
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	14.28	10-HIGHLIGHTERS
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	16.87	10-FLSH DRIVE
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	21.98	34-VINYL LETTERING
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	11.74	21-BINDERS, CLIPBOARDS
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	6.99	38-PAPER
00 12700	60089	5/24/2016	OFF02	OFFICE SERVICE, INC.	6.00	38-BANQUET PAPER
00 12700	60090	5/24/2016	OGA09	OG READY MIX/SIMON CONTRA	83.15	21-ROAD GRAVEL
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	400.00	37-GARAGE SPACE RENT MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	38.00	21-WATER SVC MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	78.25	31-WATER SVC MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	107.50	32-WATER SVC MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	302.25	40-WATER SVC MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	206.25	42-WATER SVC MAY 2016
00 12700	60091	5/24/2016	OGA12	OGALLALA WATER DEPT.	35.25	47-WATER SVC MAY 2016
00 12700	60092	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	360.00	42-POTTIE RENT
00 12700	60092	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	60.00	34-POTTIE RENT
00 12700	60092	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	360.00	42-POTTIE RENT
00 12700	60092	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	60.00	34-POTTIE RENT
00 12700	60093	5/24/2016	OGA44	OGALLALA COMMUNITY HOSPIT	17.55	36-AMB SUPPLIES
00 12700	60093	5/24/2016	OGA44	OGALLALA COMMUNITY HOSPIT	46.07	36-AMB SUPPLIES
00 12700	60093	5/24/2016	OGA44	OGALLALA COMMUNITY HOSPIT	6.93	36-AMB SUPPLIES
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	3.90	37-FASTENERS
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	2.78	37-FASTENERS
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	2.90	21-FASTENERS
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	0.74	21-FASTENERS
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	9.98	21-SPRAYPAINT
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	4.49	42-NAIL PEGS
00 12700	60094	5/24/2016	OGA51	OGALLALA ACE HARDWARE	107.41	41-CLEANER, GLOVES, TRASH BAGS
00 12700	60095	5/24/2016	OLE00	OLE'S BIG GAME STEAKHOUSE	2,091.00	38-RSVP BANQUET CATERING
00 12700	60096	5/24/2016	OLS04	OLSSON ASSOCIATES	2,197.99	46-PROJ 3-31-0061-11 HANGAR DOORS, E
00 12700	60097	5/24/2016	OMA01	OMAHA WORLD HERALD	348.75	10-CITY MANAGER AD
00 12700	60098	5/24/2016	PAU01	PAULSEN INC	650.00	21-BLOCKS FOR GRASS DUMP
00 12700	60099	5/24/2016	PIN01	PINNACLE BANK	67,811.90	47-GRC EXPANSION LOAN PAYMENT
00 12700	60099	5/24/2016	PIN01	PINNACLE BANK	7,188.10	47-GRC EXPANSION LOAN PAYMENT
00 12700	60100	5/24/2016	PLA01	PLATTE VALLEY AGENCY, INC	1,045.67	31-ACCIDENT & HEALTH INS
00 12700	60100	5/24/2016	PLA01	PLATTE VALLEY AGENCY, INC	1,045.67	36-ACCIDENT & HEALTH INS
00 12700	60100	5/24/2016	PLA01	PLATTE VALLEY AGENCY, INC	1,045.66	31-ACCIDENT & HEALTH INS
00 12700	60100	5/24/2016	PLA01	PLATTE VALLEY AGENCY, INC	401.00	21-2016 BOBCAT INS
00 12700	60101	5/24/2016	QUI02	QUILL CORPORATION	104.92	32-PAPER, FILE JACKETS, FILE FOLDERS
00 12700	60101	5/24/2016	QUI02	QUILL CORPORATION	89.45	32-CLEANING SUPPLIES, TOWELS, HAND S

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Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60101	5/24/2016	QUI02	QUILL CORPORATION	542.33	10-PENS, PAPER-15 CASES
00 12700	60101	5/24/2016	QUI02	QUILL CORPORATION	33.83	32-INK CARTRIDGE
00 12700	60101	5/24/2016	QUI02	QUILL CORPORATION	280.11	32-INK CARTRIDGES
00 12700	60102	5/24/2016	RAN05	RONALD & VIRGINIA RANDOLP	390.00	34-CEMETERY LOT BUY BACK
00 12700	60103	5/24/2016	RDW01	R & D WELDING & SUPPLY IN	53.60	31-WELDING STEPS
00 12700	60103	5/24/2016	RDW01	R & D WELDING & SUPPLY IN	53.60	21-WELDING STEPS
00 12700	60103	5/24/2016	RDW01	R & D WELDING & SUPPLY IN	135.00	21-REPAIR TRAILER BED
00 12700	60104	5/24/2016	REA01	REAMS SPRINKLER SUPPLY	126.60	42-NOZZLES
00 12700	60105	5/24/2016	REE02	REESON, TOM	27.70	36-TOM REESON-PAYROLL
00 12700	60106	5/24/2016	ROS08	ROSE EQUIPMENT INC.	212.09	21-FILTERS FOR STREET SWEEPER
00 12700	60107	5/24/2016	SAR02	SARGENT DRILLING	2,322.96	34-CEMETERY WELL REPAIR
00 12700	60108	5/24/2016	SHO03	ALMQUIST,MALTZAHN,GALLOW	177.50	31-VERP 2015 AUDIT
00 12700	60108	5/24/2016	SHO03	ALMQUIST,MALTZAHN,GALLOW	177.50	36-VERP 2015 AUDIT
00 12700	60109	5/24/2016	SIF01	SIFFRING, RON	66.98	38-BANQUET SUPPLIES
00 12700	60110	5/24/2016	SOU03	SOUTHWEST AUTO TECH, LLC	104.66	37-RECHARGE EVACT SYSTEM
00 12700	60111	5/24/2016	STE01	STEVE'S BODY & PAINT INC.	125.00	32-TOWING FEES
00 12700	60111	5/24/2016	STE01	STEVE'S BODY & PAINT INC.	225.00	32-TOWING FEES
00 12700	60111	5/24/2016	STE01	STEVE'S BODY & PAINT INC.	125.00	32-TOWING FEES
00 12700	60112	5/24/2016	TEL01	TELEGRAPH	71.72	46-INVITE TO BID PROJ 3-31-0061-011
00 12700	60113	5/24/2016	TLC01	TLC CLEANSWEEP/LORI BUSH	275.00	10-APRIL 2016 CLEANING
00 12700	60113	5/24/2016	TLC01	TLC CLEANSWEEP/LORI BUSH	275.00	32-APRIL 2016 CLEANING
00 12700	60113	5/24/2016	TLC01	TLC CLEANSWEEP/LORI BUSH	50.00	47-CLEAN SPRUCE ST. GARAGE
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	63.14	42-TRAILER TIRE
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	63.00	36-ROTATE AMB TIRES
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	24.00	42-FLAT REPAIR
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	3,315.83	21-GRADER TIRES
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	83.92	42-TURF TIRE
00 12700	60114	5/24/2016	TOW01	TOWN & COUNTRY SRV INC.	392.32	42-TIRES
00 12700	60115	5/24/2016	TRU01	TRUCK & AUTO ALIGN INC	1,430.38	32-FRONT END ALIGNMENT, BALL JOINT,
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	3.00	37-CC-LICENSE RECORD
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	44.71	21-RB-FUEL
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	4.69	21-JC-LUBRICANT
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	4.99	21-KP-ROPE
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	260.59	31-OS-WIRELESS TRANSMITTER, AUDIO C
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	40.12	32-CH-FUEL
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	100.76	32-DK-MEALS, FUEL
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	1,288.19	34-JF-GLOVES, SUNSCREEN, SAFETY GLASS
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	38.99	40-KM-LAWNCART
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	10.35	40-MO-FUEL
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	181.03	40-MO-PLAQUE, CARDS, GIFT BASKET
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	147.20	40-MS-LYSOL, PAPER TOWELS
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	723.30	40-MS-BENCH, POOL CHEMICALS
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	9.82	40-MS-CARD STOCK
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	16.21	41-MS-BOOKS
00 12700	60116	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	71.26	41-MS-CLIPBOARD, POCKET FOLDERS, STC
00 12700	60117	5/24/2016	USP01	U S POSTAL SERVICE	87.00	38-POSTAGE
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	5,191.44	42-TURF KING
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	102.60	42-QUIK PRO DRY
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	1,059.24	42-HERBICIDE
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	240.00	42-GLYPHOSATE
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	255.00	42-SURFLAN
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	33.71	42-METHYLATED
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	60.87	42-PRODIAMINE
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	424.00	42-SAHARA
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	488.00	42-GALLERY 75 DF
00 12700	60118	5/24/2016	VAN01	VAN DIEST SUPPLY COMPANY	500.56	42-ESPLANADE, HERBICIDE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	139.30	10-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	77.96	21-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	26.93	31-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	156.03	32-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	53.86	34-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	75.11	36-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	126.14	37-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	90.49	40-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	53.86	42-CELL PHONE SERVICE
00 12700	60119	5/24/2016	VER00	VERIZON WIRELESS	53.86	48-CELL PHONE SERVICE
00 12700	60120	5/24/2016	VIS01	VISA	568.21	41-UNIFORMS

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Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
00 12700	60120	5/24/2016	VIS01	VISA	(0.85)	41-CREDIT
00 12700	60121	5/24/2016	WIN03	WINDY ACRE ELECTRIC	86.13	31-INSTALL OUTLET
00 12700	60122	5/24/2016	WOL04	WOLF LANDSCAPE DESIGN	7,600.00	42-MULCH, TREE, SHRUBS, GRASSES, LABI
00 12700	60123	5/24/2016	XER01	XEROX CORPORATION	34.89	32-MAINTENANCE
<b>General Fund Total</b>					<b>437,462.16</b>	
10 12709	637	5/4/2016	REG01	REGIONAL CARE INC.	225.00	10-SELECT FLEX CLAIMS
10 12709	638	5/10/2016	REG01	REGIONAL CARE INC.	735.29	10-SELECT FLEX CLAIMS
10 12709	639	5/17/2016	REG01	REGIONAL CARE INC.	450.00	10-SELECT FLEX CLAIMS
<b>Select Flex Claims</b>					<b>1,410.29</b>	
24 12701	96	5/19/2016	NER01	NE DEPARTMENT OF REVENUE	8,127.26	24-APR 2016 SALES TAX
24 12701	96	5/19/2016	NER01	NE DEPARTMENT OF REVENUE	381.16	24-APR 2016 SALES TAX
24 12701	172	5/10/2016	ADA01	ADAMS BANK	25.00	24-AUTO PAY FEES MAY 2016
24 12701	15527	5/24/2016	ALL06	ALLO COMMUNICATIONS	135.30	24-PHONE SERVICE
24 12701	15528	5/24/2016	AME24	AMERICAN AGRICULTURAL LAB	35.00	24-LAB SAMPLES
24 12701	15528	5/24/2016	AME24	AMERICAN AGRICULTURAL LAB	37.00	24-LAB SAMPLES
24 12701	15528	5/24/2016	AME24	AMERICAN AGRICULTURAL LAB	19.50	24-LAB SAMPLES
24 12701	15528	5/24/2016	AME24	AMERICAN AGRICULTURAL LAB	35.00	24-LAB SAMPLES
24 12701	15528	5/24/2016	AME24	AMERICAN AGRICULTURAL LAB	35.00	24-LAB SAMPLES
24 12701	15529	5/24/2016	AOS01	NAPA OGALLALA	19.66	24-CLAMP, CAR WASH
24 12701	15530	5/24/2016	CHS01	CHS GRAINLAND	567.90	24-FUEL CHARGES MAY 2016
24 12701	15531	5/24/2016	COR02	CORNHUSKER GLASS INC.	11.63	24-SHIPPING
24 12701	15531	5/24/2016	COR02	CORNHUSKER GLASS INC.	21.58	24-SHIPPING
24 12701	15532	5/24/2016	GEN01	GENERAL FUND	5,922.25	24-MAY 2016 ADMIN EXPENSES
24 12701	15532	5/24/2016	GEN01	GENERAL FUND	18,247.87	24-PP#8,PP#9
24 12701	15533	5/24/2016	GRA06	GRAINGER	140.87	24-FIRE HYDRANT FITTINGS
24 12701	15534	5/24/2016	HHS01	HHS REGULATION & LICENSURE	28.35	24-REVIEW OF TANK PAINTING PLANS
24 12701	15535	5/24/2016	HOA01	HOA SOLUTIONS, INC	22,300.00	24-TRANSFORMER FOR WATER SYSTEM
24 12701	15536	5/24/2016	HUM01	HUMPHREYS AUTO SUPPLY	9.53	24-HAND CLEANER
24 12701	15537	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	34.63	24-TOWELS, MATS
24 12701	15537	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	18.33	24-TOWELS
24 12701	15537	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	34.34	24-TOWELS, MATS
24 12701	15537	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	18.18	24-TOWELS
24 12701	15538	5/24/2016	JB01	WASTE CONNECTIONS INC.	141.48	24-TRASH SVC MAY 2016
24 12701	15539	5/24/2016	KCN01	KEITH COUNTY NEWS	856.06	24-PUBLISHING
24 12701	15540	5/24/2016	KCT01	KEITH COUNTY TREASURER	2,314.38	24-TAXES FOR 2016 FORD
24 12701	15541	5/24/2016	KNE01	SOURCEGAS	259.86	24-GAS SVC MAY 2016
24 12701	15542	5/24/2016	LAW02	LAWSON PRODUCTS, INC.	188.59	24-DRILL BITS, CAP ASSORTMENT, CAP SC
24 12701	15543	5/24/2016	MAG03	MAGUIRE IRON	116,628.65	24-WATER IMPROVEMENTS 2009-1, PMT#
24 12701	15543	5/24/2016	MAG03	MAGUIRE IRON	(116,628.65)	Ck# 015543 Reversed
24 12701	15544	5/24/2016	MCQ01	MCQUILLAN LAW OFFICE PC L	18.70	24-PROFESSIONAL SVC APR 2016
24 12701	15545	5/24/2016	MID03	MIDWEST ELECTRIC	4,356.52	24-ELECTRIC SERVICE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	103.69	8" X 2" CC SERVICE SADDLE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	295.53	2" MULLER CC X FIP CORP VALVES
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	0.59	24-OVERAGE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	106.20	5 1/4 VALVE BOX TOP
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	42.80	TALL 5 1/4" VALVE BOX LIDS
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	127.02	1" CC CORP STOP TO 1" COP TUBE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	215.04	5 1/4" VALVE BOX ADAPTER
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	2,140.00	NEPTUNE WALL MOUNT RADIO READ
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	0.02	24-OVERAGE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	1,005.69	24-(3) METERS
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	327.36	1" STRAIGHT METER FITTINGS
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	0.02	24-OVERAGE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	124.70	12" C900 X 1" TAP SADDLE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	134.16	5 1/4" VALVE BOX BOTTOMS
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	0.02	24-OVERAGE
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	199.29	1" M.I.P. TO METER 90
24 12701	15546	5/24/2016	MUN02	MUNICIPAL SUPPLY, INC.	0.07	24-OVERAGE
24 12701	15547	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	13,588.76	24-D311044-DRINKING WATER SRF-SMI A
24 12701	15547	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	6,794.38	24-D311044-DRINKING WATER SRF-SMI A
24 12701	15548	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	2,502.31	24-ELECTRIC SVC MAY 2016
24 12701	15549	5/24/2016	OFF02	OFFICE SERVICE, INC.	27.96	24-GREEN PAPER
24 12701	15549	5/24/2016	OFF02	OFFICE SERVICE, INC.	90.00	24-COMPUTER TROUBLESHOOT
24 12701	15550	5/24/2016	OGA12	OGALLALA WATER DEPT.	41.46	24-WATER SVC MAY 2016
24 12701	15551	5/24/2016	ONE05	ONE CALL CONCEPTS, INC	96.03	24-EMERGENCY LOCATES

**CITY OF OGALLALA  
CLAIMS LISTING**

Cash Account	Check #	CK Date	Ven #	Vendor Name	Ck Amount	Description
24 12701	15552	5/24/2016	PLA01	PLATTE VALLEY AGENCY, INC	196.00	24-INS 2016 FORD
24 12701	15553	5/24/2016	QUI01	QUICK ELECTRIC	135.23	24-SHOP HEATER REPAIR
24 12701	15554	5/24/2016	RDW01	R & D WELDING & SUPPLY IN	116.26	24-IRON, OXYGEN, PIPE
24 12701	15555	5/24/2016	SAF02	SAFETY-KLEEN CORPORATION	273.37	24-SOLVENT
24 12701	15556	5/24/2016	SAR02	SARGENT DRILLING	6,389.50	24-DRILL TEST WELLS
24 12701	15557	5/24/2016	STA06	ST OF NEB-DEPT HEALTH LAB	3,799.00	24-LAB SAMPLES
24 12701	15558	5/24/2016	TEL01	TELEGRAPH	22.32	24-BID REQUEST-BACKHOE LOADER
24 12701	15559	5/24/2016	USA01	USA BLUE BOOK- HD SUPPLY	133.01	24-SPEAKER, LABOR
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	31.98	24-CB-SEAL
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	4.27	24-CB-FASTENER
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	182.50	24-JH-CRACK FILLER, SCREWS, SEAL, FASTI
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	27.99	24-JH-FUEL
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	21.36	24-JH-INSECT KILLER
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	13.70	24-JW-TISSUE, BLEACH
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	276.15	24-JW-HOE BATTERIES
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	533.61	24-JW-STRAPS, BAR CLAMP, PAINT, EXTEP
24 12701	15560	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	151.69	24-JW-FIREBOX LANTERN
24 12701	15561	5/24/2016	VER00	VERIZON WIRELESS	126.13	24-CELL PHONE SERVICE
24 12701	15562	5/24/2016	\R006	ALYSSA RIVAS	10.80	MQ CUSTOMER REFUND FOR RIV0020
24 12701	15563	5/24/2016	MAG03	MAGUIRE IRON	116,153.65	24-WATER IMPROVEMENTS 2009-1, PMTI
<b>Water total</b>					<b>220,902.55</b>	
25 12702	172	5/10/2016	ADA01	ADAMS BANK	25.00	25-AUTO PAY FEES MAY 2016
25 12702	10030	5/24/2016	ALL06	ALLO COMMUNICATIONS	62.38	25-PHONE SVC
25 12702	10030	5/24/2016	ALL06	ALLO COMMUNICATIONS	55.00	25-INTERNET SVC
25 12702	10031	5/24/2016	BAL04	B.A. LAWRENCE LLC	1,475.00	25-ANNUAL BLOWER SERVICE
25 12702	10032	5/24/2016	EAK01	EAKES OFFICE PLUS	479.40	25-ENVELOPES
25 12702	10033	5/24/2016	GEN01	GENERAL FUND	4,127.08	25-MAY 2016 ADMIN EXPENSE
25 12702	10033	5/24/2016	GEN01	GENERAL FUND	13,486.78	25-PP#8, PP#9
25 12702	10034	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	20.82	25-TOWELS, MATS
25 12702	10034	5/24/2016	IDE01	IDEAL LINEN SUPPLY INC.	20.82	25-TOWELS, MATS
25 12702	10035	5/24/2016	JB01	WASTE CONNECTIONS INC.	161.04	25-TRASH SVC MAY 2016
25 12702	10036	5/24/2016	KNE01	SOURCEGAS	2,184.34	25-GAS SVC MAY 2016
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	68,695.56	25-C317152-PRINCIPAL
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	13,238.54	25-C317152-INTEREST
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	4,098.62	25-C317152-ADMIN FEE
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	9,279.58	25-C317500-PRINCIPAL
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	3,598.02	25-C317500-INTEREST
25 12702	10037	5/24/2016	NDE01	NDEQ-FISCAL SERVICES	1,799.01	25-C317500-ADMIN FEE
25 12702	10038	5/24/2016	NEP01	NE PUBLIC POWER DISTRICT	4,344.18	25-ELECTRIC SVC MAY 2016
25 12702	10039	5/24/2016	OGA12	OGALLALA WATER DEPT.	77.00	25-WATER SVC MAY 2016
25 12702	10040	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	3,468.00	25-MAY MAINTENANCE
25 12702	10040	5/24/2016	OGA27	SCOTT ENGLAND dba SCOTTIE	350.00	25-JET W 5 & 6 BETWEEN A & B
25 12702	10041	5/24/2016	OLS04	OLSSON ASSOCIATES	1,999.15	25-PROJ 013-0541, OG WASTEWTR PLANT
25 12702	10041	5/24/2016	OLS04	OLSSON ASSOCIATES	309.91	25-PROJ 013-0541, OG WASTEWTR PLANT
25 12702	10042	5/24/2016	PAU01	PAULSEN INC	188.19	25-PRIMER, MASTERSEAL
25 12702	10042	5/24/2016	PAU01	PAULSEN INC	28.29	25-PRIMER
25 12702	10043	5/24/2016	QWE00	CENTURYLINK	73.80	25-LOCAL PHONE SERVICE
25 12702	10044	5/24/2016	SNE01	SNELL SERVICES INC	2,610.36	25-INSTALL FLAME ARRESTOR
25 12702	10045	5/24/2016	USA01	USA BLUE BOOK- HD SUPPLY	80.44	25-PHOSPHORUS TEST KIT
25 12702	10046	5/24/2016	USB00	U.S. BANK-CORP PAYMENT SY	814.22	25-DF-SPRAYER, BOOSTER CABLES, BATTE
25 12702	10047	5/24/2016	VER00	VERIZON WIRELESS	53.86	25-CELL PHONE SERVICE
<b>Wastewater Total</b>					<b>137,204.39</b>	
99 12705	40	5/24/2016	CUR03	CURTIS, JARROD	90.00	99-WELLNESS-CURTIS, JARROD
99 12705	41	5/24/2016	OGA03	OGA. CHAMBER OF COMMERCE	340.00	99-KC CASH-APRIL 2016 WELLNESS
99 12705	483	5/1/2016	REG01	REGIONAL CARE INC.	15,658.37	99-MONTHLY REINSURANCE
99 12705	10672	4/29/2016	REG01	REGIONAL CARE INC.	(148.87)	99-HEALTH CLAIMS #3361-3365
99 12705	10673	5/6/2016	REG01	REGIONAL CARE INC.	736.46	99-HEALTH CLAIMS #3366-3372
99 12705	10674	5/13/2016	REG01	REGIONAL CARE INC.	5,335.42	99-HEALTH CLAIMS #3373-3381
99 12705	10662A	5/20/2016	REG01	REGIONAL CARE INC.	1,016.19	99-HEALTH CLAIMS #3289-3295
99 12705	10664A	5/20/2016	REG01	REGIONAL CARE INC.	193.31	99-HEALTH CLAIMS #3303-3308
99 12705	10672A	5/20/2016	REG01	REGIONAL CARE INC.	148.87	99-HEALTH CLAIMS #3361-3365
<b>Medical/Benefit Total</b>					<b>23,369.75</b>	
<b>Grand Total</b>					<b>820,349.14</b>	

