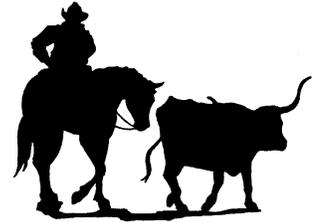


City of Ogallala

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MEMORANDUM

DATE: May 22, 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: May 27, 2014

1. **Roll call of Members. (Verification of Notice to call meeting to Order).**
2. **Consent Agenda:**
3. **Public Hearing:**
 - A. Planning and Zoning – Request for special exception to construct a non-commercial utility structure as a primary use in a residential-zoned lot located at 210 West 8th Street. (LD Bayley).

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

This is an opportunity to take any public comment regarding a request for special exception to construct a non-commercial utility structure as a primary use in a residential-zoned lot located at 210 West 8th Street. This is an action item under “6.B.” later in the agenda.

L.D. and Connie Bayley are requesting to build a 2,000 square foot utility structure as a primary structure on a vacant lot next to their dwelling. In the past few years, the Council has acted twice on this type of request (Jim Jeffres and Mike Bell). In their application, the Bayley’s are asking to setback the structure contrary to zoning code requirements (14 feet from the rear property line instead of the required 25 feet). It was explained to them at the Planning Commission meeting that requests for setback variances are heard by the Zoning Board of Adjustment and not the Planning Commission or City Council.

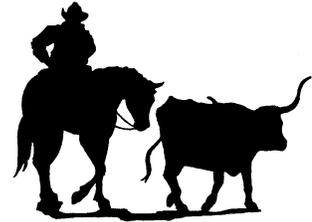
4. **Public Forum:**
5. **Report of City Clerk-Treasurer:**
 - A. Minutes of the Regular Meeting held May 13, 2014.

Council President Peterson 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 May 13, 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. Claims.

Recommended Motion:

“Move to approve the claims.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

C. Claim – West Central Nebraska Development District.

Due to Councilman Elmshaeuser’s previously declared conflict of interest regarding West Central Nebraska Development District, the claim payable to WCNDD has been separated from the rest of the claims for approval.

Recommended motion:

“Move to approve the claim payable to West Central Nebraska Development District in the amount of \$4,200.00.”

D. Administration - Corporate Manager License for Roy Syrek in connection with the Class D Liquor Licenses for Shopko Hometown #691 located at 100 Texas Trail Drive.

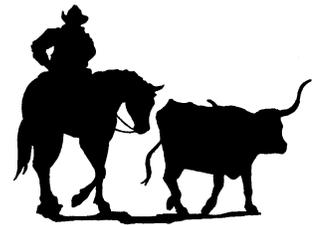
Recommended Motion:

“Move that the Corporate Manager License for Roy Syrek in connection with the Class D Liquor Licenses for Shopko Hometown #691 located at 100 Texas Trail Drive be approved by the Nebraska Liquor Control Commission.”



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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

Recommendations of Departments, Boards and Committees:

- E. Community Redevelopment Authority – Intent to enter into a redevelopment contract with Western Resource Group.

The CRA is required to inform the Council when it intends to enter into a development contract. A representative from the CRA should be in attendance to answer any questions pertaining to the redevelopment contract.

No Action Necessary

- F. Planning and Zoning – Request for special exception to construct a non-commercial utility structure as a primary use in a residential-zoned lot located at 210 West 8th Street. (LD Bayley).

The Planning Commission’s recommendation on this issue is for approval to place a utility structure as a primary use on a lot located at 210 West 8th Street, legally described as Lot 3, Block 9, Searle’s Second Addition. It has been made clear to the Bayley’s that a variance on setback requirements cannot be heard by the City Council.

Recommended Motion:

“Move to approve the planning commission’s recommendation and approve the use of a utility structure as a primary structure on a lot located at 210 West 8th Street, legally described as Lot 3, Block 9, Searle’s Second Addition..”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

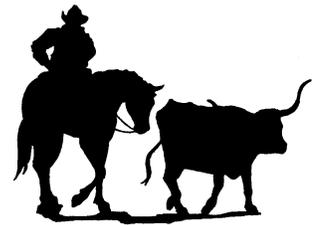
“Motion failed”

- G. Planning and Zoning - Request to vacate lots 5 and 6 of Pheasant Run Estates No.1, an Administrative Replat of Lots 1, 2 and 3 of Three Rivers Ranch Replat and Lots 2,4,5,6 and 7 of Barrett Residential Estates No. 1, all located in a portion of the SW ¼ of Section 20 Township 14 North, Range 38 West of the 6th P.M.



