

City of Ogallala

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



MEMORANDUM

DATE: March 7, 2014
TO: Ogallala City Council
CC: Mike McQuillan, City Attorney; Jane Skinner, City Clerk
FROM: Aaron Smith, City Manager
RE: Briefing for Regular Council Meeting of: March 11, 2014

1. **Roll call of Members.** (Verification of Notice to call meeting to Order).
2. **Consent Agenda:**
 - A. Minutes of the Regular Meeting held February 25, 2014.
 - B. Appointment to Board – RSVP (1)
 - 1) Gail Schreiter – Completing Three Year Term (1-1-12 – 12-31-14).

The consent agenda lists routine non-controversial items collectively approved by the Council with no discussion and one motion.

The Council may discuss and vote on any individual item by removing it from the consent agenda. In addition, any person in attendance may request that an item be removed.

Recommended motion:

“Move to approve the consent agenda.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

3. **Public Hearing:**
 - A. A special exception request to use property for purposes of locating a single family dwelling in a C-4 Interstate Highway Business District. Said property proposed is located at 223 Road East 85, legally described as Lot 5, Martin’s First Sub Replat. (Sleepy Sunflower RV Park L.L.C.)

The public hearing should be opened by stating the topic and time.



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Ken Knoepfel, Planning and Zoning Administrator will be in attendance to discuss this topic and will be available to answer questions.

The owners of this property would like to construct a single family dwelling at 223 Road East 85. Adjacent to the Sleepy Sunflower RV Park. This would be a Permitted use by Special Exception,

This item may be acted on later in the meeting (Item 6. D.)

4. Public Forum:

5. Report of City Clerk-Treasurer:

A. Financial Report – February 2014.

No Action required.

6. Recommendations of Departments, Boards and Committees:

A. Community Development – Update (Travis Haggard).

- 1) Strategic Plan Update.
- 2) Branding Meeting.
- 3) I-80 Infrastructure needs.
- 4) KCAD annual meeting invite.

Travis Haggard, executive director of KCAD, will be in attendance to update the council.

No action required.

B. Planning – A request to vacate a public right of way located between Lot 1, Block 1, 21st Century Replat and Tract 2, Mueller & Mueller Corp 2nd Sub Replat. (Ord.

Ken Knoepfel, Planning and Zoning Administrator will be in attendance to discuss this topic and will be available to answer questions.

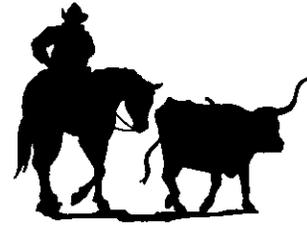
My understanding is that the developer would like to close on the property as soon as possible. Because the City is unaware of any issues and 21st Century has not indicated any objection, **I would recommend waiving the three readings.**

If you wish to suspend the reading on three separate occasions, this is the procedure.



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Recommended motion (by ordinance):

"I would introduce Ordinance 1312 and move to suspend the rules, so that the ordinance may be read by title and moved for passage at this meeting."

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

"Motion carried."

Or;

"Motion failed."

If the motion carries, the Council President then reads the ordinance by title.

"AN ORDINANCE VACATING THE STREET DEDICATED IN MUELLER AND MUELLER CORPORATION 2nd REPLAT RECORDED AT BOOK B OF PLATS, PAGE 328 IN THE RECORDS OF KEITH COUNTY NEBRASKA, SAID STREET IS LOCATED IMMEDIATELY ADJACENT TO TRACT 2 OF AFOREMENTIONED PLAT AND ALSO ADJACENT TO LOT 1, BLOCK 1, 21st CENTURY REPLAT RECORDED AT BOOK 1 OF PLATS, PAGE 28 IN THE RECORDS OF KEITH COUNTY, NEBRASKA; FOR THE CITY OF OGALLALA, NEBRASKA TO RETAIN TITLE TO THE VACATED STREET RIGHT-OF-WAY; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE."

A Council member may then:

"Move to adopt Ordinance 1312."

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

"Ordinance 1312 is adopted."

Or;

"Ordinance 1312 has failed."