2.A.

**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.nebraska.gov

Office Use	RECEIVED
	MAY 10 2015
	LIQUOR CONTROL COMMISSION

**MUST BE:**

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: Ogallala Lodge #1624 Order of Moose

**Premise information**

Liquor License Number: 008344 Class Type C (if new application leave blank)

Premise Trade Name/DBA: Ogallala Lodge #1624

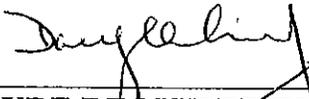
Premise Street Address: 1121 East 1<sup>st</sup> Street

City: Ogallala, NE County: Keith Zip Code: 69153

Premise Phone Number: (308) 284-6717

Premise Email address: moose1624@gmail.com

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. To see authorized officers or members search your license information here.



**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Fixed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Cisroy First Name: Daryl MI: A  
 Home Address: 610 Highland Drive  
 City: Ogallala, NE County: KEITH Zip Code: 69153-1527  
 Home Phone Number: (308) 289-3048  
 Driver's License Number & State: [REDACTED] NEBRASKA  
 Social Security Number: [REDACTED]  
 Date Of Birth: [REDACTED] Place Of Birth: [REDACTED]  
 Email address: daccprn144@gmail.com

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

YES  NO

Spouse's information

Spouses Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_  
 Driver's License Number & State: \_\_\_\_\_  
 Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

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
Ogallala, NE	1983	2016			
610 Highland Dr.	2006	2016			

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1983	2015	Board of Educational Consultants	Richard Endacott	(402)471-2014
1982		UNL	Dean Steven Waller	Ag Hall - UNL

1. READ CAREFULLY. <sup>currently retired</sup> 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, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

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

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(s):

Ogallala Moose Lodge #1624 (2010)

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. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
DARYL ALLEN CISNEY	05/2016	NEBRASKA RBST RB-0063519
DARYL A. CISNEY	04/2010	NEBRASKA RBST

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
DARYL A. CISNEY, BARTENDER Part-time	2012 - 2013	egallab moose lodge #1624

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

**PERSONAL OATH AND CONSENT OF INVESTIGATION**

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.

*Daryl Cisney*  
Signature of Manager Applicant

Signature of Spouse

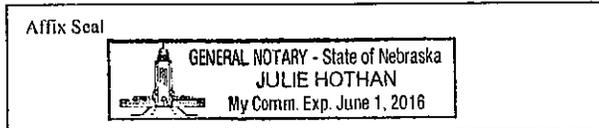
**ACKNOWLEDGEMENT**

State of Nebraska  
County of Keith The foregoing instrument was acknowledged before me this

12<sup>th</sup> May 2016  
date

by Daryl Cisney  
NAME OF PERSON BEING ACKNOWLEDGED

*Julie Hothan*  
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.

*JB*

**DARYL ALLEN CISNEY**

has earned a

***Certificate of Achievement***

- for those who serve or sell alcohol in Nebraska

# RB-0063519

Expires: 05-10-2019 Amount Paid: \$



**Responsible Beverage Service Training**  
**N E B R A S K A**



D.B.

# City of Ogallala

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



## REQUEST TO SERVE ON CITY BOARDS OR COMMITTEES

Date: 5/19/16

Name: Gabriel Godin

Address: 629 Road E D South Phone: ~~308 284 3615~~  
308 280 1414

Do you live in the City limits? Yes  No

Name of Board or Committee you are interested in serving on:

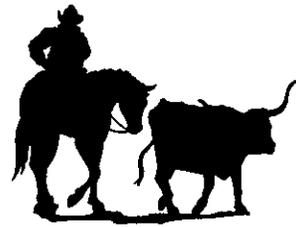
Board of Health

Reason you wish to serve or any addition information you would like to provide:

Prante no support to county Assessment  
[Signature]

# City of Ogallala

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



## REQUEST TO SERVE ON CITY BOARDS OR COMMITTEES

Date: 5/20/16

Name: Roxane Welsh

Address: 67K-1 Rd Phone: 284-9923

Do you live in the City limits? Yes \_\_\_\_\_ No X

Name of Board or Committee you are interested in serving on:

Keep Keith County Beautiful

Reason you wish to serve or any addition information you would like to provide:

City liaison

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.D.

# City of Ogallala

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



## REQUEST TO SERVE ON CITY BOARDS OR COMMITTEES

Date: 5-20-16

Name: David Kling

Address: 410 East 2nd Phone: 289-5273

Do you live in the City limits? Yes  No

Name of Board or Committee you are interested in serving on:

City Manager Selection Committee

Reason you wish to serve or any addition information you would like to provide:

- Employee representative

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# PROCLAMATION

*American Cancer Society Relay for Life Proclamation for Ogallala, Keith County.*

*WHEREAS, the American Cancer Society Relay For Life movement is the world's largest fundraising event to fight every cancer in every community and unites communities across the globe to celebrate people who have battled cancer, remember loved ones lost, and take action to finish the fight one and for all; and*

*WHEREAS, funds raised during Relay For Life of Keith County enable the Society to help people facing the disease today, educate people about how to reduce their risk for cancer or detect it early, and fund cancer research that will help protect future generations; and*

*WHEREAS, Relay for Life events helped fund more than \$144 million in cancer research last year;*

*NOW, THEREFORE, I, Harold L. Peterson, Mayor of the City of Ogallala, Nebraska, DO HEREBY PROCLAIM Saturday, June 11, 2016 as,*

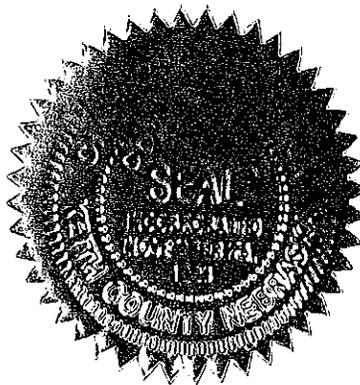
*"RELAY FOR LIFE DAY"*

*in Ogallala and encourage citizens to let their passion inspire them to take the Relay For Life message to more people to raise more dollars to fund the fight against cancer by participating in the Relay For Life event in Ogallala at North Park on Saturday, June 11, 2016 from noon to midnight.*

\_\_\_\_\_  
*Harold L. Peterson, Mayor  
City of Ogallala*

Attest:

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





## 2016 Playful City USA Community Toolkit: Announcement Press Release Template

**Directions:** Use this press release template announcing the 2016 Playful City USA communities to help spread the word about making your community more playable. Include a quote from a local leader and insert information about what your community has done and is doing to make play a priority. Post it on your website, promote it on your networks, submit it to your local papers and share it on your social media channels.



### FOR IMMEDIATE RELEASE

#### CONTACT:

Cheryl Roche, [cliroche@gmail.com](mailto:cliroche@gmail.com), 308-726-5479

### **Ogallala Recognized as 2016 Playful City USA Community**

*257 communities exhibiting Playability to be recognized as part of 2016 Playful City USA Program*

**Ogallala, (May 18, 2016)** – Ogallala is being honored with a 2016 Playful City USA designation for the second time. Celebrating its 10<sup>th</sup> anniversary, the national recognition program honors cities and towns across the country for making their cities more playable. Currently the Ogallala Youth Committee (OYC) of the City of Ogallala in partnership with Ogallala Public Schools (OPS) is in the process of raising funds to create a handicap accessible playground at the OPS Kids Oasis site.

"The Ogallala Youth Committee is excited that Ogallala is once again being recognized as a Playful City USA Community!" said OYC chairperson Cheryl Roche. "Ogallala is a very special community. It's a city that values children, youth and families. Due to the collaboration between the city of Ogallala and Ogallala Public Schools and with support of many community organizations, the current dirt yard at Kid's Oasis will soon be a beautiful play space where students can play afterschool and where children and families can spend time when Kid's Oasis is not in session."

Communities across the country are creating innovative ways to bring back play and attract residents through family friendly activities. Interactive sidewalk art, designated play spaces on trails and the transformation of schoolyards into active play areas are just a few examples of how cities are becoming more playful.

"We are thrilled to recognize these communities that have invested their time and efforts to put kids first," said KaBOOM! CEO James Siegal. "*Balanced and active play* is crucial to the well-being of kids and the communities that they thrive in. By integrating play into cities, the leaders of Playful Cities USA are working to attract and retain the thousands of families that want homes in close proximity to safe places to play."

To learn more about these cities, see the full list of the 257 communities named 2016 Playful City USA honorees, or to gather more information on the Playful City USA program, visit [www.playfulcityusa.org](http://www.playfulcityusa.org). We also encourage you to take part in the conversation on [#playability](#) with these thought leaders on [Twitter](#) and [Facebook](#).

[About KaBOOM!](#)

KaBOOM! is the national non-profit dedicated to giving all kids – particularly those growing up in poverty in America – the childhood they deserve filled with balanced and active play, so they can thrive. Since 1996, KaBOOM! has collaborated with partners to build, open or improve nearly 16,300 playgrounds, engaged more than one million volunteers and served 8.1 million kids. KaBOOM! creates great places to play, inspires communities to promote and support play, and works to drive the national discussion about the importance of play in fostering healthy and productive lives. To learn why #playmatters: visit [kaboom.org](http://kaboom.org) or join the conversation at [twitter.com/kaboom](https://twitter.com/kaboom) or [facebook.com/kaboom](https://facebook.com/kaboom).

# MINUTE BOOK

CITY OF OGALLALA, NEBRASKA

## REGULAR MEETING OF THE CITY COUNCIL

MAY 10, 2016

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 10<sup>th</sup> day of May 2016, at 7:00 o'clock P.M. Present were: Vice President of the Council: Karl Elmshaeuser; Council Members: Kevin Block and Rodger Rankin. Absent: Darrell G. Bassett and Harold Peterson. Interim City Manager: Jane M. Skinner; City Clerk Administrative Secretary: Lynn Roberts. City Attorney: Josh Wendell.

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 May 6, 2016 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 Vice 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 excuse Harold Peterson from the May 10, 2016 City Council Meeting. Councilman Rankin seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Darrell Bassett and Harold Peterson. Motion declared carried.

Council Vice President Elmshaeuser opened a public hearing regarding a request to rezone 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. (Cheryl Gessner) at 7:02 P.M.

Ken Knoepfel, Planning and Zoning Administrator and Robert Gessner addressed the council regarding the request to rezone 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density.

Councilman Bassett arrived at the meeting at 7:07 P.M.

Council Vice President Elmshaeuser opened a public hearing regarding a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (Roger and Sue Quimby) at 7:08 P.M.

Ken Knoepfel, Planning and Zoning Administrator addressed the council regarding the request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska.

Council Vice President read the proclamation proclaiming May 15 – 21, 2016 as Police Week in Ogallala Nebraska.

Councilman Block moved to approve the minutes of the regular meeting held April 26, 2016. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

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

City Clerk Jane Skinner presented the financial report for April 2016.

Councilman Bassett moved to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 06-04-2016 from 11 AM to 11 PM. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

Council Vice President Elmshaeuser announced Ordinance 1342 was introduced and read for the first time on April 26, 2016. Council Vice President Elmshaeuser read Ordinance 1342 by title, a franchise ordinance of the city of Ogallala, Nebraska granting a cable television franchise to Charter Communications VI, LLC, locally known as CHARTER COMMUNICATIONS, for the development and operation of a cable system. Council Vice President Elmshaeuser announced that ordinance 1342 has been read for the second time.

Councilman Bassett moved to appoint Jane Skinner to the Library Building Facilities Committee. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

Councilman Block moved to accept the resignation of Stephanie Schrack from the Ogallala Volunteer Fire Department. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

Council Vice President Elmshaeuser closed a public hearing regarding a request to rezone 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. (Cheryl Gessner) at 7:24 P.M.

Councilman Rankin moved to allow a request to rezone property located at 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

Council Vice President Elmshaeuser closed a public hearing regarding a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (Roger and Sue Quimby) at 7:26 P.M.

Councilman Bassett moved to allow a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. Councilman Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. No: None. Absent: Harold Peterson. Motion declared carried.

Council Vice President Elmshaeuser announced Ordinance 1343 was introduced and read for the first time on April 26, 2016. Council Vice President Elmshaeuser read Ordinance 1343 by title, An ordinance of the City of Ogallala, Keith county, Nebraska, amending the Ogallala city code chapter 27 regarding the investigation, declaration and abatement of nuisances; to repeal all other ordinances and resolutions, or parts thereof in conflict; to provide that the provisions of this ordinance shall be made a part of the code of the City of Ogallala; and to provide when this ordinance shall be in full force and effect. Council Vice President Elmshaeuser announced that ordinance 1343 has been read for the second time.



**MINUTE BOOK**  
CITY OF OGALLALA, NEBRASKA

SUMMARY OF MINUTES OF REGULAR MEETING OF THE OGALLALA CITY  
COUNCIL

HELD AT CITY HALL COUNCIL CHAMBERS 7:00 P.M. MAY 10, 2016

Present were: Vice President of the Council: Karl Elmshaeuser. Council Members: Kevin Block and Rodger Rankin. Absent: Darrell Bassett and Harold Peterson. City Manager: Aaron Smith; City Clerk: Jane Skinner; City Attorney: Michael McQuillan.

Moved to excuse Harold Peterson from the May 10, 2016 City Council Meeting. Carried.

Opened a public hearing regarding a request to rezone 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. (Cheryl Gessner) at 7:02 P.M.

Councilman Bassett arrived at the meeting at 7:07 P.M.

Opened a public hearing regarding a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (Roger and Sue Quimby) at 7:08 P.M.

Read the proclamation proclaiming May 15 – 21, 2016 as Police Week in Ogallala Nebraska.

Moved to approve the minutes of the regular meeting held April 26, 2016. Carried.

Presented the financial report for April 2016.

Moved to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 06-04-2016 from 11 AM to 11 PM. Carried.

Announced Ordinance 1342 was introduced and read for the first time on April 26, 2016. Read Ordinance 1342 by title, a franchise ordinance of the city of Ogallala, Nebraska granting a cable television franchise to Charter Communications VI, LLC, locally known as CHARTER COMMUNICATIONS, for the development and operation of a cable system. Announced that ordinance 1342 has been read for the second time.

Moved to appoint Jane Skinner to the Library Building Facilities Committee. Carried.

Moved to accept the resignation of Stephanie Schrack from the Ogallala Volunteer Fire Department. Carried.

Closed a public hearing regarding a request to rezone 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. (Cheryl Gessner) at 7:24 P.M.

Moved to allow a request to rezone property located at 801 East 1st Street, more particularly described as Lots 1 through 5 Except Tract for Highway, Block 2, Krueger's Second Subdivision. Proposed rezoning is from C-2 Highway Business District to R-2 Residential District Medium Density. Carried.

Closed a public hearing regarding a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. (Roger and Sue Quimby) at 7:26 P.M.

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

Moved to allow a request for special exception to place a utility structure as a primary use on a residential lot located at 2800 West A Street, more particularly described as a 8.26 Acre Tract located in Section 30, Township 14 North, Range 38 West of the 6th P.M., Ogallala, Nebraska. Carried.

Announced Ordinance 1343 was introduced and read for the first time on April 26, 2016. Read Ordinance 1343 by title, An ordinance of the City of Ogallala, Keith county, Nebraska, amending the Ogallala city code chapter 27 regarding the investigation, declaration and abatement of nuisances; to repeal all other ordinances and resolutions, or parts thereof in conflict; to provide that the provisions of this ordinance shall be made a part of the code of the City of Ogallala; and to provide when this ordinance shall be in full force and effect. Announced that ordinance 1343 has been read for the second time.

Moved to adjourn at 7:30 P.M. Carried.

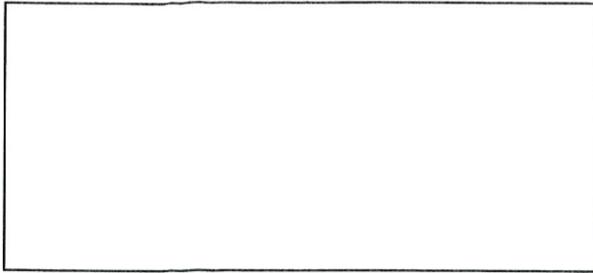
Jane M. Skinner, City Clerk

Harold L. Peterson, Council President

Publish: May 30, 2016

**APPLICATION FOR SPECIAL DESIGNATED LICENSE**

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.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



DO YOU NEED POSTERS? YES  NO

**NON PROFIT APPLICANTS**

(Check one that best applies)

Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

**LIQUOR LICENSE HOLDERS**

Liquor license number and class (i.e. C-055441)

CK-113005

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer  Wine  Distilled Spirits

2. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: SILVERCHAIR, LLC DBA 1 ELEVEN LOUNGE

ADDRESS: 111 E ST

CITY OGALLALA NE ZIP 69153

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME RENDEZVOUS SQUARE

ADDRESS: 112 E. 2ND ST CITY OGALLALA

ZIP 69153 COUNTY and COUNTY # KEITH

a. Is this location within the city/village limits? YES  NO

b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans and/or wives? YES  NO

c. Is this location within 300' of any university or college campus? YES  NO

5.B.

