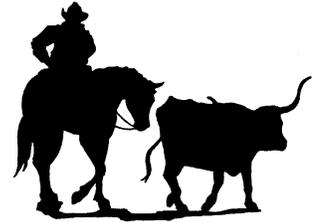


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MEMORANDUM

DATE: April 18, 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: April 22, 2014

1. **Roll call of Members. (Verification of Notice to call meeting to Order).**
2. **Consent Agenda:**
 - A. Appointment to Board – Board of Health (1).
 - 1) Kurt Johnson – One Year Term (1-1-14 – 12-31-14).
 - B. Claims.

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”

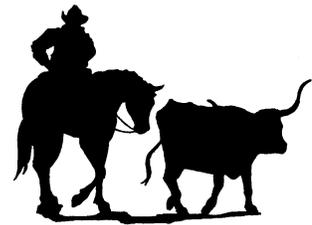
3. **Public Hearing:**
4. **Public Forum:**
 - A. Shut off water less than 30 days past due – Rick Dobson
5. **Report of City Clerk-Treasurer:**
 - A. Minutes of the Regular Meeting held April 8, 2014.

Council member Rankin was absent from this meeting and may abstain from this action.



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Recommended motion:

“Move to approve the minutes of the Regular Meeting held April 8, 2014”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

- B. Corporate Manager License for Dave Kramer in connection with the Class D Liquor License for Alco Discount Store 166 located at 820 East 1st Street.

Recommended motion:

“Move to recommend the approval to the Nebraska Liquor Control Commission of Dave Kramer Corporate Manager Liquor License in conjunction with the Class D Liquor License for ALCO Holding, LLC DBA Alco Discount Store #166.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

- C. Application for a special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 9-11-14 from 10 AM to 1 AM; 9-12-14 from 10 AM to 1 AM and 9-13-14 from 10 AM to 1 AM. (Indian Summer Rendezvous).

Recommended Motion:

“Move to approve the special designated liquor license for the Ogallala/Keith County Chamber of Commerce event to be held 9-11-14 from 10 AM to 1 AM; 9-12-14 from 10 AM to 1 AM and 9-13-14 from 10 AM to 1 AM. for the annual Indian Summer Rendezvous.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

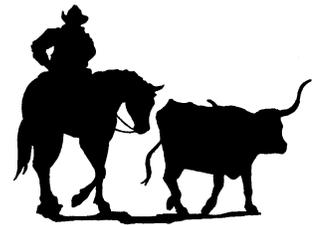
“Motion failed.”

- D. Claim – Rankin Sales and Service.



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Due to Councilman Rankin's previously declared conflict of interest regarding Rankins Sales and Service, the claim payable to Rankin Sales and Service has been separated from the rest of the claims for approval.

Recommended motion:

"Move to approve the claims payable to Rankin Sales and Services in the amount of \$35.52"

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

After the vote, the Council President declares:

"Motion carried."

Or;

"Motion failed."

6. Recommendations of Departments, Boards and Committees:

- A. Community Development – First Amendment to Temporary Grading Easement (Wal-Mart Real Estate Business Trust).

Jeff Palik with Olsson and Associates will be in attendance to respond to questions and give an overview.

This Amendment requires that the City take on more responsibility related to grading and maintenance of the detention cell area located to the west of the proposed Walmart. This item relates very closely to the next item as well.

Recommended motion:

"Move to approve the first amendment to temporary grading easement by and between the City of Ogallala, Nebraska ("Grantor") and Wal-Mart Real Estate Business Trust, a Delaware statutory trust ("Grantee"), and authorize the Council president to sign the Amendment).

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

After the vote, the Council President declares:

"Motion carried."

Or;

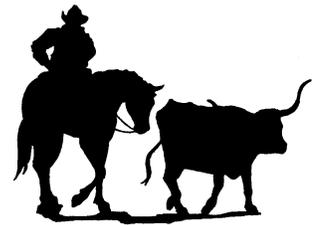
"Motion failed."

- B. Community Development – Letter Agreement for Redevelopment Contract between the Community Redevelopment Authority, Wal-Mart Real Estate Business Trust and the City of Ogallala.



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Jeff Palik with Olsson and Associates will be in attendance to respond to questions and give an overview.

This letter of agreement will require that the City take on additional responsibility above and beyond what was agreed to in the Redevelopment Contract, that was signed several meetings ago. The City will take on the responsibility of reseeding the dentition cell area located to the west of the proposed Walmart, as well as the Storm Water Pollution Prevention Plan (SWPPP). The cost associated with these function will be covered by TIF/Walmart, as described in the letter agreement. Roughly \$100,000.

Recommended motion:

“Move to approve the letter agreement between the City of Ogallala, Nebraska, the Community Redevelopment Authority, of the City of Ogallala Nebraska, and Wal-Mart Real Estate Business Trust and authorize the Council president to sign the letter agreement.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

- C. Community Development – Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive Contract Award.

Jeff Palik with Olsson and Associates will be in attendance to respond to questions and give an overview.

The low bid for offsite improvements came from Cement Products Inc. at \$829,112.88. The Bid tabs are in your packet for your review.

Recommended motion:

“Move to accept the bid from Cement Products In in the amount of \$829,112.88 for offsite improvements to Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive, and authorize the council president to sign the contract..”

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

After the vote, the Council President declares:

“Motion carried.”

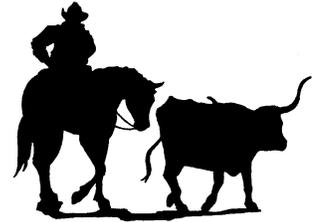
Or;

“Motion failed.”