Procedure to read the ordinance three times prior to vote:

Recommended motion, by ordinance:

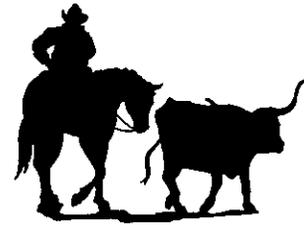
"I would introduce Ordinance 1312."

There is no motion or vote. The Council President states who introduced the ordinance and then reads the ordinance by title.



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“AN ORDINANCE VACATING THE STREET DEDICATED IN MUELLER AND MUELLER CORPORATION 2nd REPLAT RECORDED AT BOOK B OF PLATS, PAGE 328 IN THE RECORDS OF KEITH COUNTY NEBRASKA, SAID STREET IS LOCATED IMMEDIATELY ADJACENT TO TRACT 2 OF AFOREMENTIONED PLAT AND ALSO ADJACENT TO LOT 1, BLOCK 1, 21st CENTURY REPLAT RECORDED AT BOOK 1 OF PLATS, PAGE 28 IN THE RECORDS OF KEITH COUNTY, NEBRASKA; FOR THE CITY OF OGALLALA, NEBRASKA TO RETAIN TITLE TO THE VACATED STREET RIGHT-OF-WAY; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.”

There is no motion, second or vote.

After the reading, the Council President declares;

“Ordinance 1312 has been read for the first time.”

- C. Planning - A proposal to sell the real estate which the City of Ogallala retained title to in Ord. 1312, specifically the former right of way located between Lot 1, Block 1, 21st Century Replat and Tract 2, Mueller & Mueller Corp 2nd Sub Replat, to Placer Development, Inc., a Nebraska corporation in consideration of \$10.00 and to require publication of notice of the proposed transfer and conditions of the transfer as required by Nebraska law. (Ord 1313).

Ken Knoepfel, Planning and Zoning Administrator will be in attendance to discuss this topic and will be available to answer questions.

The first ordinance, Ordinance 1312 vacates the old platted street. This ordinance, Ordinance 1313, would convey the property to the developer. Basically, the City is swapping land.

I would recommend waiving the three readings.

If you wish to suspend the reading on three separate occasions, this is the procedure.

Recommended motion (by ordinance):

“I would introduce Ordinance 1313 and move to suspend the rules, so that the ordinance may be read by title and moved for passage at this meeting.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”



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If the motion carries, the Council President then reads the ordinance by title.

“AN ORDINANCE PROPOSING THE SALE OF A PARCEL OF REAL ESTATE AS LEGALLY DESCRIBED IN SECTION ONE HEREOF TO PLACER DEVELOPMENT, INC., A NEBRASKA CORPORATION.”

A Council member may then:
“Move to adopt Ordinance 1313.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Ordinance 1313 is adopted.”

Or;

“Ordinance 1313 has failed.”

Procedure to read the ordinance three times prior to vote:

Recommended motion, by ordinance:

“I would introduce Ordinance 1313.”

There is no motion or vote. The Council President states who introduced the ordinance and then reads the ordinance by title.

“AN ORDINANCE PROPOSING THE SALE OF A PARCEL OF REAL ESTATE AS LEGALLY DESCRIBED IN SECTION ONE HEREOF TO PLACER DEVELOPMENT, INC., A NEBRASKA CORPORATION.”

There is no motion, second or vote.

After the reading, the Council President declares;

“Ordinance 1313 has been read for the first time.”

- D. Planning - A request for approval of PLACER Development Replat No. 2 of PLACER Development Replat No. 1 of Tract #2 of the Replat of Mueller & Mueller Corp. Second Subdivision of Ogallala, Keith County Nebraska.

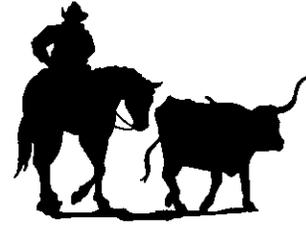
Ken Knoepfel, Planning and Zoning Administrator will be in attendance to discuss this topic and will be available to answer questions.