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date JUNE 16, 2016	Date JUNE 23, 2016	Date	Date	Date	Date
<b>Hours</b> From 6 PM	<b>Hours</b> From 6 PM	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From
To 9 PM	To 9 PM	To	To	To	To

- a. Alternate date: \_\_\_\_\_
- b. Alternate location: \_\_\_\_\_  
(Alternate date or location must be specified in local approval)

5. Indicate type of activity to be carried on during event:

Dance \_\_\_ Reception \_\_\_ Fund Raiser \_\_\_ Beer Garden<sup>x</sup> \_\_\_ Sampling/Tasting \_\_\_

Other \_\_\_\_\_

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_  
(not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** 121' x 71'

**\*SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

\_\_\_ Fence; \_\_\_ snow fence \_\_\_ chain link \_\_\_ cattle panel  
<sup>x</sup> other walls that are fixed from top of pavilion to concrete  
 \_\_\_ Tent

7. How many attendees do you expect at event? 200

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

All people wishing to consume adult beverages will be carded by licensed personnel. Wrist bands will be worn by all individuals age 21 or older.

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES <sup>x</sup> NO <sup>x</sup>

a. Are there separate toilets for both men and women? YES <sup>x</sup> NO <sup>x</sup>

10. Where will you be purchasing your alcohol?

Wholesaler X Retailer \_\_\_\_\_ Both \_\_\_\_\_ BYO \_\_\_\_\_  
(Includes wineries)

11. Will there be any games of chance operating during the event? YES \_\_\_ NO X

If so, describe activity \_\_\_\_\_

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: \_\_\_\_\_

13. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. PLEASE PRINT LEGIBLY

Print name of Event Supervisor Jeremy Smith

Signature of Event Supervisor [Signature]

Event Supervisor phone: Before 308 280 0330 During 11

Email address ogwateringhole@yahoo.com

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here [Signature] \_\_\_\_\_ Title Mgr Date 5/9/16  
Authorized Representative/Applicant  
Jeremy Smith  
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

REQUEST FOR EXEMPTION FOR WAIVER OF DOUBLE FENCING RULE

(MUST BE SENT WITH APPLICATION A MINIMUM OF 30 DAYS PRIOR TO THE DATE OF THE EVENT)

WHY DOUBLE FENCING IS NOT AVAILABLE Rendezvous Square is a covered cement parking lot.

There are fabric walls that extend from top to cement to provide secure area.

TYPE OF FENCING TO BE USED Semi-permanent walls that are fixed to concrete \*

HEIGHT OF FENCING TO BE USED \_\_\_\_\_

HOW AREA WILL BE PATROLLED Unpaid security along with employees to id all entrants

EXPECTED NUMBER OF ATTENDEES 200

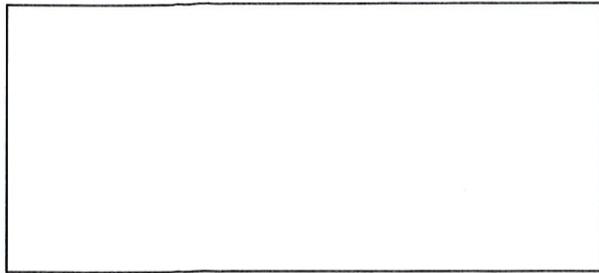
\*The walls fasten to the concrete via lag bolts and bars that cannot be lifted. This provides a very secure area inside the pavilion

DIAGRAM OF PROPOSED AREA:



**APPLICATION FOR SPECIAL DESIGNATED LICENSE**

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.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: michelle.porter@nebraska.gov



DO YOU NEED POSTERS? YES  NO

**NON PROFIT APPLICANTS**

(Check one that best applies)

Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

**LIQUOR LICENSE HOLDERS**

Liquor license number and class (i.e. C-055441)

C-033592

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer  Wine  Distilled Spirits

2. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Elks 1760

ADDRESS: 111 W 2nd St.

CITY Ogallala

ZIP 69153

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Rendezvous Square

ADDRESS: 112 E 2nd St.

CITY Ogallala

ZIP 69153

COUNTY and COUNTY # Keith - 68

a. Is this location within the city/village limits? YES  NO

b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans and/or wives? YES  NO

c. Is this location within 300' of any university or college campus? YES  NO

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date June 30, 2016	Date July 7, 2016	Date	Date	Date	Date
<b>Hours</b> From 5:00 pm	<b>Hours</b> From 5:00 pm	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From
To 9:30 pm	To 9:30 pm	To	To	To	To

a. Alternate date: N/A

b. Alternate location: N/A  
**(Alternate date or location must be specified in local approval)**

5. Indicate type of activity to be carried on during event:

Dance \_\_\_ Reception \_\_\_ Fund Raiser \_\_\_ Beer Garden  Sampling/Tasting \_\_\_

Other \_\_\_\_\_

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_  
 (not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** 112' x 71'

**\*SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

\_\_\_ Fence; \_\_\_ snow fence \_\_\_ chain link \_\_\_ cattle panel  
 \_\_\_ other FABRIC WALLS THAT ARE FIXED FROM TOP OF PAVILION TO CONCRETE \_\_\_\_\_

\_\_\_ Tent

7. How many attendees do you expect at event? 200

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

ALL PEOPLE WISHING TO CONSUME ADULT BEVERAGES WILL BE CARDED BY LICENSED PERSONNEL AND WRIST BAND WILL BE WORN BY ALL INDIVIDUALS OF AGE.

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES  NO \_\_\_

a. Are there separate toilets for both men and women? YES \_\_\_ NO

10. Where will you be purchasing your alcohol?

Wholesaler X      Retailer \_\_\_\_\_      Both \_\_\_\_\_      BYO \_\_\_\_\_  
(Includes wineries)

11. Will there be any games of chance operating during the event? YES X NO X

If so, describe activity \_\_\_\_\_

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: \_\_\_\_\_

13. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor LORI WORTMAN

Signature of Event Supervisor *Lori Wortman*

Event Supervisor phone: Before 308-284-4066 During 308-289-5674

Email address lwortman@explorekeithcounty.com

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here *Gary Krajewski*  
Authorized Representative/Applicant

Secretary      05/19/2016  
Title      Date

Gary Krajewski  
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**This page is required to be completed by Non Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Elks 1760

NAME OF CORPORATION

47-0371015

FEDERAL ID NUMBER

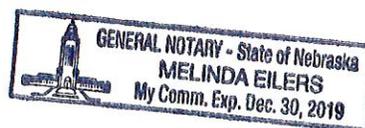
*Day King* Secretary  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT. IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 19 DAY OF

May, 2016.

*Melinda Eilers*  
NOTARY PUBLIC SIGNATURE & SEAL



REQUEST FOR EXEMPTION FOR WAIVER OF DOUBLE FENCING RULE

(MUST BE SENT WITH APPLICATION A MINIMUM OF 30 DAYS PRIOR TO THE DATE OF THE EVENT)

WHY DOUBLE FENCING IS NOT AVAILABLE Rendezvous Square is a covered cement parking lot.

There are fabric walls that extend from top to cement to provide secure area.

TYPE OF FENCING TO BE USED Semi-permanent walls that are fixed to concrete \*

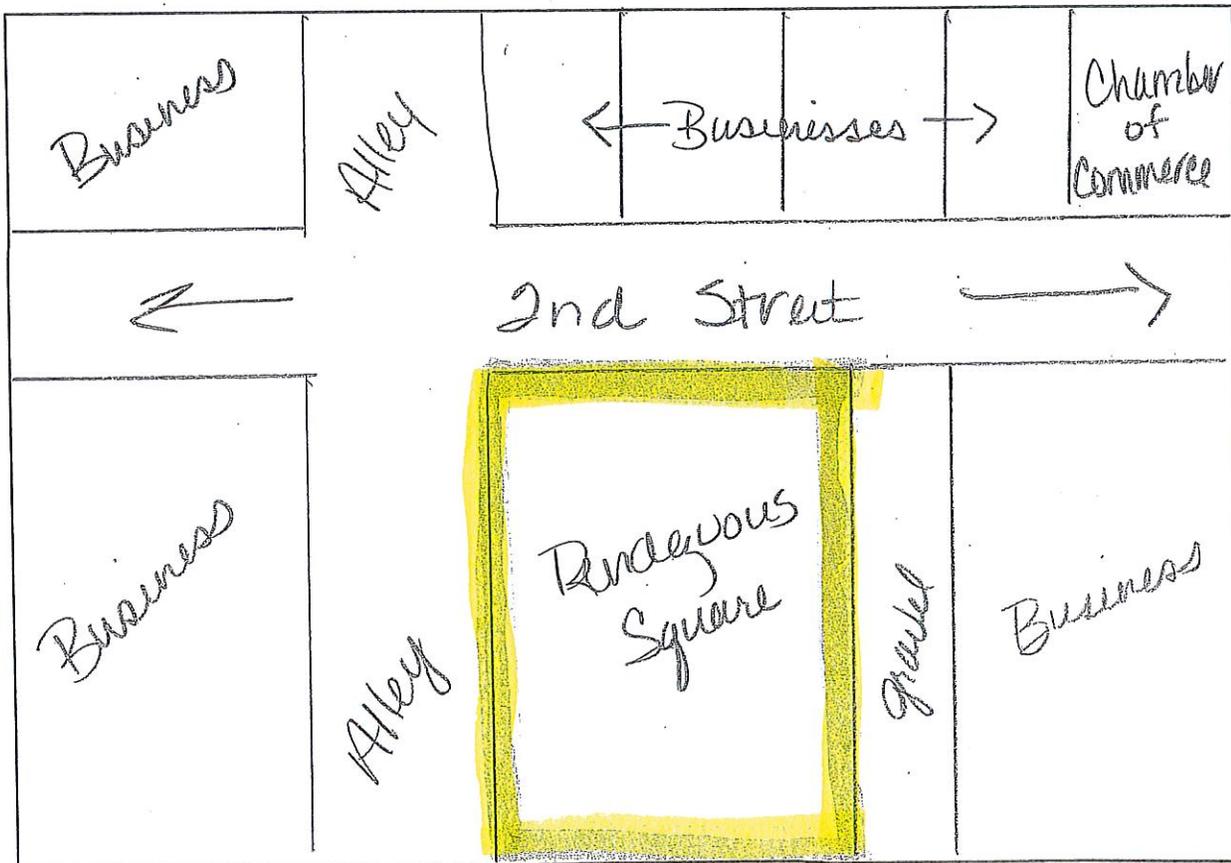
HEIGHT OF FENCING TO BE USED \_\_\_\_\_

HOW AREA WILL BE PATROLLED Unpaid security along with employees to id all entrants

EXPECTED NUMBER OF ATTENDEES 200

\*The walls fasten to the concrete via lag bolts and bars that cannot be lifted. This provides a very secure area inside the pavilion

DIAGRAM OF PROPOSED AREA:



**ORDINANCE 1342**  
**CITY OF OGALLALA, NEBRASKA**

A Franchise Ordinance of the City of Ogallala, Nebraska granting a cable television franchise to Charter Communications VI, LLC, locally known as CHARTER COMMUNICATIONS, for the development and operation of a cable system.

The City, having determined that the financial, legal and technical ability of Charter Communications is reasonably sufficient to provide services, facilities and equipment necessary to meet the future cable-related needs of the community, does hereby ordain as follows:

**FRANCHISE AGREEMENT**

**This Franchise Agreement** (“Franchise”) is between the City of Ogallala, Nebraska, hereinafter referred to as the “Grantor” and Charter Communications VI, LLC, locally known as CHARTER COMMUNICATIONS, hereinafter referred to as the “Grantee.”

The Grantor hereby acknowledges that the Grantee has substantially complied with the material terms of the current Franchise under applicable law, and that the financial, legal, and technical ability of the Grantee is reasonably sufficient to provide services, facilities, and equipment necessary to meet the future cable-related needs of the community, and having afforded the public adequate notice and opportunity for comment, desires to enter into this Franchise with the Grantee for the construction and operation of a cable system on the terms set forth herein.

**1. Definitions:**

- a. “Cable Act” means the Cable Communications Policy Act of 1984, P.L. 98-549, 47 U.S.C. §521 Supp., as it may be amended or superseded.
- b. “Cable System,” “Cable Service,” and “Basic Cable Service” shall be defined as set forth in the Cable Act.
- c. “Franchise” means the authorization granted hereunder of a franchise, privilege, permit, license or otherwise to construct, operate and maintain a Cable System within the Service Area.
- d. “Gross Revenues” means any and all revenue derived by Grantee from the operation of its Cable System to provide Cable Service within the City including, but not limited to, 1) all Cable Service fees, 2) Franchise fee 3) late fees and returned check fees, 4) Installation and reconnection 5) upgrade and downgrade fees, 6) local, state and national advertising revenue, 7) home shopping commissions, 8) equipment rental fees, and 9) guide revenue. The term “Gross Revenue” shall not include bad debts or any taxes or fees on Services furnished by Grantee imposed upon Subscribers by any municipality, state or other governmental unit, including the FCC regulatory fee, credits, refunds and any amounts collected from Subscribers for deposits, PEG fees or PEG support. City

and Grantee acknowledge and agree that Grantee will maintain its books and records in accordance with generally accepted accounting principles (GAAP).

- e. "Service Area" shall mean the geographic boundaries of the Grantor.
  - f. "Streets" means the public streets, avenues, highways, boulevards, concourses, driveways, bridges, tunnels, parks, parkways, waterways, alleys, all other rights-of-way and easements, and the public grounds, places or water within the geographic boundaries of Grantor.
  - g. "Subscriber" means any person lawfully receiving any Cable Service from the Grantee.
2. **Granting of Franchise.** The Grantor hereby grants to Grantee a non-exclusive Franchise for the use of the Streets and dedicated easements within the Service Area for the construction, operation and maintenance of the Cable System, upon the terms and conditions set forth herein. Nothing in this Franchise shall be construed to prohibit the Grantee from offering any service over its Cable System that is not prohibited by federal or state law.
3. **Term.** The Franchise shall be for a term of ten (10) years, commencing on the Effective Date of this Franchise as set forth in Section 14. This Franchise will be automatically extended for an additional term of five (5) years from the expiration date as set forth in Section 14, unless either party notifies the other in writing of its desire to not exercise this automatic extension.
4. **Use of the Streets and Dedicated Easements.**
- a. Grantee shall have the right to use the Streets of the Grantor for the construction, operation and maintenance of the Cable System, including the right to repair, replace and enlarge and extend the Cable System, provided that Grantee shall utilize the facilities of utilities whenever practicable.
  - b. The facilities of the Grantee shall be installed underground in those Service Areas where existing telephone and electric services are both underground at the time of system construction. In areas where either telephone or electric utility facilities are installed aerially at the time of system construction, the Grantee may install its facilities aerially with the understanding that at such time as the existing aerial facilities are required to be placed underground by the Grantor, the Grantee shall likewise place its facilities underground.
  - c. Grantee shall have the right to remove, trim, cut and keep clear of the Cable System, the trees in and along the Streets of the Grantor.
  - d. Grantee in the exercise of any right granted to it by the Franchise shall, at no cost to the Grantor, promptly repair or replace any facility or service of the Grantor which Grantee damages, including but not limited to any Street or sewer, electric facility, water main, fire alarm, police communication or traffic control.

5. **Maintenance of the System.**

- a. Grantee shall at all times employ ordinary care in the maintenance and operation of the Cable System so as not to endanger the life, health or property of any citizen of the Grantor or the property of the Grantor
- b. All construction practices and installation of equipment shall be done in accordance with all applicable sections of the National Electric Safety Code.
- c. The Cable System shall be designed, constructed and operated so as to meet those technical standards adopted by the FCC relating to Cable Systems contained in part 76 of the FCC's rules and regulations as they may, from time to time, be amended, regardless of the transmission technology utilized.

6. **Service Area.** The Grantee shall make Cable Service distributed over the Cable System available to every residence within the Service Area where there is a minimum density of at least thirty (30) residences per linear strand mile of cable (excluding any home subscribing to any satellite service) as measured from Grantee's closest trunk line or distribution cable that is actively delivering Cable Service as of the date of such request for service. If such residence is located within one hundred twenty five (125) feet of Grantee's feeder cable, the Cable Service will be provided at Grantee's published rate for standard installations. Notwithstanding the foregoing, the Grantee shall have the right, but not the obligation, to extend the Cable System into any portion of the Service Area where another operator is providing Cable Service, into any annexed area which is not contiguous to the present Service Area of the Grantee or to any area which is financially or technically infeasible. Grantee at its discretion may make Cable Service available to businesses within the Service Area. Cable Service offered to Subscribers pursuant to this Franchise shall be conditioned upon Grantee having legal access to any such Subscriber's dwelling unit or other units wherein such Cable Service is provided. Nothing herein shall be construed to limit the Grantee's ability to offer or provide bulk rate discounts or promotions.

- a. The Grantor shall promptly provide written notice to the Grantee of its annexation of any territory which is being provided Cable Service by the Grantee or its affiliates. Such annexed area will be subject to the provisions of this Franchise upon sixty (60) days' written notice from the Grantor, subject to the conditions set forth below and subsection (a) above. The Grantor shall also notify Grantee in writing of all new street address assignments or changes within the Service Area. Grantee shall within ninety (90) days after receipt of the annexation notice, pay the Grantor franchise fees on revenue received from the operation of the Cable System to provide Cable Services in any area annexed by the Grantor if the Grantor has provided a written annexation notice that includes the addresses that will be moved into the Service Area in an Excel format or in a format that will allow Grantee to change its billing system. If the annexation notice does not include the addresses

that will be moved into the Service Area, Grantee shall pay franchise fees within ninety (90) days after it receives the annexed addresses as set forth above. All notices due under this section shall be sent by certified mail, return receipt requested to the addresses set forth in Section 11 with a copy to the Director of Government Relations. In any audit of franchise fees due under this Agreement, Grantee shall not be liable for franchise fees on annexed areas unless and until Grantee has received notification and information that meets the standards set forth in this section.

7. **Insurance/Indemnity.**

- a. The Grantee shall maintain throughout the term of the Franchise insurance in amounts at least as follows:

Workers' Compensation	Statutory Limits
Commercial General Liability	[\$1,000,000] per occurrence, Combined Single Liability (C.S.L.) [\$2,000,000] General Aggregate
Auto Liability including coverage on all owned, non owned hired autos	[\$1,000,000] per occurrence C.S.L.
Umbrella Liability	
Umbrella Liability	[\$5,000,000] per occurrence C.S.L.

- b. The Grantor shall be added as an additional insured, arising out of work performed by Charter, to the above Commercial General Liability, Auto Liability and Umbrella Liability insurance coverage.
- c. The Grantee shall furnish the Grantor with current certificates of insurance evidencing such coverage upon request.
- d. Grantee hereby agrees to indemnify and hold the Grantor, including its agents and employees, harmless from any claims or damages resulting from the actions of Grantee in constructing, operating or maintaining the Cable System. Grantor agrees to give the Grantee written notice of its obligation to indemnify Grantor within ten (10) days of receipt of a claim or action pursuant to this section. Notwithstanding the foregoing, the Grantee shall not be obligated to indemnify Grantor for any damages, liability or claims resulting from the willful misconduct or negligence of Grantor or for the Grantor's use of the Cable System.

8. **Revocation.**

6A.