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Aaron Jones owns and has built a dwelling on Lot 4 and Neil Williams owns Lots 5 and 6 which are vacant and unimproved all in Pheasant Run Estates Subdivision. Neil is requesting that Lots 5 and 6 be vacated and conveyed to his pasture farm land to the east of the subdivision. In turn, on the next Council agenda item, Neil will convey a portion of his lots back to Aaron to square up Aaron's lot to make a viable building lot for him to build a new utility structure.

The Planning Commission's recommendation on this issue is to approve a request to vacate lots 5 and 6 of Pheasant Run Estates No.1, an Administrative Replat of Lots 1, 2 and 3 of Three Rivers Ranch Replat and Lots 2,4,5,6 and 7 of Barrett Residential Estates No. 1, all located in a portion of the SW ¼ of Section 20 Township 14 North, Range 38 West of the 6th P.M.

Recommended Motion:

"Move to approve the planning commission's recommendation and approve a request to vacate lots 5 and 6 of Pheasant Run Estates No.1, an Administrative Replat of Lots 1, 2 and 3 of Three Rivers Ranch Replat and Lots 2,4,5,6 and 7 of Barrett Residential Estates No. 1, all located in a portion of the SW ¼ of Section 20 Township 14 North, Range 38 West of the 6th P.M.."

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

After the vote, the Council President declares:

"Motion carried."

Or;

"Motion failed"

- H. Planning and Zoning - Request for approval of Jones Replat of Lot 4 and Vacated lots 5 and 6 of Pheasant Run Estates No.1, an Administrative Replat of Lots 1,2 and 3 of Three Rivers Ranch Replat and Lots 2,4,5,6 and 7 of Barrett Residential Estates No. 1, all located in a portion of the SW ¼ of Section 20 Township 14 North, Range 38 West of the 6th P.M.

This is for approval of the actual replat which shows Jones' lot as being changed to be rectangular in shape and Williams' Lots 5 and 6 as being vacated. Ken has provided an illustration showing the sequence of events that are taking place in this approval process.

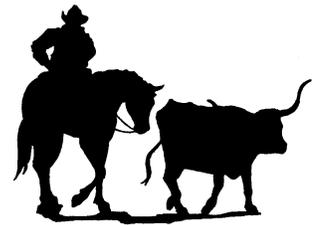
Recommended Motion:

"Move to approve the planning commission's recommendation and approve Jones Replat of Lot 4 and Vacated lots 5 and 6 of Pheasant Run Estates No.1, an Administrative Replat of Lots 1,2 and 3 of Three Rivers Ranch Replat and Lots 2,4,5,6 and 7 of Barrett Residential Estates No. 1, all located in a portion of the SW ¼ of Section 20 Township 14 North, Range 38 West of the 6th P.M."



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After the motion receives a second, the vote is called for.
After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed”

I. Water – Job Title Salary Range (Res. 1417).

John intends to hire a temporary part time employee to help out through the summer. An individual approached John about the possibility of a temporary position and has the required credentials.

This resolution will authorize the position Water Systems Operator IV (Temporary, Part-Time). Salary range 39 has an hourly salary range from \$12.48 to \$17.77.

Recommended motion (by resolution):

“I would introduce Resolution 1417 and move for its adoption.”

The Council President then reads the resolution by title:

“A resolution amending the City of Ogallala Job Title – Salary Range Table.”

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 1417 is adopted.”

Or;

“Resolution 1417 has failed.”

6. Report of City Attorney:

7. Report of City Manager:

- A. Paid Paramedic / Firefighter position.
- B. Rendezvous Square Sponsorships & Wind Breaks

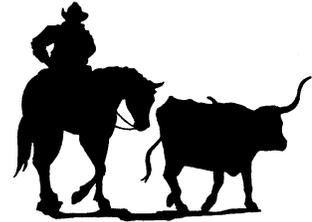
8. Report of City Council members:

- A. Board of Health – Pete Peterson.
- B. Chamber of Commerce – Kevin Block.



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- 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.

9. Closed session:

- A. Council President update regarding his health condition.

10. Adjourn.