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- D. Community Development – First Amendment to Letter Agreement for Engineering Services – Construction Phase Services for Offsite Improvements Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive (Olsson Associates).

Jeff Palik with Olsson and Associates will be in attendance to respond to questions and give an overview.

This is a contract for the engineering services for Highway 61, Pony Express Lane and Oregon Trail Drive offsite improvement for the proposed Wal-Mart and other future developments. The contract is for \$57,000 and is TIF eligible as well.

Recommended motion:

“Move to approve the contract for engineering services with Olsson and Associates for offsite improvements to Nebraska Highway 61, Pony Express Lane and Oregon Trail Drive, and authorize the council president to sign the contract.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

- E. Airport – Disadvantaged Business Enterprise (DBE) Program.

This is a required document that the City must agree to in order to receive funding for our projects. This document is provided in your packet for your review.

Recommended motion:

“Move to approve the Disadvantaged Business Enterprise (DBE) program, and authorize the appropriate city representative to sign the Disadvantaged Business Enterprise (DBE) Program documents.”

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

After the vote, the Council President declares:

“Motion carried.”

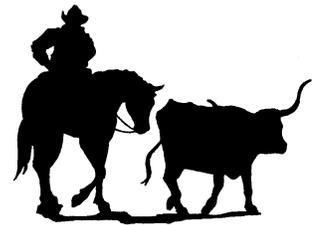
Or;

“Motion failed.”



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-
- F. Airport – Grant Application Electrical Vault, Beacon, and Wind Cone, Sponsor Certifications for Drug-Free Workplace; Equipment/Construction Contracts; & Project Plans and Specifications and Amendment No. 1 to Agency Agreement. (Project 3-31-0061).

This grant application is needed for the City to carry out its Airport Layout Plan, this is a 90/10 match. 90% fed, 10% local. This application is in your packets for your review.

Recommended motion:

“Move to approve the grant application for federal assistance and authorize the Council President to sign the application.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

- G. Community Development – Change Order No. 6 (final) for Ogallala Downtown Improvements – 2013.

Jeff Palik with Olsson and Associates will be in attendance to respond to questions and give an overview.

This change order is to zero out quantities to account for over/under runs throughout the project.

Recommended motion:

“Move to accept change order No. 6. for the Ogallala Downtown Improvements. ”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

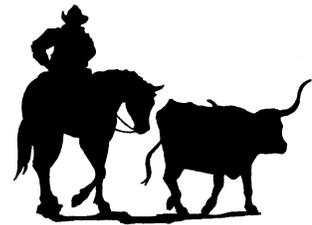
“Motion failed.”

- H. Public Transit – Application for state and federal funding for fiscal year 2013-2014. (Res. 1416).



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This resolution authorizes the City to apply for funds be used to provide public transportation in the City of Ogallala with special emphasis on meeting the needs of the elderly and disabled of Ogallala, Nebraska

Recommended motion (by resolution):

“I would introduce Resolution 1416 and move for its adoption.”

The Council President then reads the resolution by title:

“A RESOLUTION TO APPLY FOR STATE & FEDERAL FUNDING FOR THE CITY OF OGALLALA PUBLIC TRANSPORTATION SYSTEM FOR FISCAL YEAR 2014-2015.”

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 1416 is adopted.”

Or;

“Resolution 1416 has failed.”

I. Street – Paving Improvements 2014 Contract

Richard Brown, street superintendent be in attendance to respond to questions and give an overview.

We received one bid for valley gutter construction: East J and 6th – West Side, East 3rd & D – West Side, and West G & 7th – West Side. The total bid came in at over \$40,000. The bid sheet is in your packet for your review.

I believe we can get a better price by contracting each valley gutter out separately.

Recommended motion:

“Move to reject the bids for paving improvements.”

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

After the vote, the Council President declares:

“Motion carried.”

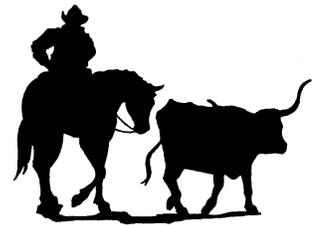
Or;

“Motion failed.”



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J. Water – Water Improvements 2009 Contract

Brent and/or Tom with TC Engineering will be in attendance to respond to questions and give an overview.

The bid tabs are in your packet for your review. Schedule 1 is for completing the south well. Schedule 2 is for repairs to the south water tower and rebuilding and painting the ground storage tank. Schedule 3 is for the water transmission pipeline in the south.

Recommended motion:

“Move to accept the bid from Sargent Drilling Co. for Schedule 1 in the amount of \$214,947.00, Maguire Iron Inc. for Schedule 2 in the amount of \$539,560.00 and Midlands Contracting for Schedule 3 in the amount of \$832,342.90, and authorize the Council President to sign the contracts.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

K. Water – Water Improvements 2014-1 Contract.

Brent and/or Tom with TC Engineering will be in attendance to respond to questions and give an overview.

The bid tab is in your packet for your review. One bidder responded to this item. This project is for a water main on East I, from Hwy 30 to 3rd St. And another main on Opal from East I to 3rd.

Recommended motion:

“Move to accept the bid from Van Kirk Bros. Contracting in the amount of \$299,945.00 and authorize the Council President to sign the contracts.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

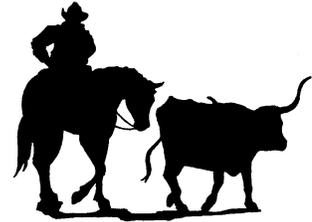
“Motion failed.”

7. Report of City Attorney:



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8. Report of City Manager:

- A. Rendezvous Square Update
- B. Branding Update

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.
- 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:

11. Adjourn.