- a. Prior to revocation or termination of the Franchise, the Grantor shall give written notice to the Grantee of its intent to revoke the Franchise on the basis of a pattern of noncompliance by the Grantee, including one or more instances of substantial noncompliance with a material provision of the Franchise. The notice shall set forth the exact nature of the noncompliance. The Grantee shall have sixty (60) days from such notice to either object in writing and to state its reasons for such objection and provide any explanation or to cure the alleged noncompliance. If Grantee has not cured the breach within such sixty (60) day time period or if the Grantor has not otherwise received a satisfactory response from Grantee, the Grantor may then seek to revoke the Franchise at a public hearing. The Grantee shall be given at least thirty (30) days prior written notice of such public hearing, specifying the time and place of such hearing and stating its intent to revoke the Franchise.
  - b. At the hearing, the Grantor shall give the Grantee an opportunity to state its position on the matter, present evidence and question witnesses, after which it shall determine whether or not the Franchise shall be revoked. The public hearing shall be on the record and a written transcript and a certified copy of the findings shall be made available to the Grantee within ten (10) business days. The Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Grantor de novo.
  - c. Upon revocation of the Franchise, Grantee may remove the Cable System from the Streets of the Grantor, or abandon the Cable System in place.
9. **Equal Protection.** If any other provider of cable services or video services (without regard to the technology used to deliver such services) is lawfully authorized by the Grantor or by any other state or federal governmental entity to provide such services using facilities located wholly or partly in the public rights-of-way of the Grantor, the Grantor shall, within thirty (30) days of a written request from Grantee, modify this Franchise to insure that the obligations applicable to Grantee are no more burdensome than those imposed on the new competing provider. If the Grantor fails to make modifications consistent with this requirement, Grantee's Franchise shall be deemed so modified thirty (30) days after the Grantee's initial written notice. As an alternative to the Franchise modification request, the Grantee shall have the right and may choose to have this Franchise with the Grantor be deemed expired thirty (30) days after written notice to the Grantor. Nothing in this Franchise shall impair the right of the Grantee to terminate this Franchise and, at Grantee's option, negotiate a renewal or replacement franchise, license, consent, certificate or other authorization with any appropriate government entity.
10. **Confidentiality.** If Grantee provides any books and records to the Grantor, the Grantor agrees to treat as confidential such books, records or maps that constitute proprietary or confidential information. Until otherwise ordered by a court or agency of competent jurisdiction, the Grantor agrees that, to the extent permitted by state and federal law, it shall deny access to any of Grantee's books and records marked confidential to any person.

11. **Notices, Miscellaneous.**

- a. Unless otherwise provided by federal, state or local law, all notices, reports or demands pursuant to this Franchise shall be in writing and shall be deemed to be sufficiently given upon delivery to a Person at the address set forth below, or by U.S. certified mail, return receipt requested, nationally or internationally recognized courier service such as Federal Express or electronic mail communication to the designated electronic mail address provided below. Grantee shall provide thirty (30) days written notice of any changes in rates, programming services or channel positions using any reasonable written means. As set forth above, notice served upon the Grantor shall be delivered or sent to:

Grantor: City of Ogallala  
Attn.: City Manager  
411 East 2<sup>nd</sup> Street  
Ogallala, NE 69153  
E-mail:[aaron.smith@ogallala-ne.gov](mailto:aaron.smith@ogallala-ne.gov)

Grantee: Charter Communications  
Attn.: Vice President – General  
Manager  
3993 Heritage Place N.W.  
Rochester, MN 55901  
E-mail:[Melissa.Morris@charter.com](mailto:Melissa.Morris@charter.com)

Copy to: Charter Communications  
Attn.: Vice President of Government  
Affairs  
12405 Powerscourt Drive  
St. Louis, MO 63131

- b. All provisions of this Franchise shall apply to the respective parties, their lawful successors, transferees and assigns.
- c. If any particular section of this Franchise shall be held invalid, the remaining provisions and their application shall not be affected thereby.
- d. In the event of any conflict between this Franchise and any Grantor ordinance or regulation, this Franchise will prevail.

12. **Force Majeure.** The Grantee shall not be held in default under, or in noncompliance with the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonably beyond the ability of the Grantee to anticipate and control. This provision includes, but is not limited to, severe or unusual weather

conditions, fire, flood, or other acts of God, strikes, work delays caused by failure of utility providers to service, maintain or monitor their utility poles to which Grantee's Cable System is attached, as well as unavailability of materials and/or qualified labor to perform the work necessary.

**13. Franchise Fee.**

- a. Grantee shall pay to the Grantor quarterly an amount equal to 5 percent (5%) of the Gross Revenues for such calendar quarter, transmitted by electronic funds transfer to a bank account designated by Grantor.
- b. Each year during which the Franchise is in force, Grantee shall pay Grantor no later than ninety (90) days after the end of each calendar quarter the franchise fees required by this section, together with a financial statement showing total Gross Revenues derived from the Cable System during such quarter. The Grantor shall have the right to review the previous year's books of the Grantee to the extent necessary to ensure proper payment of the fees payable hereunder.

**14. PEG Access.** Grantee shall provide one channel on the Cable System for use by the Grantor non-commercial, video programming for public, education and government ("PEG") access programming. The PEG channel may be placed on any tier of service available to Subscribers. The Grantor shall utilize the PEG channel as follows: the Grantor shall provide programming to occupy sixty percent (60%) of the hours between 11 a.m and 11 p.m. for any twelve consecutive week period. A program may be repeated no more than four (4) times.

**15. Grantee's Use.** In the event the programming levels set forth herein are not maintained or if the Grantor does not adequately use the channel, Grantee reserves the right to have the channel returned to the Grantee for the Grantee's use. Grantee shall provide Grantor with sixty (60) days prior written notice informing Grantor when programming levels set forth herein are not being maintained. Grantee reserves the right to utilize the PEG channel only after Grantor has been notified and Grantor has not maintained programming levels set forth herein within sixty (60) days from receipt of said notice. In the event the Grantee exercises its right to again utilize said PEG channel after the sixty (60) day period elapses, the Grantee shall notify its customers of Grantee's intention to utilize the PEG channel by providing customers with a thirty (30) day prior written notice. In addition, the Grantee may use the designated channel during those hours that the Grantor or other governmental, public or educational entity is not using the channel(s).

**16. Notice of Violation.** If the Grantor believes that the Grantee has not complied with the terms of the Franchise, The Grantor shall first informally discuss the matter with Grantee. If these discussions do not lead the resolution of the problem, the Grantor shall notify the Grantee in writing of the exact nature of the alleged noncompliance) the "Violation Notice").

- a. The Grantee shall have thirty (30) days from receipt of the Violation Notice to (i) respond to the Grantor, contesting the assertion of noncompliance, or (ii) to cure such default, or (iii) if, by the nature of default, such default cannot be cured within the thirty (30) day period, initiate reasonable steps to remedy such default and notify the Grantor of the steps being taken and the projected date that they will be completed.
  - b. If the Grantee fails to respond to the Violation Notice received from the Grantor, or if the default is not remedied within the cure period set forth above, the Board shall schedule a public hearing if it intends to continue its investigation into the default. The Grantor shall provide the Grantee at least twenty (20) days prior written notice of such hearing, which specifies the time, place and purpose of such hearing, notice of which shall be published by the Clerk of the Grantor in a newspaper of general circulation within the Grantor in accordance with subsection 16 hereof. The Grantee shall have the right to present evidence and to question witnesses. The Grantor shall determine if the Grantee has committed a violation and shall make written findings of fact relative to its determination. If a violation is found, the Grantee may petition for reconsideration before any competent tribunal having jurisdiction over such matters.
17. **Enforcement.** Subject to applicable federal and State law, in the event the Grantor, after the hearing set forth in subsection 16 above, determines that the Grantee is in default of any provision of the Franchise, the Grantor may:
- a. Seek specific performance of any provision, which reasonably lends itself to such remedy, as an alternative to damages; or
  - b. Commence an action at law for monetary damages or seek other equitable relief; or
  - c. In the case of a substantial default of a material provision of the Franchise, seek to revoke the Franchise itself in accordance with section 18 below.
18. **Revocation.** Prior to revocation or termination of the Franchise, the Grantor shall give written notice to the Grantee of its intent to revoke the Franchise on the basis of a pattern of noncompliance by the Grantee, including one or more instances of substantial noncompliance by the Grantee, including one or more instances of substantial noncompliance with a material provision of the Franchise. The notice shall set forth the exact nature of the noncompliance. The Grantee shall have sixty (60) days from such notice to either object in writing and to state its reasons for such objection and provide any explanation or to cure the alleged noncompliance. If the Grantor has not received a satisfactory response from Grantee, it may then seek to revoke the Franchise at a public hearing. The Grantee shall be given at least thirty (30) days prior written notice of such public hearing, specifying the time and place of such hearing and stating its intent to revoke the Franchise.
- a. At the hearing, the Board shall give the Grantee an opportunity to state its position on the matter, present evidence and question witnesses, after which it shall determine whether or not the Franchise shall be revoked. The public hearing shall be on the record and a written

transcript shall be made available to the Grantee within ten (10) business days. The decision of the Board shall be made in writing and shall be delivered to the Grantee. The Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Board *de novo*. The Grantee may continue to operate the Cable System until all legal appeals and procedures have been exhausted.

- b. Notwithstanding the above provisions, the Grantee does not waive any of its rights under federal law or regulation.
- c. Upon revocation of the Franchise, Grantee may remove the Cable System from the Streets of the Grantor, or abandon the Cable System in place.

19. **Effective Date.** The Franchise granted herein will take effect and be in full force from such date of acceptance by Grantee recorded on the signature page of this Franchise. This Franchise shall expire on \_\_\_\_\_, \_\_\_\_ unless extended in accordance with Section 3 of this Franchise or by the mutual agreement of the parties.

20. **Acceptance and Entire Agreement.** The Grantor and the Grantee, by virtue of the signatures set forth below, agree to be legally bound by all provisions and conditions set forth in this Franchise. The Franchise constitutes the entire agreement between the Grantor and the Grantee. No modifications to this Franchise may be made without an appropriate written amendment signed by both parties. If any fee or grant that is passed through to Subscribers is required by this Franchise, other than the franchise fee, such fee or grant shall go into effect sixty (60) days after the Effective Date of this Franchise.

Considered and approved this \_\_\_ day of \_\_\_\_\_, 20\_\_

City of Ogallala, Nebraska

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Attest:

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

Accepted this \_\_\_ day of \_\_\_\_, 20\_\_, subject to applicable federal, state and local law.

Charter Communications VI, LLC  
By: Charter Communications, Inc., its manager

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

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

## Jane Skinner

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**From:** Travis Haggard <travis.haggard@kcad.org>  
**Sent:** Wednesday, April 27, 2016 9:54 AM  
**To:** Pete Peterson; Karl Elmshaeuser; Buck Bassett; Rodger Rankin; Kevin Block; Jane Skinner  
**Cc:** Cindy Vance; Doug Davis; Drew Krab; Eric Duhachek; Erick Castillo; Jacob Hovendick; Jason Tickle; Michael Holzfaster; Mike Tuttle; Sadie Waugh; Van Kitt  
**Subject:** RLF follow up information

Dear Council Members and Jane,

Thank you for the opportunity to speak with you regarding a new RLF through KCAD. I have good news regarding the matching funds requirement. See the information below that comes from USDA:

Our timeline is as follows:

Applications Due on 5/27

Selections by 7/7

Obligations by 7/22

From there we go through the grant closing process which can should be completed 60 days after the date on the Letter of Conditions (LOC). That would include the verification of the Matching Funds in the RLF account. Since we are usually under a pretty strict deadline to obligate the LOC might not be sent until 8/1, which would give you till the end of October to receive the matching funds. If problems arise or you need this timeframe extended you will want to discuss those issues with Marla. Within reason we may be willing to extend that date.

Based on the USDA timeline set forth above; it is conceivable, that if the city feels this RLF is important to economic development and would support the matching funds request, we could split the matching funds between two fiscal years.

As always, if you have any questions, concerns or comments please do not hesitate to contact me.

Respectfully submitted,

Travis Haggard  
Executive Director

Keith County Area Development (KCAD)  
10 N. Spruce St., Suite C  
P.O. Box 418  
Ogallala, NE 69153  
308-284-6623 - office  
308-289-1077 - cell  
Certified Economic Development Community  
Livestock Friendly County

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2015.0.6189 / Virus Database: 4563/12122 - Release Date: 04/28/16



## Rural Business Development Grant Project Proposal Form for FY 2016

The project proposal process will allow USDA Rural Development to provide assistance to potential applicants on a one to one before completing a full application. The project proposal process can assist in determining eligibility status of applicants, eligibility of proposed budget and eligibility of proposed activities.

### RBDG funds may not be used for the following:

- Duplicate current services or substitute support previously provided.
- Pay for the costs of preparing the application package or pay for any expenses incurred prior to receipt of a full application. (Written notification of receipt of a full application will be provided.)
- To cover costs incurred by the applicant to train their staff.
- To pay for expenses incurred by the business being assisted.
- To fund political activities.
- To fund traditional agricultural production.
- To pay for assistance to any private business enterprise which does not create and/or support jobs in the United States.
- To provide food, childcare, or to provide assistance to anyone less than 18 years of age.
- To pay any judgement or debt owed to the United States.

**Project proposal deadline; received by USDA Rural Development by close of business, 4:30 pm, Friday, February 26, 2016.**

The project proposal form should be sent by email to the following address: [brant.richardson@ne.usda.gov](mailto:brant.richardson@ne.usda.gov)

To discuss applicant or project eligibility please contact one of following State Office Business Programs Specialists.

- Brant Richardson, [brant.richardson@ne.usda.gov](mailto:brant.richardson@ne.usda.gov) or (402) 437-5568
- Deborah Drbal, [deborah.drbal@ne.usda.gov](mailto:deborah.drbal@ne.usda.gov) or (402) 437-5558

The full application process will follow the project proposal review. Applicants will be contacted regarding their project after the Agency's review. Full applications will be due by close of business, 4:30 pm, on Friday May 27, 2016.

### Rural Development • Nebraska

100 Centennial Mall North, Suite 308, Lincoln, NE 68508  
Voice (402) 437-5551 • Fax (855) 207-0384

USDA is an equal opportunity provider, employer, and lender.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

**ORGANIZATION INFORMATION:**

**Legal Name:** Keith County Area Development

**Tax ID:** \_\_\_\_\_ **DUNS Number:** Pending **CAGE Code:** Pending

Obtain a free DUNS number by calling 1-800-234-3867 or go to: <http://fedgov.dnb.com/webform>  
Register for free CAGE Code at the SAM website: <https://www.sam.gov/portal/public/SAM/>

**Address:** 10 N. Spruce St., Suite C

**City:** Ogallala **Zip:** 69153 **County:** USA

**Organization Type:**

Public Body or Government Entity

Indian Tribe

Non-Profit Entity

**CONTACT INFORMATION:**

**First Name:** Travis **Last Name:** Haggard

**Title:** Executive Director **Phone Number:** 308-284-6623

**E-Mail Address:** travis.haggard@kcad.org

**PROJECT DESCRIPTION:** Keith County Area Development, hereinafter referred to as KCAD, is a 501(C)3 non-profit corporation. KCAD is the lead economic development organization for Keith County. In the past, Keith County, had a revolving loan fund organized and operated by a group known as the REDI (Regional Economic Development Investment). The RLF program as established by the REDI group was funded through and administered in accordance by the Community Development Block Grant guidelines. In 2013 the REDI group returned the unused funds to The Nebraska Department of Economic Development and the group was dissolved. The REDI fund program was a very effective lending program that assisted businesses with startup funding, gap financing, FF&E and expansion funding. REDI was a key economic development tool that was well utilized and successful for many Keith County area businesses.

KCAD would like to establish a new Revolving Loan Fund that emulates the aforementioned successful REDI fund. We recognizes how important "gap financing" and non-traditional type lending programs are to the entrepreneur and rural small business. We have seen the positive impact and how a successful RLF program can grow our rural communities, and we are ready to assist small business with their lending needs through a RLF.

Area the Project will serve, be specific: Keith County Nebraska, including the communities of: Ogallala, Paxton, Brule, Keystone and Lemoyne.

**Names of the specific businesses to be assisted, number of jobs created/supported for each business:**

Name of Business: ___	Location: ___
Jobs Created: ___	Jobs Supported: ___
Name of Business: ___	Location: ___
Jobs Created: ___	Jobs Supported: ___
Name of Business: ___	Location: ___
Jobs Created: ___	Jobs Supported: ___
Name of Business: ___	Location: ___
Jobs Created: ___	Jobs Supported: ___
Name of Business: ___	Location: ___
Jobs Created: ___	Jobs Supported: ___

**Proposed use of Grant Funds:** Please limit your project description to one page. You must show the project's direct connection to the small and emerging private business (es).

**To establish a countywide Revolving Loan Fund Program. The desired outcome of the program is to assist entrepreneurs and small rural businesses with their gap financing, expansion opportunities, upgrading or purchasing new FF&E to enable growth and to help existing businesses grow their employment base. We believe our RLF fund will create new jobs, retain existing jobs and provide the financial assistance for startups and expansion projects that are necessary for the growth of the local economy.**

**KCAD would establish a new Board of Directors to oversee and administer the RLF. The Board of Directors would have the following structure: 2 elected officials from the County Board, 2 elected officials from the City Council, 2 members from the current KCAD Board of Directors and 1 representative from each of the 5 Keith County area banks.**

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(Start new page)

**FUNDING REQUEST:**

Total Project Cost: 200,000  
 Federal - (RBDG): 60,000\_\_\_  
 Federal - (Other): \_\_\_  
 Applicant: 10,000\_\_\_  
 State: \_\_\_  
 Local: 100,000\_\_\_  
 Other: 30,000\_\_\_  
 Program Income: \_\_\_

Please explain "Other" if in excess of \$100.00, if more than one "other" list each separately.

KCAD plans to solicit other funds through the 5 local banks that are located in Keith County. The local banks play a major role in the success of the RLF program. We expect to have a new Board of Directors for the RLF in which each of the 5 banks will have one seat available. The five area banks were participants in the REDI program, and each bank recognized the importance of the RLF program. We feel support from the area banks will be easily attainable.

**Project Budget Summary**

Summarize the total project budget by task. Insert additional rows as needed.

Task #	Task Name, Description, and Responsible Party	RBDG Funds	Cash Matching Funds	In-Kind Matching Funds	3 <sup>rd</sup> party funds as noted above	Total Project Costs
	<b>TOTAL PROJECT</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>

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(Start new page

**Task Budget Format**

Provide a budget table for each task listed above.

Add additional task tables as needed. For contractual and other explain. If more than one contract list each separately.

Contributions of any kind from the business being assisted are not acceptable. RBDG project will not exceed a 12 month timeline; matching contributions (cash or in-kind) must be used during the project period. For more information on Cost-Sharing or Matching see 7 CFR Subpart G; <http://www.gpo.gov/fdsys/pkg/CFR-2012-title7-vol15/pdf/CFR-2012-title7-vol15-part3015.pdf>

**Provide explanation/clarification of the basis for the budget figures, budget categories in excess of \$100.00 must be defined, "other" is not sufficient.**

Task #1 Budget Categories	RBDG Funds	Cash Matching Funds	In-Kind Matching Funds	3 <sup>rd</sup> party funds as noted above	Total Cost Task #1
Personnel					
Fringe Benefits					
Travel					
Office Equipment					

Supplies					
Contractual					
Contractual					
Other					
Other					
<b>Total</b>	\$	\$	\$		\$

Insert task budget explanation here (beneath each task).

**MEMO**

**To:** Ogallala Planning Commission and City Council

**From:** Ken Knoepfel

**RE:** Planning Commission meeting on Wednesday, May 11<sup>th</sup>, 2016,  
7:30 P.M. at City Hall

1. Roll call
2. Verification of publication and open meetings law
3. **Public Hearing:** Recommendation to amend South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition
4. **Public Hearing:** A request to rezone property located at 601 West B Street, more particularly described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition. Proposed rezoning is from R-2 *Residential District Medium Density* to C-1 *Central Business District (City of Ogallala)*
5. Adjourn

**AGENDA ITEM # 3:** The Community Redevelopment Authority has recommended the inclusion of two additional areas into the south Central Redevelopment map. State law requires if projects use tax increment financing (TIF) for public portions of building projects such as sidewalks, public water and sewer mains etc. the property first has to be declared as blighted and substandard. State law also requires Planning Commission and City Council approval any time there is a modification to the redevelopment map. I have attached a copy of this map showing what is currently blighted as well as a map showing what is proposed to be blighted.

