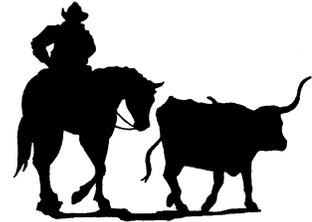


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## MEMORANDUM

**DATE:** September 4, 2015  
**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: September 8, 2015

1. **Roll call of Members.** (Verification of Notice to call meeting to Order).
2. **Consent Agenda:**
3. **Public Hearing:**
  - A. FY 2015-2016 Budget Hearing
  - B. FY 2015-2016 Hearing to Set Final Tax Request.
  - C. Administration – Class C Liquor License for Safeway.
4. **Public Forum:**
  - A. Keep Keith County Beautiful – Award for the City of Ogallala – Keep Nebraska Beautiful Environmental Award.

Chris Vail with Keep Keith County Beautiful will be presenting a “Keep Nebraska Beautiful Environmental Award”. (No Action Needed)

### Administration

5. **Report of City Clerk-Treasurer:**
  - A. Minutes of the Regular Meeting held August 25, 2015.

### Recommended Motion:

**“Move to approve the minutes of the Regular Meeting held August 25, 2015.”**

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

After the vote, the Council President declares:

**“Motion carried.”**

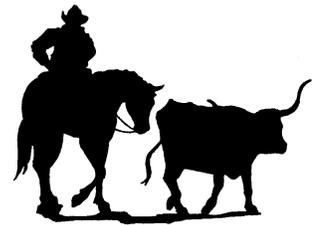
Or;

**“Motion failed.”**



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- B. Financial Report – August 2015.

Jane will present the August 2015 Financial Report, **(No Action Required)**

- C. Administration – Class C Liquor License for Safeway.

**The public hearing related to this item should be closed before action is taken.**

**Recommended Motion:**

**“Move that the Class C Liquor License in connection with Safeway be approved by the Nebraska Liquor Control Commission.”**

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

After the vote, the Council President declares:

**“Motion carried.”**

Or;

**“Motion failed.”**

- D. Administration – Corporate Manager License for Tory Reding in connection with the Class C Liquor License for Safeway.

**Recommended Motion:**

**“Move that the Corporate Manager License for Tory Reding in connection with the Class C Liquor License for Safeway be approved by the Nebraska Liquor Control Commission.”**

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. FY 2015-2016 Budget – Increase of restricted funds above the base limitation.

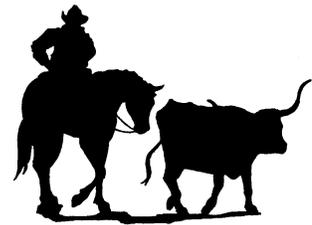
**This item was included in the Public Hearing agenda item 3.A. above. The hearing must be closed and the time stated before taking any action.**

The increase of restricted funds authority is located on pages 9 and 10 of the state budget document, under “Allowable Increases”. Statute allows 2.50% base limitation, without any



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additional Council action. An increase of 1.00% (maximum) of the restricted funds above the base requires and affirmative vote of 75% of the Council.

This increase (2.50% and 1.00%) in restricted funds authority do not raise the dollar or levy amount of taxes; they increase the authority to use the funds in future budget years ONLY IF THE FUNDS ARE AVAILABLE. The amount is “banked” as Total Unused Restricted Funds Authority” (page 10, line 10).

As an example, if the City had \$0 Unused Restricted Funds Authority and sales tax took significant increases each year, the City would not have the authority to spend the increases in sales tax revenue. In fact, to offset the increase in sales tax revenue, some other restricted fund (property tax, state aid, motor vehicle taxes, etc.) would require reduction. It is possible for a municipality to have the revenue available for projects but be unable to spend it because they do not have the authority. This is the purpose for accumulating “Unused Budget Authority”. I would strongly encourage the Council to approve the additional 1.00% increase.

**Recommended motion:**

**“Move to approve the 1.00% increase in restricted funds above the base limitations for fiscal year 2015 – 2016.”**

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

After the vote, the Council President declares:

**“Motion carried.”**

Or;

**“Motion failed.”**

**OPTIONAL ACTION:**

If the Council chooses not to take the increase, I would recommend the above motion be introduced and vote “No” so the motion would fail, or take no action to introduce a motion.

**B. FY 2015-2016 Budget.**

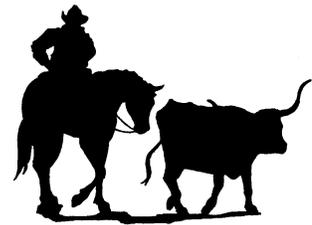
This was a topic in the Public Hearing agenda item 3.A, above. The Council may move money from one line item to another. As long as the total budget amount doesn’t change. To do this, the Option 2 motion would need to be used.

Depending on any changes the Council may make to the budget, the recommended motions are as follows:



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## OPTION 1:

### Recommended Motion:

**“Move to approve the Fiscal Year 2015 – 2016 budget as PRESENTED.”**

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

After the vote, the Council President declares:

**“Motion carried.”**

Or;

**“Motion failed.”**

## OPTION 2:

**“Move to approve the Fiscal Year 2015– 2016 budget as AMENDED.”**

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

After the vote, the Council President declares:

**“Motion carried.”**

Or;

**“Motion failed.”**

C. FY 2015-2016 Property Tax Request (Res. 1453).

This included in the Public Hearing agenda item 3.A, 3.B. above.