Recommended motion:



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“A motion to approve PLACER Development Replat No. 2 of PLACER Development Replat No. 1 of Tract #2 of the Replat of Mueller & Mueller Corp. Second Subdivision of Ogallala, Keith County Nebraska.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

- E. Planning - A special exception request to use property for purposes of locating a single family dwelling in a C-4 Interstate Highway Business District. Said property proposed is located at 223 Road East 85, legally described as Lot 5, Martin’s First Sub Replat. (Sleepy Sunflower RV Park L.L.C.)

Ken Knoepfel, Planning and Zoning Administrator will be in attendance to discuss this topic and will be available to answer questions.

This item was discussed in the Public Hearing

Recommended motion:

“A motion to approve a special exception request to use property for purposes of locating a single family dwelling in a C-4 Interstate Highway Business District. Said property proposed is located at 223 Road East 85, legally described as Lot 5, Martin’s First Sub Replat. (Sleepy Sunflower RV Park L.L.C.)”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

- F. Police – Annual Report.

Chief Kling will be in attendance to present the report.

No action required.

- G. Water – Plans and Specifications, Advertising and Bid Opening for Ogallala Water Improvements 2009.



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Brent with TC engineering will be in attendance to discuss the topic or answer any questions.

As background information, we are planning on having two separate bids (Item F and Item G). One is for the water main break replacement - east and west Highway 30 areas in Ogallala. It is called Ogallala Water 2014-1. It is paid for by the City budget. It includes new water main on the south side of Highway 30 from West of West I Street to W G Street. It also includes new water main on Opal Street and East I Street.

The second one is called Ogallala Water Improvements 2009. It is dated that because that is when we started the south well source project. It is the SRF project that has the prevailing wage (Davis Bacon) and all of the other loan/principle forgiveness paperwork. It includes finishing the south well (including the pump, motor, well house, electrical, back up generator, chemical feed, etc) water main, south water tower repair, ground storage tank height adjustment and repainting.

We are going to bid these at the same time, but as two separate contracts. Our hope is to have one contractor do all of the work with a cheaper price than bidding the "smaller" job on its own.

Recommended motion”

“Move to approve the plans and specifications, advertising and bid opening for Ogallala water improvements 2009.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

- H. Water – Plans and Specifications, Advertising and Bid Opening for Ogallala Water 2014-1

Brent with TC engineering will be in attendance to discuss the topic or answer any questions.

Recommended motion”

“Move to approve the plans and specifications, advertising and bid opening for Ogallala water improvements 2014-1.”

After the motion receives a second, the vote is called for.

After the vote, the Council President declares:



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"Motion carried."

Or;

"Motion failed"

I. **Street – Notification of Revision of One and Six Year Highway and Street Improvement programs for the City of Ogallala, Nebraska. (Res. 1412).**

With the approval of the redevelopment agreement and the public improvements that go along with it, it's necessary that we include this in the 1 and 6 year plan. This resolution revises the current one and six year plan.

Recommended motion (by resolution):

"I would introduce Resolution 1412 and move for its adoption."

The Council President then reads the resolution by title:

"A Resolution revising the one and six year highway and street improvement program for the City of Ogallala, Nebraska."

The Council President asks:

"Is there a second?"

After the second the Council President calls for the vote.

After the vote the Council President declares:

"Resolution 1412 is adopted."

Or;

"Resolution 1412 has failed."

7. Report of City Attorney:

8. Report of City Manager:

- A. Local Sales and Use Tax in Excess of 1.5%.
- B. City Manager evaluation.
- C. Midwinter Conference recap.

9. Report of City Council members:

- A. Board of Health – Pete Peterson.
- B. Chamber of Commerce – Kevin Block.
- C. Keep Keith County Beautiful – Buck Bassett.
- D. Keith County Area Development – Karl Elmshaeuser.
- E. Kenfield Petrified Wood Gallery – Rodger Rankin.



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- F. Library Board – Kevin Block.
 - G. Ogallala Community Hospital Advisory Board – Karl Elmshaeuser.
 - H. Ambulance Advisory Committee
 - I. City Council Member/County Commissioner Meeting.
 - J. Library Facilities Committee.

10. Closed session:

- A. City Manager evaluation.

11. Adjourn.