Included in this memo is a checklist of what I found with regard to current conditions. These are properties that were previously used by the Ogallala Public School system. They're addresses are 205 East 6<sup>th</sup> Street (*Former Ogallala Middle School*), more particularly described as All of Block 9, Paxton's Addition and;

601 West B Street (*Former Progress School*), more particularly described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition.

The property at 601 West B was demolished in the fall of 2015. That particular site is now vacant property. The site located at 205 West 6<sup>th</sup> is untouched and

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according to records of the Keith County Assessor, was constructed in 1950. The Building has an addition that was constructed in 1996.

The following documentation includes answers as to the conditions of the properties.

The Planning Commission is being requested to review these two properties as **one single area** per the recommendation of the Attorney representing the Community Redevelopment Authority (CRA).

### **Blighted and Substandard Checklist**

Blight Conditions (18-2103(11))

- **Buildings**

- Number of structures, percent of structures that are deteriorated or deteriorating: *The entire structure has a footprint of 32,892 square feet. The old portion of the structure has a sum total of 19,281 square feet or 59% has been determined to be deteriorated beyond repair.*
- What is the average age of the buildings in the area (is it is at least forty years old)? *The properties have one single building on the premises. The structure is comprised of a building that was constructed post World War II in 1950 with an addition that was constructed in 1996. (The Community fact sheet published by Nebraska Public Power District states the main structure was constructed in 1924). The structure has been vacated since March of 2015.*

- **Existence of defective or inadequate street layout**

- Are street improvements necessary to utilize the property? *No*

- **Faulty lot layout**

- Are there accessibility issues? *Public sidewalks are not fully accessible.*
- Is the property useful or obsolete as platted? *Due to the vacating of the street in the 200 block of West 6<sup>th</sup> Street, interior lots can only be accessed from the alley.*
- Are there sufficient utility improvements? *Area is serviced by 4 inch water mains which is not considered as acceptable volume. Some lots do not have City water mains adjacent to the property lines.*

- **Unsanitary or unsafe conditions**

- Are there safety concerns with old school building or school site in general? *As with any vacant structure, there is a greater possibility of breaking and entering. There have already been reports of people helping themselves to items in the building. The old portion of the*

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school has problems with deterioration and lack of maintenance. The site on west B Street is now vacant which eliminates the concerns for vacant buildings.

- Are there specific issues with this site?
- Abandoned playground equipment, etc.? **Not a factor**
- **Deterioration of site or other improvements**
  - Are there any additional improvements that will be needed to redevelop the property? **None other than what is being proposed in the TIF application.**
  - Is the parking lot or concrete playground incompatible with other uses of property that would deteriorate over time and cause issues? **The playground at 205 East 6<sup>th</sup> would not be compatible with the proposed use of the property (Business offices).**
  - Are there conditions which endanger life or property by fire and other causes? **Yes, by the fact of the building being vacant and non-useable, the possibility of a fire occurring undetected is enhanced.**

### **Substandard Conditions (18-2103(10))**

- Identify any of the following conditions in a predominance of buildings or improvements
  - Dilapidation. **Building was maintained by school staff.**
  - Deterioration. **The building has areas where plaster is dropping from walls and ceiling. Climate control was difficult to maintain. Asbestos and lead paint are undetermined but due to age of the building, it is probable.**
  - Age **Building is 66 years old meaning that there are features of the building that are no longer fuel efficient regarding insulation, windows, doors etc.**
  - Obsolescence. **Areas within the interior are no longer useful such as the gymnasium. The facility is not entirely accessible to the disabled.**
  - What are the existence of conditions which endanger life or property by fire and other causes? **The building, if constructed to today's building codes, would require a complete automatic fire suppression system and an elevator as well as exiting would require areas of refuge for occupants in wheelchairs. All these items were noted in a plan of corrections issued by the State Fire Marshal in 2011.**

### **Blighted and Substandard Definitions**

#### **Blight Conditions (18-2103(11))**

- Subjective Requirements: Area which by any combination of the following factors substantially impairs or arrests the sound growth of the

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community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use:

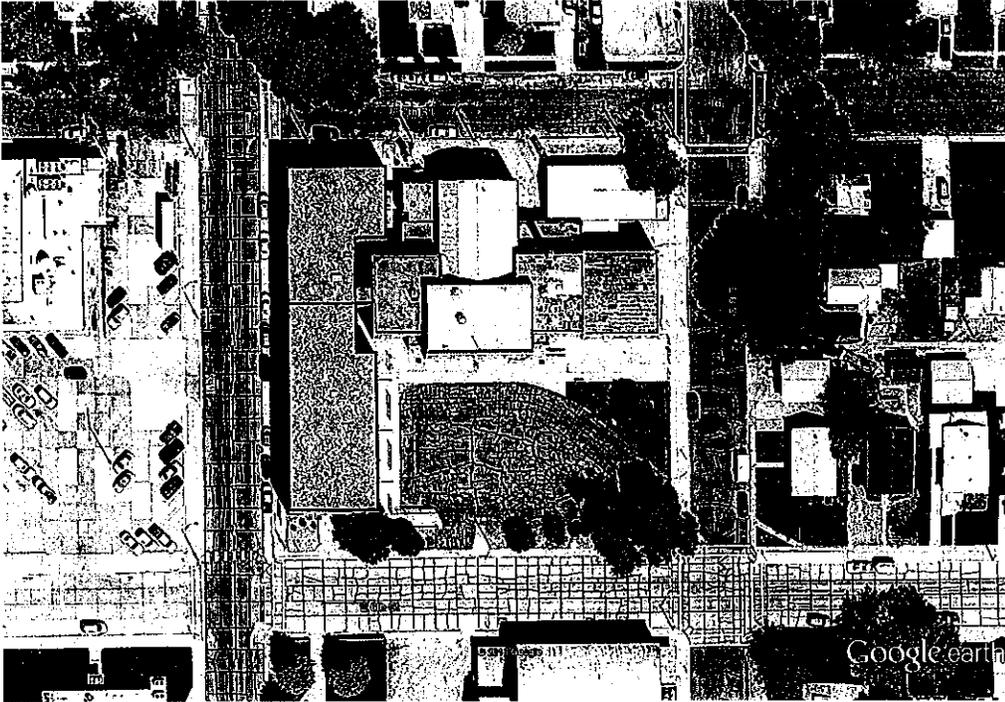
- The presence of a substantial number of deteriorated or deteriorating structures,
  - Existence of defective or inadequate street layout,
  - Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
  - Unsanitary or unsafe conditions,
  - Deterioration of site or other improvements,
  - Diversity of ownership,
  - Tax or special assessment delinquency exceeding the fair value of the land,
  - Defective or unusual conditions of title,
  - Improper subdivision or obsolete platting, or
  - The existence of conditions which endanger life or property by fire and other causes
- Objective Requirements: At least one of the following conditions is present:
    - Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
    - The average age of the residential or commercial units in the area is at least forty years;
    - More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
    - The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or
    - The area has had either stable or decreasing population based on the last two decennial censuses.
  - Limitation on Blighted Area: In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. **The proposed inclusion would put the City of Ogallala at 34.45% blighted.**

#### Substandard Area (18-2103(10))

- An area in which there is a predominance of buildings or improvements which, by reason of the following conditions, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and are detrimental to the public health, safety, morals, or welfare
  - Dilapidation,
  - Deterioration,

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- Age or obsolescence,
- Inadequate provision for ventilation, light, air, sanitation, or open spaces,
- High density of population and overcrowding, or
- The existence of conditions which endanger life or property by fire and other causes

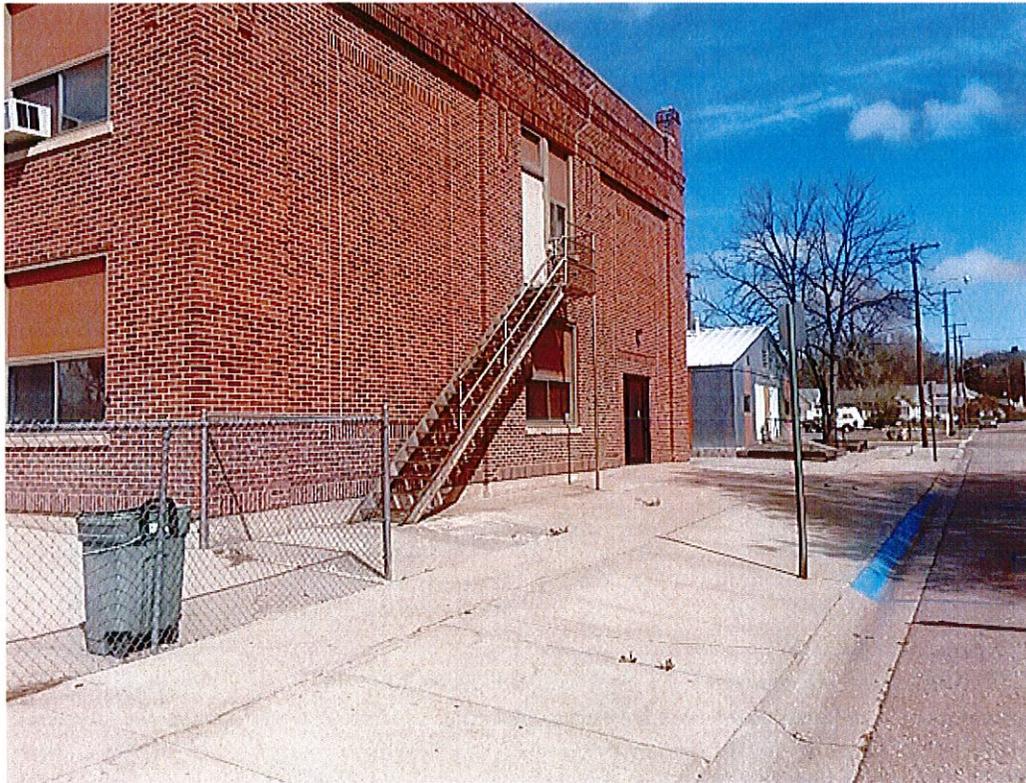


AERIAL VIEW OF 205 EAST 6TH

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SE CORNER 205 EAST 6TH



NON-COMPLIANT FIRE ESCAPE (UNPROTECTED OPENING BELOW)

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NE CORNER OF PROPERTY 205 EAST 6TH



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NW CORNER OF PROPERTY



INTERIOR OF 205 EAST 6TH

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601 WEST B EAST SIDE OF PROPERTY



601 WEST B WEST SIDE OF PROPERTY

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601 WEST B SHOWING NO THROUGH STREET

**Sample motion:** I make a motion to recommend the City Council (*approve/disapprove*) resolution # 2016-1 for an amendment to the South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition.

**Agenda Item # 4:**

This is a request by a builder who would like to rezone the property from R-2 to C-1. The purpose of their request is to rezone to lessen their required front setback. The proposed plan for their development shows two three-unit dwellings. Each is built to face East A and East B Streets.

The rezoning area is entirely owned by the City of Ogallala which also includes the property for the proposed new library. Attached is a map showing the proposed rezoning area.

Below are the zoning regulations for a C-1 area. Note that both multi-family dwellings and public uses (*libraries*) are considered specifically as permitted uses in a C-1 zoning district.

**Sample motion:** *I make a motion to recommend that the City Council (allow/disallow) a request to rezone property located at 601 West B Street, more particularly*

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described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition. Proposed rezoning is from R-2 *Residential District Medium Density* to C-1 *Central Business District*.

## ARTICLE 5

### C-1 BUSINESS DISTRICT – CENTRAL

Section.

- 44-501. Purpose and characteristics.
- 44-502. Permitted uses.
- 44-503. Special uses.
- 44-504. Area, yard, and height requirements.

#### **44-501. Purpose and characteristics.**

The purpose of the (C-1) Business District – Central is to establish the location of the downtown or predominant shopping area of the City in relation to its intended use, that being to best serve the largest number of patrons within the community's service area with the widest variety of goods and services. Through the proper zoning classification and use of restrictions, it is the intent of this section to prevent the scattering of commercial uses and to centralize together the predominant retail and service activities needed to satisfy the local shopping public.

Historical reference: Ord. 1092, passed 8-10-99

#### **44-502. Permitted uses.**

Within the (C-1) Business District – Central, buildings and premises shall be used only for the following purposes:

- (1) Theaters and auditoriums.
- (2) Lodges, clubs, fraternal organizations, and places for entertainment and public gatherings.
- (3) Banks, financial institutions, loan offices, and tax services.
- (4) Insurance, real estate, and business offices or establishments.
- (5) Medical, dental, and health offices, clinics, and establishments, excluding veterinary clinics.
- (6) Funeral homes.
- (7) Professional offices and establishments.
- (8) Barber shops, beauty salons, reducing salons, and photographic studios.
- (9) Restaurants, cafes, short order establishments, bars, liquor stores, and nightclubs.
- (10) Ice cream and dairy stores and establishments selling specialty food items, but not exclusively drive-in type facilities.
- (11) Furniture, appliance, radio and television, and office furniture and supply stores.

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(12) Clothing, haberdashers, shoe stores, specialty clothing and dressmaking shops.

(13) Drug stores, record shops, jewelry, hardware, and variety stores, and specialty item establishments.

(14) Department stores, florist shops, farm and garden supplies, sporting goods and hobby shops.

(15) Transportation depots, communication offices, and travel agencies.

(16) Dry cleaning pick-up establishments; Laundromats, but not laundries; shoe and clothing repair shops; furniture and appliance repair and upholstery establishments.

(17) Hotels.

(18) Paint stores, rugs and floor covering shops, and gun and firearms establishments.

(19) Major off-street parking facilities as an integral design consideration with all of the uses in the C-1 Zone.

(20) Public works, public buildings, public utility facilities, such as transformer stations, pumping stations, water towers, radio or television transmitter stations, and telephone exchanges.

(21) Libraries, private clubs, lodges, and social, recreational, and entertainment facilities and structures only for games and sports.

(22) Accessory uses and buildings that are clearly incidental to the permitted use and that will not create a nuisance or hazard.

**(23) Single and multi family dwellings.**

(24) Signs. The following on-premises signs shall be permitted:

(a) Permanent advertising signs identifying the use of the building, structure, or premises. Such signs shall be in harmony with the intended use of the land and the character of the zoning district in which they are to be erected, and shall be part of the architectural design or theme of the building. Said signs shall be limited to the following:

(i) One single sign, attached to the facade of the building, occupying no more than 10% of the surface area of said facade.

(b) One temporary on-site, non-illuminated sign, not to exceed eight square feet in area and advertising the sale or rental of the property.

Approval of permits for advertising signs and advertising sign specifications shall conform to section 44-1708.

Historical reference: Ord. 1092, passed 8-10-99

**44-503. Special uses.**

The City Council may authorize the following special uses in the (C-1) Business District – Central, but only after receiving the recommendation of the Planning Commission; after a public hearing; and subject to the conditions and protective restrictions set forth in section 44-1503:

(1) Churches, Sunday schools, and other places of worship.

(2) Private and/or parochial schools.

(3) Day-care facilities and preschools.

Historical reference: Ord. 1092, passed 8-10-99

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**44-504. Area, yard, and height requirements.**

Area, yard, and height requirements for the (C-1) Business District – Central shall be the following:

- (1) There shall be no limitations placed on the size of the lot.
- (2) Minimum yard requirements shall be the following:
  - (a) Front yard depth: none.
  - (b) Side yard width: none, except on the side of a lot adjoining a residential district, in which case a side yard of not less than eight feet shall be provided. If a side yard is allowed, built, or used, it shall be not less than five feet in width.
  - (c) Rear yard depth: none, except, on the rear of a lot adjoining a residential district, in which case a rear yard of not less than 25 feet shall be provided.
- (3) The maximum height of a building in this district shall be 45 feet.
- (4) Freestanding on-premises signs shall not exceed 90 square feet in area and 35 feet in height.

Historical reference: Ord. 1092, passed 8-10-99

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OGALLALA PLANNING COMMISSION  
MEETING  
May 11<sup>th</sup>, 2016

Meeting of the Ogallala Planning Commission was called to order at 7:30 P.M. by Chairman Doug Davis. Members present were: Kevin Klockman, Lance Larington, Dave Schwasinger, Kris Springer, Clyde Bryant, Joe Malone and Doug Davis. Absent member was Darrel Hyberg Sr. Also in attendance was Ogallala Zoning Administrator, Ken Knoepfel. Audience members present were Travis Haggard and Carol Maxson.

**AGENDA**

1. Roll call
2. Verification of publication and open meetings law
3. **Public Hearing:** Recommendation to amend South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition
4. **Public Hearing:** A request to rezone property located at 601 West B Street, more particularly described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition. Proposed rezoning is from R-2 *Residential District Medium Density* to C-1 *Central Business District (City of Ogallala)*
5. 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

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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.

At 7:33 P.M., Chairman Davis opened the meeting for public hearing regarding a proposal to amend the South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition.

The Community Redevelopment Authority has recommended the inclusion of two additional areas into the south Central Redevelopment map. State law requires if projects use tax increment financing (TIF) for public portions of building projects such as sidewalks, public water and sewer mains etc., the property first has to be declared as blighted and substandard. State law also requires Planning Commission and City Council approval any time there is a modification to the redevelopment map. A copy of this map showing what is currently blighted as well as a map showing what is proposed to be blighted was presented to the Commission.

Also presented was a checklist of what was found with regard to current conditions. These are properties that were previously used by the Ogallala Public School system. The addresses of the areas are 205 East 6<sup>th</sup> Street (*Former Ogallala Middle School*), more particularly described as All of Block 9, Paxton's Addition and;

601 West B Street (*Former Progress School*), more particularly described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition.

There was much discussion pertaining to the proposed housing project located to the property at 601 West B Street. Concerns were with respect to the alley improvements and future maintenance needs (*excess alley traffic and snow removal*) that could arise by allowing alley access for off-street parking for these dwelling units.

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The Zoning Administrator asked the Commission to focus on the request to amend the blight and substandard map based on the findings in the checklist and not to base their opinion of whether or not to amend the map, solely on the features of the proposed housing project.

With no further discussion, Davis closed the hearing on this matter at 8:01 P.M.

Motion was made by Malone to recommend denial of the request to amend South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition. Motion was seconded by Bryant. There was no discussion. Members voting in favor of the motion were Malone, Springer and Bryant. Members voting to oppose the motion were Klockman, Schwasinger, Davis and Larington. Absent Hyberg, **Motion did not carry.**

Motion was made by Schwasinger to recommend approval of the request to amend South Central Redevelopment Map to include properties legally described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition and All of Block 9, Paxton's Addition. Motion was seconded by Klockman. There was no discussion. Members voting in favor of the motion were Klockman, Schwasinger, Larington and Davis. Members opposed to the motion were Malone, Springer and Bryant. Absent Hyberg, **Motion carried.**

**AGENDA ITEM 4** At 8:07 P.M., Davis opened the public hearing on a request to rezone property located at 601 West B Street, more particularly described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition. Proposed rezoning is from R-2 *Residential District Medium Density* to C-1 *Central Business District*. A prospective developer who would like to rezone the property from R-2 to C-1. The purpose of their request is to rezone to lessen their required front setback. The proposed plan for their development shows two three-unit dwellings. Each is built to face East A and East B Streets. Current R-2 zoning requires front setbacks to be no less than 25 feet from the property line. Rezoning

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the property to C-1 will lessen the required front yard setback requirement.

The rezoning area is entirely owned by the City of Ogallala which also includes the property for the proposed new library. The Commission was presented with a map showing the proposed rezoning area as well as a copy of the zoning regulations for a C-1 area. The Zoning Administrator said that both multi-family dwellings and public uses (*libraries*) are specifically allowed as permitted uses in a C-1 zoning district.

There was much discussion pertaining to the proposed housing project located to the property at 601 West B Street. Concerns were with respect to required setbacks and the alley improvements and future maintenance needs (*excess alley traffic and snow removal*) that could arise by allowing alley access for off-street parking for these dwelling units.

The Zoning Administrator asked the Commission to focus on the permitted uses that could be allowed in the C-1 zoning district and not base their decision entirely on the proposed housing project. Travis Haggard addressed the Commission saying that there is a pending TIF application that will be submitted for Community Redevelopment Authority (CRA) consideration provided the property is blighted. Haggard also agreed that the C-1 zoning district does have numerous commercial use potentials but the City of Ogallala, by virtue of being the owner of this property, has discretion on what uses will be allowed and can place conditions on the sale of property.

With no further discussion, Davis closed the hearing on this matter at 8:27 P.M.

Schwasinger made a motion to recommend that the City Council allow a request to rezone property located at 601 West B Street, more particularly described as Lots 1 through 10, Block 2 and Vacated Street South of said Block 2, Searle's First Addition and Lots 1 through 5, Block 9, Searle's First Addition. Proposed rezoning is from R-2 *Residential District Medium Density* to C-1

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*Central Business District. Klockman seconded the motion.* Klockman seconded the motion. There was no discussion. Members voting in favor of the motion were Klockman, Schwasinger, Springer, Bryant and Davis. Members voting in opposition were Larington and Malone. Absent Hyberg, **Motion carried.**

With no further discussion, a motion was made by Klockman to Adjourn. Larington seconded the motion. No discussion. All members present voted "Yes", meeting was adjourned at 8:30 P.M.

Clyde Bryant  
Secretary

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# RESOLUTION NO. 1472

## CITY OF OGALLALA, NEBRASKA

**A RESOLUTION OF THE COUNCIL PRESIDENT AND CITY COUNCIL OF THE CITY OF OGALLALA, KEITH COUNTY, NEBRASKA DECLARING A PORTION OF THE CITY OF OGALLALA TO BE BLIGHTED AND SUBSTANDARD AND ADDING SAID BLIGHTED AND SUBSTANDARD PROPERTY TO AN EXISTING REDEVELOPMENT AREA.**

### RECITALS

A. It is desirable and in the public interest of the City of Ogallala, Nebraska, a municipal corporation, to undertake and carry-out redevelopment projects in areas of the City that are determined to be substandard and blighted and in need of redevelopment.

B. Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended, known as the Community Development Law, prescribes the requirements and procedures for the planning and implementation of redevelopment projects.

C. Neb. Rev. Stat. § 18-2109, as amended, requires that, prior to the preparation by the community redevelopment authority of a city of a redevelopment plan for a redevelopment project, the Mayor and City Council as the governing body of the City, by resolution, shall find and determine that the area is a substandard and blighted area in need of redevelopment as defined in said Community Development Law.

D. Notice of public hearing regarding consideration of the blight and substandard declaration by the City Council was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 *et. seq.*, the Community Development Law, Neb. Rev. Stat. § 18-2115, and Nebraska law.

E. On May 24, 2016 the City Council held a public hearing to determine whether a portion of the City should be declared to be substandard and blighted and in need of redevelopment, as defined in and pursuant to the Community Development Law.

F. At such Meeting the Public Hearing was conducted, all interested parties were afforded a reasonable opportunity to express their views respecting the designation of such area as substandard and blighted and in need of redevelopment.

G. The Mayor and City Council submitted the question of whether the area in question is substandard and blighted and in need of redevelopment to the Planning Commission of the City of Ogallala for its review and recommendation prior to the Meeting and Public Hearing, and the Mayor and the City Council reviewed and discussed recommendations received from the Planning Commission.

H. The Mayor and City Council desire to determine whether the specific area is substandard and blighted and in need of redevelopment in accordance with the Nebraska Community Development Law.

**NOW THEREFORE**, be it resolved by the City of Ogallala, Keith County, Nebraska, that the real estate legally described as follows:

Lots 1, 2, 3, 4, 5 and including the alley in Block 9, Searle's First Addition, Ogallala, Keith County, Nebraska;

AND

All of Block 9, Paxton's Addition, Ogallala, Keith County, Nebraska

("Subject Area") is hereby declared to be a substandard area in need of redevelopment pursuant to the Community Development Law, in that conditions that now exist in said area meet the criteria set forth in Neb. Rev. Stat. § 18-2103(10); and

BE IT FURTHER RESOLVED, that the Subject Area is hereby declared to be a blighted area in need of redevelopment pursuant to the Community Development Law, in that conditions which now exist in said area which meet one or more of the factors set forth in Neb. Rev. Stat. § 18-2103(11)(a) and additionally satisfies the factor set forth in Neb. Rev. Stat. § 18-2103(11)(b)(2); and

**BE IT FURTHER RESOLVED** that such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Community Development Law, and the elimination of said substandard and blighted condition under the authority of the Community Development Law is hereby found to be a public purpose declared to be in the public interest; and

**BE IT FURTHER RESOLVED** that the Subject Area is adjacent to a currently existing redevelopment area, and adding the Subject Area to said existing redevelopment area is reasonably necessary to accomplish the implementation of the existing redevelopment plan; and

**BE IT FURTHER RESOLVED** that the Subject Area should be added to the existing redevelopment area in the Redevelopment Plan, and the City approves and directs the Community Redevelopment Authority of the City of Ogallala to amend the Redevelopment Plan accordingly.

**PASSED AND APPROVED THIS 24<sup>th</sup> DAY OF MAY 2016.**

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

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

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**CITY OF OGALLALA PLANNING COMMISSION  
RESOLUTION NO. 2016-01**

(Blight and Substandard Declaration - Former School Sites)

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
OGALLALA, NEBRASKA, MAKING A RECOMMENDATION TO THE CITY  
COUNCIL OF THE CITY OF OGALLALA, NEBRASKA, TO DECLARE CERTAIN  
PROPERTY IDENTIFIED HEREIN AS BLIGHTED AND SUBSTANDARD.**

RECITALS

A. The City Council of the City of Ogallala, Nebraska, submitted to the Planning Commission for review and recommendation, the question of whether that certain portion of the City of Ogallala, legally described on the attached and incorporated Exhibit "A" (the "Subject Area"), is a substandard and blighted area as defined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101, et seq., as amended) and in need of redevelopment.

B. The Subject Area is adjacent to the Central South Redevelopment Area (the "Redevelopment Area"), which was previously declared to be substandard and blighted by the Ogallala City Council.

C. The Subject Area consists of two (2) former school sites, which are being considered together as a single area, based upon common conditions and features of the former school sites, and the fact that both sites became vacant based upon the same conditions – the construction of a new school and the consolidation of school sites.

D. The Planning Commission has duly considered all statements made and material submitted related to the submitted question, including the memorandum from Ken Knoepfel, City Zoning Administrator, dated April 26, 2016, which is incorporated herein by this reference.

NOW THEREFORE, it is found and recommended by the Planning Commission of the City of Ogallala, Nebraska, as follows:

**A. Blight Recommendations**

The Planning Commission finds and recommends that:

1. The Subject Area is adjacent to the Redevelopment Area and adding the Subject Area to the Redevelopment Area is reasonably necessary to accomplish the implementation of the existing redevelopment plan. Former school sites present particular redevelopment challenges and permitting the Subject Area to remain blighted and substandard without any ability to assist with redevelopment would be detrimental to the overall redevelopment of the Redevelopment Area.

2. The age of the building in the Subject Area is in excess of forty years.
3. The Subject Area contains dilapidated or deteriorated buildings and improvements. Specifically, 59% of the building has been determined to be deteriorated beyond repair.
4. The Subject Area contains unsanitary and unsafe conditions, including deteriorating vacant buildings and potential safety hazards that could be remedied through redevelopment.
5. The Subject Area contains a number of factors that substantially impair the growth of the community and constitute an economic or social liability, including the vacant school building, inadequate water infrastructure, public sidewalks that are not fully accessible, and other conditions that will continue to deteriorate and increase the economic liability for the City.

BE IT RESOLVED, that based on the findings in paragraphs 1 through 5 of this Resolution, the Planning Commission recommends that the Subject Area be declared to be a blighted area within the meaning of the Nebraska Community Development Law.

**B. Substandard Declaration.**

6. The Subject Area is adjacent to the Redevelopment Area and adding the Subject Area to the Redevelopment Area is reasonably necessary to accomplish the implementation of the existing redevelopment plan.
7. The improvements on the Subject Area contain a predominance conditions that are detrimental to the public health, safety, morals, or welfare within the meaning of Neb. Rev. Stat. § 18-2103(10), including dilapidation and deterioration of the building, age and obsolescence of the building, and an outdated fire suppression system and lack of handicap accessibility provisions that create damage to life or property.

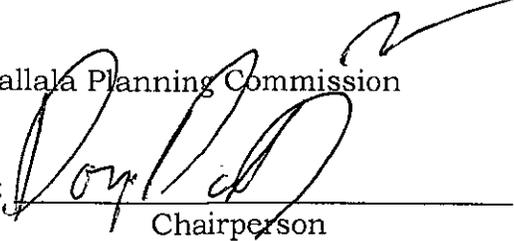
BE IT RESOLVED, that based on the findings listed in paragraphs 6 and 7 above, the Planning Commission recommends the Subject Area be declared to be a substandard area within the meaning of the Nebraska Community Development Law.

BE IT FURTHER RESOLVED, that subject to the City Council declaring the Subject Area blighted and substandard within the meaning of the Community Development Law, the Planning Commission recommends that the Subject Area be included within the Redevelopment Area of the City of Ogallala, Nebraska.

Passed and approved by the Planning Commission of the City of Ogallala, this 11<sup>th</sup> day of May, 2016.

Ogallala Planning Commission

By:

A handwritten signature in black ink, appearing to read "Doyl", is written over a horizontal line. The signature is stylized and cursive.

Chairperson

**EXHIBIT "A"**

**Legal Description**

Lots 1, 2, 3, 4, 5 and including the alley in Block 9, Searle's First Addition, Ogallala, Keith County, Nebraska;

AND

All of Block 9, Paxton's Addition, Ogallala, Keith County, Nebraska.

4826-4179-5377, v. 1

## MEMO

**To:** Ogallala Planning Commission and City Council

**From:** Ken Knoepfel

**RE:** Proposed inclusion of two properties into the Blight and Substandard Map of the Community Redevelopment plan.

**Date:** April 26, 2016

This is a checklist of two properties proposed to be included in the Blight and Substandard map of the Community Redevelopment Plan. These are properties that were previously used by the Ogallala Public School system. They're addresses are 205 East 6<sup>th</sup> Street (*Former Ogallala Middle School*), more particularly described as All of Block 9, Paxton's Addition and;

601 West B Street (*Former Progress School*), more particularly described as Lots 1, 2,3,4,5 and including the alley in Block 9, Searle's First Addition.

The property at 601 West B was demolished in the fall of 2015. That particular site is now vacant property. The site located at 205 West 6<sup>th</sup> is untouched and according to records of the Keith County Assessor, was constructed in 1950. The Building has an addition that was constructed in 1996.

The following documentation includes answers as to the conditions of the properties.

The Planning Commission is being requested to review these two properties as **one single area** per the recommendation of the Attorney representing the Community Redevelopment Authority (CRA).

### **Blighted and Substandard Checklist**

Blight Conditions (18-2103(11))

- **Buildings**

- Number of structures, percent of structures that are deteriorated or deteriorating: **The entire structure has a footprint of 32,892 square feet. The old portion of the structure has a sum total of 19,281 square feet or 59% has been determined to be deteriorated beyond repair.**
- What is the average age of the buildings in the area (is it is at least forty years old)? **The properties have one single building on the premises. The structure is comprised of a building that was constructed post World War II in 1950 with an addition that was**

constructed in 1996. The structure has been vacated since March of 2015.

- **Existence of defective or inadequate street layout**
  - Are street improvements necessary to utilize the property? **No**
- **Faulty lot layout**
  - Are there accessibility issues? **Public sidewalks are not fully accessible.**
  - Is the property useful or obsolete as platted? **Due to the vacating of the street in the 200 block of West 6<sup>th</sup> Street, interior lots can only be accessed from the alley.**
  - Are there sufficient utility improvements? **Area is serviced by 4 inch water mains which is not considered as acceptable volume. Some lots do not have City water mains adjacent to the property lines.**
- **Unsanitary or unsafe conditions**
  - Are there safety concerns with old school building or school site in general? **As with any vacant structure, there is a greater possibility of breaking and entering. The old portion of the school has problems with deterioration and lack of maintenance. The site on west B Street is now vacant which eliminates the concerns for vacant buildings.**
  - Are there specific issues with this site?
  - Abandoned playground equipment, etc.? **Not a factor**
- **Deterioration of site or other improvements**
  - Are there any additional improvements that will be needed to redevelop the property? **None other than what is being proposed in the TIF application.**
  - Is the parking lot or concrete playground incompatible with other uses of property that would deteriorate over time and cause issues? **The playground at 205 East 6<sup>th</sup> would not be compatible with the proposed use of the property (Business offices).**
  - Are there conditions which endanger life or property by fire and other causes? **Yes, by the fact of the building being vacant and non-useable, the possibility of a fire occurring undetected is enhanced.**

**Substandard Conditions (18-2103(10))**

- Identify any of the following conditions in a predominance of buildings or improvements
  - Dilapidation. **Building was maintained by school staff.**
  - Deterioration. **The building has areas where plaster is dropping from walls and ceiling. Climate control was difficult to maintain. Asbestos and lead paint are undetermined but due to age of the building, it is probable.**

- Age Building is 66 years old meaning that there are features of the building that are no longer fuel efficient regarding insulation, windows, doors etc.
- Obsolescence. Areas within the interior are no longer useful such as the gymnasium. The facility is not entirely accessible to the disabled.
- What are the existence of conditions which endanger life or property by fire and other causes? The building, if constructed to today's building codes, would require a complete automatic fire suppression system and an elevator as well as exiting would require areas of refuge for occupants in wheelchairs. All these items were noted in a plan of corrections issued by the State Fire Marshal in 2011.

### **Blighted and Substandard Definitions**

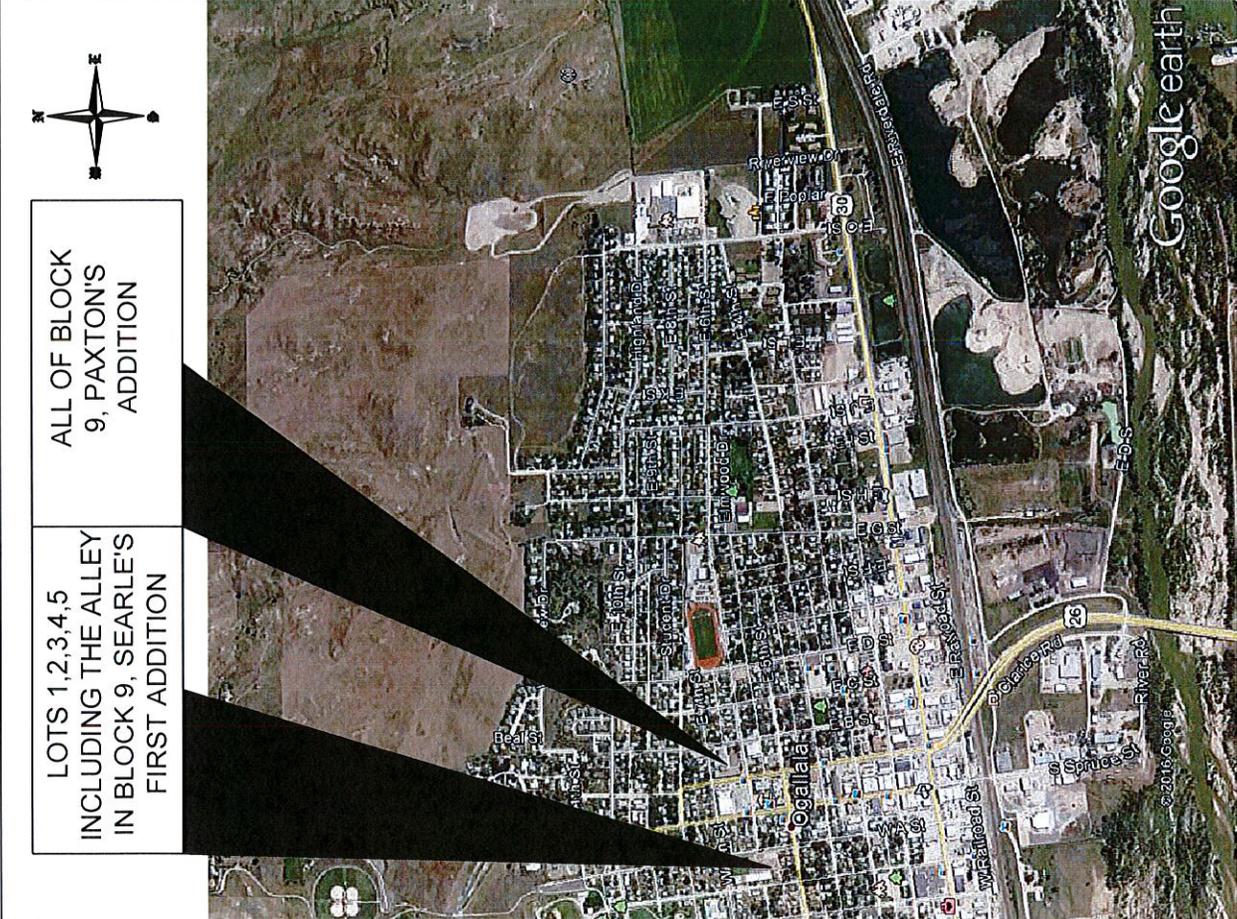
#### Blight Conditions (18-2103(11))

- Subjective Requirements: Area which by any combination of the following factors substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use:
  - The presence of a substantial number of deteriorated or deteriorating structures,
  - Existence of defective or inadequate street layout,
  - Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
  - Unsanitary or unsafe conditions,
  - Deterioration of site or other improvements,
  - Diversity of ownership,
  - Tax or special assessment delinquency exceeding the fair value of the land,
  - Defective or unusual conditions of title,
  - Improper subdivision or obsolete platting, or
  - The existence of conditions which endanger life or property by fire and other causes
- Objective Requirements: At least one of the following conditions is present:
  - Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
  - The average age of the residential or commercial units in the area is at least forty years;
  - More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;

- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or
- The area has had either stable or decreasing population based on the last two decennial censuses.
- Limitation on Blighted Area: In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. **The proposed inclusion would put the City of Ogallala at 34.45% blighted.**

Substandard Area (18-2103(10))

- An area in which there is a predominance of buildings or improvements which, by reason of the following conditions, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and are detrimental to the public health, safety, morals, or welfare
  - Dilapidation,
  - Deterioration,
  - Age or obsolescence,
  - Inadequate provision for ventilation, light, air, sanitation, or open spaces,
  - High density of population and overcrowding, or
  - The existence of conditions which endanger life or property by fire and other causes



LOTS 1,2,3,4,5  
INCLUDING THE ALLEY  
IN BLOCK 9, SEARLE'S  
FIRST ADDITION

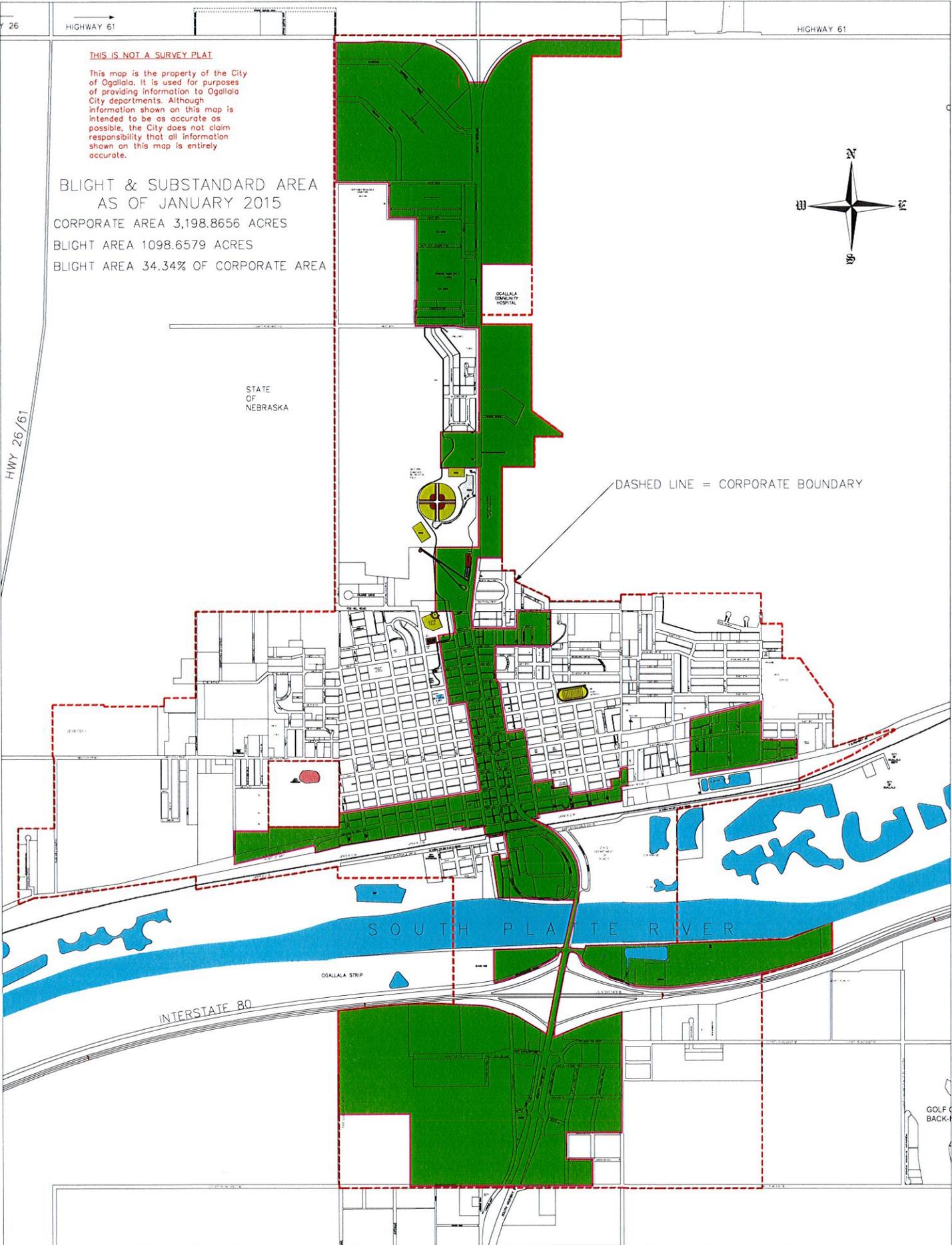
ALL OF BLOCK  
9, PAXTON'S  
ADDITION



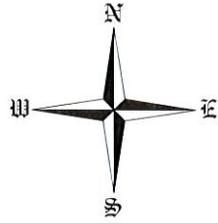
LOTS 1,2,3,4,5  
INCLUDING THE  
ALLEY IN BLOCK 9,  
SEARLE'S FIRST  
ADDITION



ALL OF BLOCK 9,  
PAXTON'S  
ADDITION



# PROPOSED REZONING AREA FROM R-2 TO C-1



SWIMMING

POOL  
**MEMORIAL  
PARK 8**

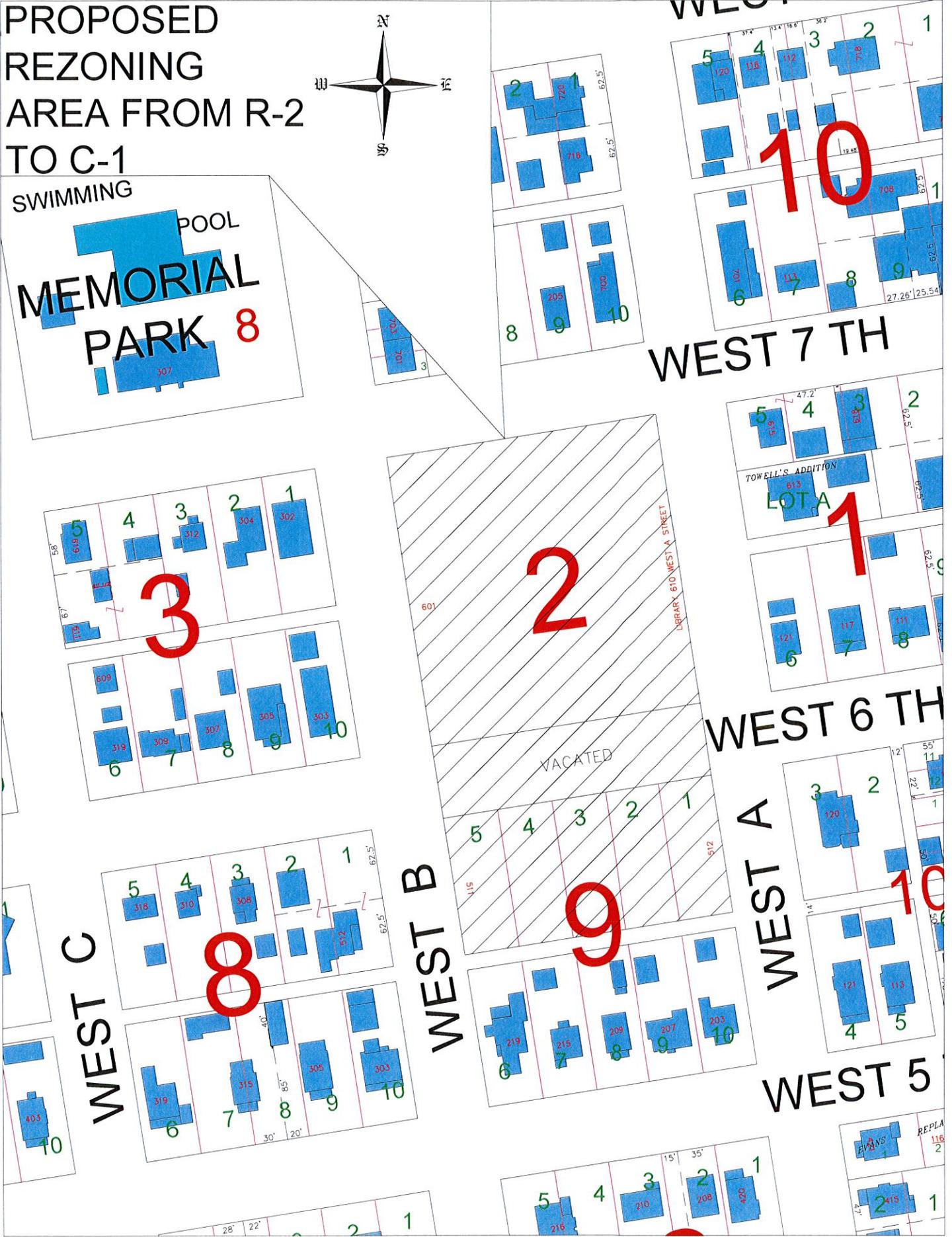
**10**  
WEST 7 TH

**1**  
WEST 6 TH

**9**  
WEST A

**10**  
WEST 5

6.D.



## ARTICLE 5

### C-1 BUSINESS DISTRICT – CENTRAL

Section.

- 44-501. Purpose and characteristics.
- 44-502. Permitted uses.
- 44-503. Special uses.
- 44-504. Area, yard, and height requirements.

#### **44-501. Purpose and characteristics.**

The purpose of the (C-1) Business District – Central is to establish the location of the downtown or predominant shopping area of the City in relation to its intended use, that being to best serve the largest number of patrons within the community's service area with the widest variety of goods and services. Through the proper zoning classification and use of restrictions, it is the intent of this section to prevent the scattering of commercial uses and to centralize together the predominant retail and service activities needed to satisfy the local shopping public.

Historical reference: Ord. 1092, passed 8-10-99

#### **44-502. Permitted uses.**

Within the (C-1) Business District – Central, buildings and premises shall be used only for the following purposes:

- (1) Theaters and auditoriums.
- (2) Lodges, clubs, fraternal organizations, and places for entertainment and public gatherings.
- (3) Banks, financial institutions, loan offices, and tax services.
- (4) Insurance, real estate, and business offices or establishments.
- (5) Medical, dental, and health offices, clinics, and establishments, excluding veterinary clinics.
- (6) Funeral homes.
- (7) Professional offices and establishments.
- (8) Barber shops, beauty salons, reducing salons, and photographic studios.
- (9) Restaurants, cafes, short order establishments, bars, liquor stores, and nightclubs.
- (10) Ice cream and dairy stores and establishments selling specialty food items, but not exclusively drive-in type facilities.
- (11) Furniture, appliance, radio and television, and office furniture and supply stores.
- (12) Clothing, haberdashers, shoe stores, specialty clothing and dressmaking shops.
- (13) Drug stores, record shops, jewelry, hardware, and variety stores, and specialty item establishments.
- (14) Department stores, florist shops, farm and garden supplies, sporting goods and hobby shops.
- (15) Transportation depots, communication offices, and travel agencies.

(16) Dry cleaning pick-up establishments; Laundromats, but not laundries; shoe and clothing repair shops; furniture and appliance repair and upholstery establishments.

(17) Hotels.

(18) Paint stores, rugs and floor covering shops, and gun and firearms establishments.

(19) Major off-street parking facilities as an integral design consideration with all of the uses in the C-1 Zone.

(20) Public works, public buildings, public utility facilities, such as transformer stations, pumping stations, water towers, radio or television transmitter stations, and telephone exchanges.

(21) Libraries, private clubs, lodges, and social, recreational, and entertainment facilities and structures only for games and sports.

(22) Accessory uses and buildings that are clearly incidental to the permitted use and that will not create a nuisance or hazard.

(23) Single and multi family dwellings.

(24) Signs. The following on-premises signs shall be permitted:

(a) Permanent advertising signs identifying the use of the building, structure, or premises. Such signs shall be in harmony with the intended use of the land and the character of the zoning district in which they are to be erected, and shall be part of the architectural design or theme of the building. Said signs shall be limited to the following:

(i) One single sign, attached to the facade of the building, occupying no more than 10% of the surface area of said facade.

(b) One temporary on-site, non-illuminated sign, not to exceed eight square feet in area and advertising the sale or rental of the property.

Approval of permits for advertising signs and advertising sign specifications shall conform to section 44-1708.

Historical reference: Ord. 1092, passed 8-10-99

#### **44-503. Special uses.**

The City Council may authorize the following special uses in the (C-1) Business District – Central, but only after receiving the recommendation of the Planning Commission; after a public hearing; and subject to the conditions and protective restrictions set forth in section 44-1503:

(1) Churches, Sunday schools, and other places of worship.

(2) Private and/or parochial schools.

(3) Day-care facilities and preschools.

Historical reference: Ord. 1092, passed 8-10-99

#### **44-504. Area, yard, and height requirements.**

Area, yard, and height requirements for the (C-1) Business District – Central shall be the following:

(1) There shall be no limitations placed on the size of the lot.

(2) Minimum yard requirements shall be the following:

(a) Front yard depth: none.

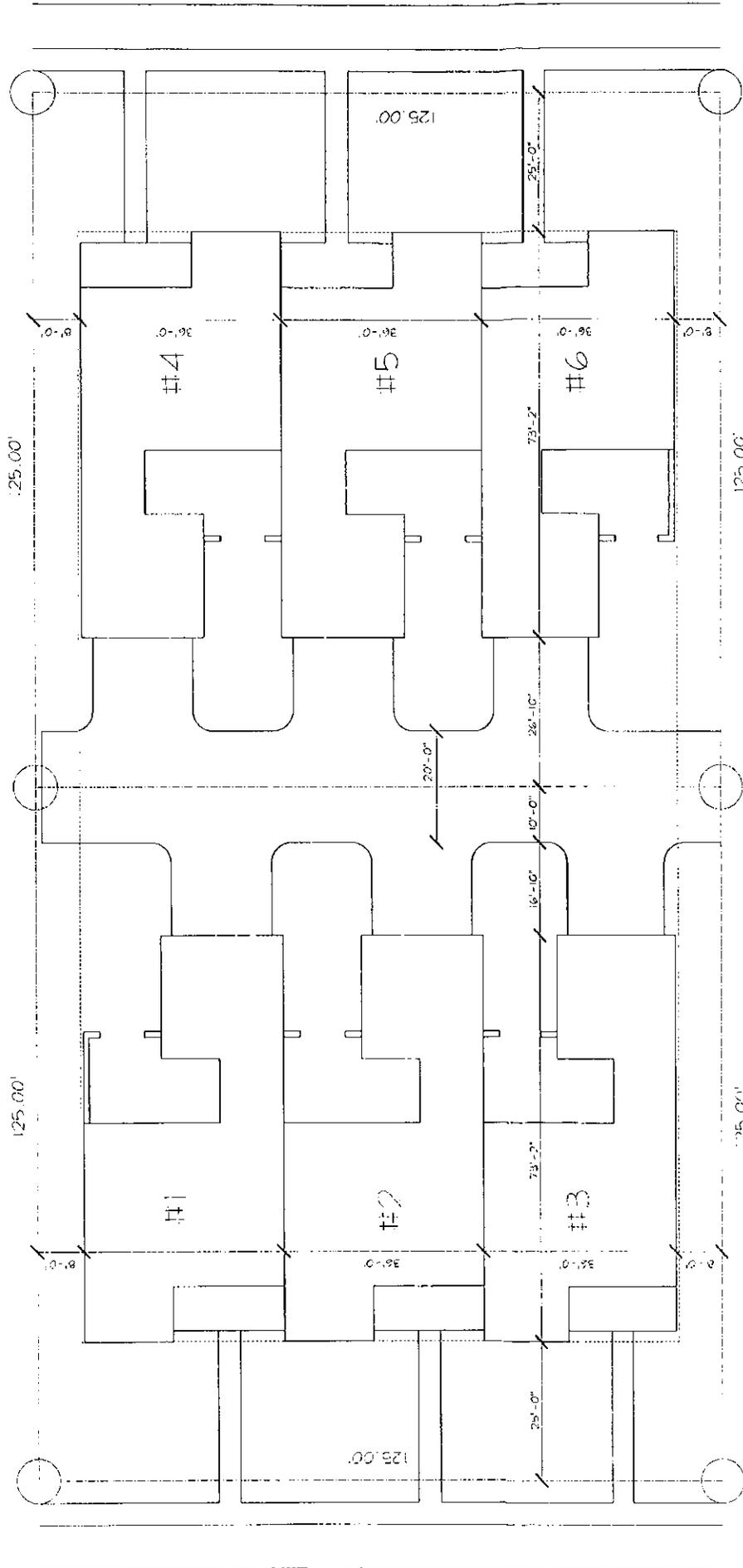
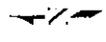
(b) Side yard width: none, except on the side of a lot adjoining a residential district, in which case a side yard of not less than eight feet shall be provided. If a side yard is allowed, built, or used, it shall be not less than five feet in width.

(c) Rear yard depth: none, except, on the rear of a lot adjoining a residential district, in which case a rear yard of not less than 25 feet shall be provided.

(3) The maximum height of a building in this district shall be 45 feet.

(4) Freestanding on-premises signs shall not exceed 90 square feet in area and 35 feet in height.

Historical reference: Ord. 1092, passed 8-10-99



6.D.

**ORDINANCE 1343**  
**CITY OF OGALLALA, NEBRASKA**

AN ORDINANCE OF THE CITY OF OGALLALA, KEITH COUNTY, NEBRASKA, AMENDING THE OGALLALA CITY CODE CHAPTER 27 REGARDING THE INVESTIGATION, DECLARATION AND ABATEMENT OF NUISANCES; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE CITY OF OGALLALA; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Be it ordained by the President and City Council of the City of Ogallala, Nebraska that:

**SECTION 1.**

Chapter 27 of the City Code of Ogallala is repealed and replaced as follows:

**ARTICLE 1**  
**GENERAL PROVISIONS**

**Section 27-101.**

**Purpose.**

City of Ogallala by this Article defines its authority to define, regulate, suppress and prevent nuisances, and to declare what shall be a nuisance for its jurisdiction and to provide services to abate the same for the health and sanitation of the City.

Statutory reference: §18-1720

**Section 27-102**

**Enforcement jurisdiction.**

The Council and Chief of Police of the City are directed to enforce this municipal code against all nuisances. The jurisdiction of the Council, Chief of Police, and court shall extend to, and the territorial application of this chapter shall include, all territory adjacent to the limits of the City within two miles thereof and all territory within the corporate limits.

Statutory reference Neb. RS 18-1720

**Section 27-103**

**Definition of Nuisance**

(A) *Nuisance.* A nuisance occurs when in doing any unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing:

1. Injures or endangers the comfort, repose, health, or safety of others;
2. Offends decency;
3. Is offensive to the senses;
4. Unlawfully interferes with, obstructs, tends to obstruct, or renders dangerous for passage any stream, public park, parkway, square, street, or highway in the municipality;
5. In any way renders other persons insecure in life or the use of property; or
6. Essentially interferes with the comfortable enjoyment of life and property; or
7. Tends to depreciate the value of the property of others.

(B) *Nuisance* includes, but is not limited to, the maintaining, using, placing, depositing, leaving, or permitting of any of the following specific acts, omissions, places, conditions, and things of:

1. Any odorous, putrid, unsound, or unwholesome grain, meat, hides, skins, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl;
2. The emission of smoke, dust, fumes, gases, mists, odors, or polluted air from any source that is, or may be, injurious or dangerous to human health and safety.
3. Privies, vaults, cesspools, dumps, pits, or like places which are not securely protected from flies or rats or other insects and rodents, or which are foul or malodorous or existing in violation of any state law or city ordinance;
4. Filthy, littered, or trash-covered cellars, house yards, barnyards, stable-yards, factory-yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises;
5. Dead animals or dead animals buried within the corporate limits
6. Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the municipality;
7. Hauling any garbage, waste, or refuse matter through the streets, alleys, and public ways except when the same is loaded and conveyed in such a way when none of the contents shall be spilled;
8. Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish, or any waste vegetable or animal matter in any quantity. Nothing herein contained

shall prevent the temporary retention of waste in receptacles nor the dumping of non-putrefying waste in a place and manner approved by the municipality;

9. Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles;
10. Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials when any of the articles or materials create a condition in which flies or rats or other insects or rodents may breed or multiply, or which may be a fire danger, or which are so unsightly as to depreciate property values in the vicinity;
11. Any unsafe building, unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished, which buildings, billboards, or other structures are, or may be, a fire hazard or a menace to the public health or safety, or are so unsightly as to depreciate the value of property in the vicinity;
12. All places used or maintained as junk yards, or dumping grounds, or for the wrecking and disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof;
13. Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building or enclosure, in which animals or fowls of any kind are confined or on which are stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when the places in which the animals are confined, or the premises on which the vegetable or animal matter is located are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom

- to the annoyance of inhabitants of the municipality or are maintained and kept in such a manner as to be injurious to the public health;
14. Dead or diseased trees within the right-of-way of Streets within the corporate limits of the City, or on private property within the two mile zoning jurisdiction beyond the corporate limits (NRS §16-207);
  15. Undrained lots which hold or may hold stagnant water or any other nuisance;
  16. Any condition which allows the perpetuating of insects and rodents;
  17. Storage, accumulation, keeping, placing, or allowing to remain trash, garbage, scrap and wrecked, worn-out, broken or inoperative, or partially destroyed or disassembled personal or real property of any kind, including but not limited to any junk or abandoned motor vehicles, tractors, trailers, machinery, and equipment;
  18. Any vehicle which is not properly registered, or is inoperable, wrecked, junked, or partially dismantled and remaining longer than thirty (30) days on private property. This does not apply to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the lawful operation of such business enterprise (such as a licensed salvage dealer, motor vehicle dealer or farm implement dealer), or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner, and so long as the premises which said vehicle is located is not a nuisance and is maintained in a healthful and safe condition. "Vehicle" means the same as defined by Neb. Rev. Stat. § 60-136. "Properly registered" means as required by Nebraska Statutes or City Ordinance;
  19. Weeds. Any growth of twelve inches or more in height of weeds, grasses, or worthless vegetation on any lots and pieces of ground and the adjoining streets and alleys within the City. Weeds includes, but is not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*),

perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).

20. All other things specifically designated as nuisances elsewhere in the City Code. (NRS §18-1720)

(C) This section shall not be deemed to be a complete listing of all acts, omissions, places, conditions, and things that constitute nuisances but shall only be used as an illustration of specific acts, omissions, places, conditions, and things that constitute nuisances.

## **ARTICLE 2**

### **ABATEMENT SERVICES & NOTICE PROCEDURE FOR NUISANCES**

#### **Section 27-201**

##### **Nuisance Officer.**

The Police Chief shall be identified as the “Nuisance Officer”.

#### **Section 27-202**

##### **Identifying Nuisances.**

1. The City may identify suspected nuisances, in which case the City Clerk shall, upon direction of the City Council or City Manager, notify the Nuisance Officer of the suspected location, person or persons in violation of any provision of this chapter and provide the address of such alleged nuisance.
2. The City Council or City Manager may direct that the Nuisance Officer audit the City or any portion thereof for nuisances. The Nuisance Officer shall then review the property or area for any nuisances.
3. The Nuisance Officer shall not go upon private property when identifying nuisances unless granted permission by any occupant or owner of private property.

**Section 27-203**

**Investigation and Presentation of Nuisances by Nuisance Officer.**

1. Nuisance Officer shall identify and confirm that in his or her opinion a nuisance exists as defined by Federal or State law or City ordinance.
2. Upon identifying a potential nuisance the Nuisance Officer shall document said potential nuisance with photographs and other evidence pertinent to the situation. Nuisance Officer will also obtain the legal description of the property and identify the current owners and, if possible, the occupants of the property upon which the nuisance exists.
3. Nuisance Officer shall then present the information specified in the Subsection (2) to the City Council at a regular or special meeting of the City Council.
4. The City Council, after hearing the evidence from the Nuisance Officer regarding the existence of a nuisance, shall then take action regarding the potential nuisance identified by the Nuisance Officer. The City Council may, by resolution, declare a nuisance that the real estate or location specified by the Nuisance Officer is or contains a nuisance. If the City Council takes no action then the report of potential nuisance of the Nuisance Officer shall be of no effect and no nuisance shall be declared.
5. At the time of a declaration of nuisance the City Council shall designate the method(s) of enforcement the City Council has chosen as specified in Article Three of this Chapter. The City Council may pursue more than one method of enforcement.

**ARTICLE 3  
ENFORCEMENT**

**Section 27-301**

**Enforcement Procedures.**

Any declaration of nuisance by the City Council may be enforced by: (1) Administrative nuisance abatement as defined in Section 27-302; (2) Criminal prosecutions, and/or; (3) Civil judicial

enforcement. Any procedures in this Article, or combination of said procedures may be used to enforce any nuisance declared by the City Council.

## **Section 27-302**

### **Administrative Nuisance Abatement**

The City may proceed with abatement of the nuisance, sanitation, and/or health violation with or without judicial interpretation or decision after the following procedure is followed:

1. After a nuisance is declared the City Clerk notifies the Nuisance Officer to serve notice upon the violator(s).
2. Within five (5) days of a declaration of nuisance by the City Council the Nuisance Officer or City Clerk shall prepare and serve notice by personal service or certified mail to all owner(s) of any real estate declared a nuisance by the City Council.
3. The notice served by the Nuisance Officer shall provide information as to how the interested parties may request a hearing before the City Council described in subsection 5 of this Section.
4. If notice by personal service or certified mail is unsuccessful, said notice shall be given by a single publication in a newspaper of general circulation in the City or county of the City, and by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed. The date of service is determined by the later date of any certified mail receipt, personal service or publication date.
5. The accused violator including any owner of the real estate declared to be or contain a nuisance and/or any occupant of any real estate alleged to have or contain a nuisance may request in writing a hearing before the City Council within five (5) days after notice of violation is served or published. For tree nuisance violations the period for requesting a hearing is extended to thirty (30) days after service.

6. If no request for a hearing is received in the required time period, the City Council or Nuisance Officer may cause a hearing to be held. This option is at the sole discretion of the City Council or the Nuisance Officer. The City Council may cause a hearing to be held by resolution of the City Council. The Nuisance Officer may exercise the option to conduct a hearing regarding the nuisance by submitting to the City Clerk a written request for hearing regarding a particular nuisance to the City Clerk no less than five (5) days prior to the date the hearing will be held before the City Council. Hearings at the request of either the Nuisance Officer or City Council are to be used only in exceptional case.
7. If a hearing is requested, the City Clerk shall fix a date of hearing to be no later than fourteen (14) days from receipt of the request for the hearing. Notice of hearing with the date and time shall be served upon the owner, and occupant, if any, of the nuisance property by regular first-class mail.
8. The hearing shall be a “show cause” hearing in which the owner or occupant of the nuisance property may provide evidence why the alleged condition should not be found to be a public nuisance and remedied. This hearing shall be heard before a quorum of the City Council. The President of the City Council may conduct the hearing or City Council President may appoint another city official or legal counsel as the hearing officer to conduct the hearing. At the hearing the hearing officer shall mark and receive evidence which was presented when the finding of a nuisance was made, relevant evidence of the nuisance since that time, and evidence that the notices were properly given. The objecting parties shall then present evidence. The rules of evidence shall not apply at said hearing, but all evidence must be relevant to the particular nuisance being heard. Testimony shall be under oath as administered by the hearing officer or any person so designated by the hearing officer, and the person providing the testimony is subject to the laws of perjury. Evidence may be submitted in writing by affidavit.

9. No later than five (5) business days after the hearing and consideration of the evidence, the City Council may by majority vote rescind the resolution of violation. If the resolution of violation is not rescinded, it shall stand. Furthermore, if the party objecting to the declaration of a nuisance by the City Council fails to appear at the hearing or does not provide evidence, the nuisance shall stand. If the resolution is not rescinded, the City Council may, by resolution, extend the date that owner, occupant, lessee, or mortgagee shall abate and remedy the said public nuisance, but in no case shall this time exceed 60 days. The findings of the City Council shall be served upon the objecting party either personal service or certified mail within 5 days of the finding by the City Clerk or by the Nuisance Officer. The finding of this hearing is final, provided that an interested party or parties may appeal such decision to the appropriate court for adjudication.
10. If the Nuisance Officer determines the nuisance is not remedied and abated within the time period designated, the City shall cause the abatement of the nuisance.
11. If an interested party properly appeals to an appropriate court the findings and orders of the City to an appropriate court, then any orders of abatement of a nuisance or other enforcement shall be stayed until such time that the legal proceedings are concluded.

### **Section 27-303**

#### **Criminal Prosecution.**

If the declared nuisance, health, and/or sanitation violation is not abated within fifteen (15) days that the notice of designation of nuisance by the City Council is served upon the owner and/or occupant, and the City Clerk has not received a request for hearing, the Nuisance Officer may cause the issuance of a citation for the code violation.

1. The citation shall be prosecuted to the appropriate court by the City Attorney or other designated prosecutor for the City.
2. Upon a declaration of nuisance and a direction from the City Council to the Nuisance Officer to pursue criminal prosecution of the nuisance the Nuisance

Officer shall issue a criminal citation informing the alleged owner and/or occupant of any real estate declared to be a nuisance in accordance with applicable law governing the issuance and service of citations.

2. A person or persons found guilty of these violations shall be guilty of a misdemeanor and fined up to \$500.00 per each offense.
3. Each day that the nuisance as identified in the nuisance resolution and notice, is not abated shall be a separate offense and subject to a separate fine.

### **Section 27-304**

#### **Civil Enforcement.**

The City Council, by majority vote may instruct by resolution direct the City Attorney to file a civil action for the abatement of a nuisance by majority vote. Said civil suit may commence immediately upon the declaration of nuisance being duly passed by the City Council. Any civil action to enforce the City Code regarding nuisances may be filed and prosecuted at the same time any other enforcement procedure or after any other enforcement procedure has terminated.

## **ARTICLE 4**

### **EXPENSES**

#### **Section 27-401**

##### **Expenses of nuisance abatement or enforcement**

- (A) When the City has effected the abatement of the nuisance, health and/or sanitation violation through either City employees or through contract with a third party and has incurred expenses and costs thereof, the actual cost thereof shall be charged to the owner, agent, occupant or person in possession, charge or control of such property. The billing shall be calculated at the actual cost of abating the nuisance plus a twenty-five-dollar (\$25.00) administrative fee.
- (B) This billing shall be submitted to the last known address of the Owner of the nuisance property as found in the County Treasurer's office by regular first-class mail.

- (C) If said costs are not paid within two months after the work is done and one month after the expenses and costs are submitted to the owner and/or occupant, the City may levy and assess the expenses and costs upon the real estate benefitted by the actions in the same manner as other special assessments are levied and assessed, and the City may collect said assessments in the same procedure as other special assessments are collected under State law or City ordinance. In addition to any levy or assessment procedures the City may also recover said expenses and costs of abating the nuisance, health and/or sanitation violation(s) in a civil action in the courts of the appropriate county in Nebraska.

## ARTICLE 5 SOUND AMPLIFIERS

### **Section 27-501.**

#### **Sound amplifiers; permits required.**

- (1) It shall be unlawful to maintain or operate any loudspeaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and made heard over any public street or other public place without having first secured a permit therefore.
- (2) (a) The deposit for permits to be granted under this section shall be established by the City Council by Resolution.  
(b) The deposit shall be refundable upon the completion of the permit period as long as no law enforcement action was taken concerning the activity for which the permit was issued.  
(c) The permit shall be effective for no longer than a continuous five day period.
- (3) Any person, firm, or corporation desiring a permit for the use or operation of such device shall file an application thereof with the City Clerk, upon a form provided by him or her, setting forth the name and address of the applicant, the name of the owner of such device, the dates upon which it is intended to be used, and such other information as may be prescribed.

- (4) Such permit shall be issued upon the payment of a deposit, as above provided, to the City Clerk, and shall permit the use of any such device subject to the terms and conditions of this section only upon the dates specified on such permit and no other. Said permit shall be displayed in plain view in a conspicuous place at the event.
- (5) No permittee shall use or operate or employ any such device within the City limits before 9:00 a.m. nor after 1:00 a.m.; and no permittee shall use, operate, or employ any such device within a radius of two blocks from any hospital or within the radius of two blocks from any church while funeral services are being held there.
- (6) The Chief of Police or his or her representative shall have the authority to revoke a permit issued pursuant to this section if the Police Department has received two or more signed complaints of loud or disturbing noise within a 12-hour period. The Police Department shall further be empowered to seize any amplifying equipment that continues to be in use after the revocation of the permit or which is being used without a permit being issued.
- (7) If the person, firm, or corporation has his/her/its permit revoked two times within a four-month period, he/she/it cannot reapply for such permit for a period of 12 months from the date of the last revocation.
- (8) This section shall not apply to the following:
  - (a) Radios, phonographs, microphones, or other devices by which sounds are magnified in homes or in private pleasure vehicles when the same are operated in such manner as not to be audible at a distance of 50 feet from such vehicle.
  - (b) Amplified sound, noise devices, bands, or other musical devices used in any school, county, state or City sponsored activity, or public parade or procession.
  - (c) Businesses that amplify radio or music transmissions between the hours of 8:00 a.m. and 8:00 p.m.
- (9) No permittee shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane, or indecent language or sounds, or any false representation of any matter, product, or project advertised thereby, the sale of which is prohibited by any law, ordinance, or statute.

- (10) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be penalized as provided in 27-502.

**Section. 27-502.**

**Penalty**

- (1) Penalty amounts. Any person who violates any of the prohibitions or provisions of any section of this chapter shall be deemed guilty of a misdemeanor. Unless otherwise specified in this chapter or by statute, the penalty for such violation shall be in any amount not to exceed \$1,000, in the discretion of the court; and, provided, whenever any section of this chapter shall declare a nuisance, a violation of that section shall be penalized by a fine of not more than \$1,000, in which case a new violation shall be deemed to have been committed every 24 hours of such failure to comply.
- (2) Abatement of nuisance. (a) Whenever a nuisance exists as defined in this chapter, the City may proceed by a suit in equity to enjoin and abate the same, in the manner provided by law. (b) Whenever in any action it is established that a nuisance exists, the court may, together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case.
- (3) Restitution. The court may, together with the fine or penalty imposed, enter an order of restitution as part of the judgment in the case.

Statutory reference: Neb. RS 16-225, 16-240, 16-246, 18-1720

**ARTICLE 6**

**GRAFFITI**

**Section. 27-601.**

**Purpose and Findings.**

The purpose of this Section is to prevent the spread of graffiti in the City through measures reasonably calculated to deter graffiti and to encourage and facilitate rapid removal when it occurs. The City Council makes the following finds in enacting this Section:

- (1) Graffiti is a form of vandalism defacing public and private property without the consent of the owner;
- (2) Graffiti creates visual pollution and blight that adversely affects the enjoyment and value of public and private property and causes citizens, businesses and the City to incur the cost of removal and repair;
- (3) Graffiti is a visual symbol of disorder and lawlessness. It contributes to a downward spiral of blight and decay, decreasing property values, lessening business viability and potentially adversely affecting tax revenues; and
- (4) There is substantial evidence that rapid removal of graffiti is an effective prevention strategy that discourages its return. In addition, there is substantial evidence that failure to promptly remove graffiti increases the likelihood that more graffiti will occur on the same site and on other nearby property.

**Section 27-602.**

**Definitions.**

- (1) Aerosol Paint container means any container that is adapted or made for the purpose of applying aerosolized paint or any other aerosolized substance capable of defacing property.
- (2) Broad Tipped Marker means any marker or similar implement that contains ink and has a flat or angled writing surface that, at its broadest width, exceeds one eighth inch.
- (3) Etching Cream means any caustic cream, gel, liquid, or solution capable, by means of a chemical action, of defacing, damaging, or destroying hard surfaces in a manner similar to acid.
- (4) Graffiti means any inscription, word, figure, design, painting, writing, drawing or carving that is marked, etched, scratched, drawn, painted or otherwise applied to property without the prior authorization of the owner of the property regardless of the content or nature of the material used.
- (5) Graffiti implement means an aerosol paint container, a broad-tipped marker, gummed label, paint stick or graffiti stick.

- (6) Minor means a person under the age of eighteen.
- (7) Owner means the person listed on the Keith County Assessor's records as the owner of property.
- (8) Paint Stick or Graffiti Stick means any device containing a solid or liquid form of paint, chalk, wax, epoxy, or other similar substance that leaves a visible mark upon application to a surface.
- (9) Property means any real or personal property, including but not limited to any portion of any premises, structure, house, building, fence or vehicle.
- (10) Vendor means any person who offers for sale and/or transfer any items that constitute graffiti implements for value or any form of consideration.

**27-603.**

**Prohibited acts.**

The following acts are prohibited:

- (1) Applying graffiti to any private or public property without the permission of the owner;
- (2) Soliciting or commanding another person to apply graffiti to any private or public property without the permission of the owner; or
- (3) Aiding or abetting or agreeing to aid or abet another person in planning to apply or applying graffiti to any private or public property without the permission of the owner.

**27-604.**

**Prohibited possession of graffiti implements.**

- (1) No person shall possess any graffiti implement under circumstances presumed to evidence intent to violate the provisions of 27-303. A person is presumed to possess the Graffiti implement with an intent to violate the provisions of Section 27- 303 if he or she possesses any Graffiti implement:
  - (a) In or on any part of a publicly-owned or privately-owned property, facility, park, walkway or trail, school ground, library, playground, swimming pool, recreational facility, right-of-way; or

- (b) Within fifty (50) feet of any underpass, overpass, bridge abutment, storm drain, or similar type of infrastructure.
- (2) It is a defense to enforce action under Subsection (a) of this Section that the Graffiti implement was:
  - (a) possessed on the property with consent of the Owner; or
  - (b) possessed in a place where the implement was going to be used for a nongraffiti activity, including but not limited to an employment, school, home, church, art, or similar activity or possessed while enroute to or from such activity.

**27-605.**

**Required conduct.**

Each vendor selling items constituting graffiti implements shall place a sign in clear public view at or near the display and inventory of graffiti implements. Said sign shall measure not less than eight and a half (8 1/2) inches by eleven (11) inches and state "It is illegal for a person to purchase or possess aerosol spray paint containers, a broad-tipped marker, or any other graffiti implement for the express illegal purpose of graffiti as stated in Ogallala Municipal Code Chapter 27."

**27-606.**

**Rapid removal of graffiti.**

Whenever the City Manager, or his or her designee, determines that graffiti is located on public or private property such that graffiti may be viewed by a person using any public right-of-way or other public property, the City Clerk will provide written notice to the Owner of said property that City Ordinance requires that Graffiti be removed from public or private property within 48 hours of receipt of such notice unless a correction plan otherwise is approved. The notice will further state that if the property owner does not abate the Graffiti within ten (10) business days after notice, the City will proceed with nuisance enforcement according to Ogallala Municipal Code Chapter 27 regarding declaration and abatement of nuisances.

**27-607.**

**Penalties.**

- (1) Any person violating any portion of this Article shall:
  - (a) Pay a fine of not more than five hundred dollars (\$500) per violation;
  - (b) Reimburse the property Owner for all costs reasonably incurred by the property Owner that are directly related to removal of the Graffiti; and
  - (c) Perform twenty-five (25) hours of community service.
- (2) Every parent or legal guardian having custody or control of a Minor who violates this Article shall be jointly and severally liable with the minor for the penalties set forth in 27-607 (1)(a) and (b). For the purposes of this section, each act and each property is a separate violation.
- (3) Any person violating 27-304 shall pay a fine of two hundred fifty dollars (\$250) for the first violation and up to five hundred dollars (\$500) for subsequent violations and/or perform up to twenty-five (25) hours of community service.
- (4) Any person violating 27-605 shall pay a fine of fifty dollars (\$50) for the first violation and up to one hundred dollars (\$100) for subsequent violations.

**27-308.**

**Severability.**

If any section, phrase, sentence or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 2:**

The City of Ogallala City Code is hereby amended and all conflicting ordinances, resolutions and conflicting sections of ordinances and resolutions to this ordinance are hereby repealed.

**Section 3:**

This Ordinance shall be in full force and effect from and after its passage, approval and publication according law.

**SECTION 4.**

This Ordinance shall be published in pamphlet form according to Nebraska law.

Passed, approved and adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Harold Peterson, Council President

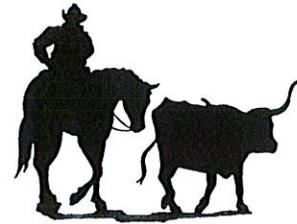
Attest:

\_\_\_\_\_  
Jane Skinner, City Clerk

G.E.

# City of Ogallala

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



2016 BACKHOE LOADER WITH INTEGRATED TOOL CARRIER AND EXTENDABLE  
HOE AND HYDRAULIC BREAKER  
CITY OF OGALLALA, NEBRASKA  
DUE DATE: May 5, 2016 2:00PM Mountain Time

## BID TABULATION SHEET

<b>Bidders:</b>	<b>Total Bid:</b>
Titan Machinery 3211 Rodeo Road PO Box 649 North Platte, NE 691041 308-532-6571	2016 Case 590SN - \$129,250.00  2016 Case 580SN - \$120,500.00
Nebraska Machinery Company PO Box 809 North Platte, NE 69103 800-628-6025	2015 Caterpillar 420F2 IT - \$122,650.00
Murphy Tractor & Equipment Co. 3701 S Jeffers Street PO Box 1013 North Platte, NE 69103-1013 308-534-7020	2016 John Deere 310SL - \$109,650.00  2016 John Deere 410L - \$120,650.00

Respective bids are summarized above and are provided as information only. At this time, they have not been reviewed and determined to be in compliance with the minimum requirements for submission of bid and compliance with specifications. Review and approval/rejection of bids for minimum requirements for submission of bid, compliance with specifications and recommendation of approval will be provided, prior to consideration for approval.

  
Jane M. Skinner, City Clerk