### **The hearing is closed before taking any action.**

The resolution in your agenda packets reflects the budget as presented. If changes occur at the meeting, the resolution will require amendment accordingly.

### Recommended motion (by resolution):

**“I would introduce Resolution 1453 and move for its adoption.”**

The Council President then reads the resolution by title:

**“A Resolution setting the FY 2015 – 2016 property tax request”.**

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 1453 is adopted.”**

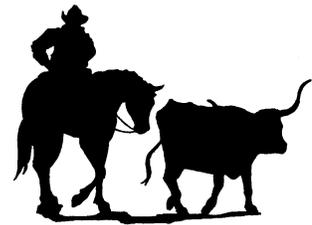
Or;

**“Resolution 1453 has failed.”**



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D. FY 2015-2016 Annual Appropriation Ordinance (Ord. 1338).

This item was a topic in the Public Hearing agenda item 3.A and 3. B above.

The Ordinance in your packet reflects the budget as presented. If changes occur at the meeting, the ordinance will require amendment accordingly.

It is important the appropriations ordinance receive approval before October 1, 2015. If the rules for the three readings are not suspended, an additional special meeting will be required for a reading.

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

**Recommended motion (by ordinance):**

**"I would introduce Ordinance 1338 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 to appropriate the sums of money deemed necessary to defray, by means of taxation, all the necessary expenses and liabilities of the City of Ogallala, Nebraska, for the fiscal year ending September 30, 2016; specifying the objects or purposes for which such appropriations are made and the amount appropriated for each object, or purpose; containing the percentage levied for each object or purpose; providing for the certification of this ordinance to the County Clerk of Keith County, Nebraska; and prescribing the time when this ordinance shall be in full force and take effect."**

A Council member may then:

**"Move to adopt Ordinance 1338."**

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

After the vote, the Council President declares:

**"Ordinance 1338 is adopted."**

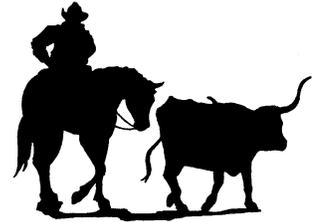
Or;

**"Ordinance 1338 has failed."**



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## Procedure to read the ordinance three times prior to vote:

Recommended motion, by ordinance:

**“I would introduce Ordinance 1338.”**

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

**“An ordinance to appropriate the sums of money deemed necessary to defray, by means of taxation, all the necessary expenses and liabilities of the City of Ogallala, Nebraska, for the fiscal year ending September 30, 2016; specifying the objects or purposes for which such appropriations are made and the amount appropriated for each object, or purpose; containing the percentage levied for each object or purpose; providing for the certification of this ordinance to the County Clerk of Keith County, Nebraska; and prescribing the time when this ordinance shall be in full force and take effect.”**

There is no motion, second or vote.

After the reading, the Council President declares;

**“Ordinance 1338 has been read for the first time.”**

E. Administration – Job Title Salary Range and Step Plan. (Res 1454).

This step plan represents an increase of 3% from one step to the next.

**Recommended motion (by resolution):**

**“I would introduce Resolution 1454 and move for its adoption.”**

The Council President then reads the resolution by title:

**“A resolution amending the city of Ogallala job title directory.”**

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 1454 is adopted.”**

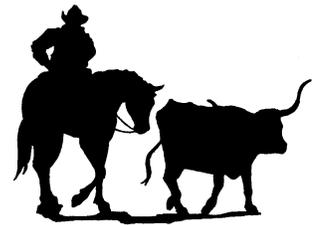
Or;

**“Resolution 1454 has failed.”**



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F. Administration – Amending Special Fee List – Cemetery (Res. 1455).

As you know these fees are included in the proposed budget.

**Recommended motion (by resolution):**

**“I would introduce Resolution 1455 and move for its adoption.”**

The Council President then reads the resolution by title:

**“A resolution amending the cemetery fees for the special fee schedule of 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 1455 is adopted.”**

*Or:*

**“Resolution 1455 has failed.”**

G. Administration – Amending Special Fee List – Water and Wastewater (Res.1456).

As you know these fees are included in the proposed budget.

**Recommended motion (by resolution):**

**“I would introduce Resolution 1456 and move for its adoption.”**

The Council President then reads the resolution by title:

**“A resolution amending the utility fees for water and sewer/wastewater for the special fee schedule of 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 1456 is adopted.”**

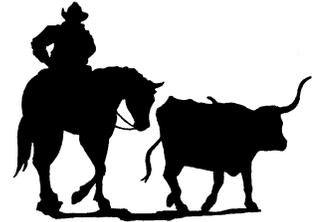
*Or:*

**“Resolution 1456 has failed.”**



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- H. Police – Request to amend Section 41-308 of the Ogallala Municipal Code – Mobile Homes, Trailers, and the like. (Ord. 1339).

I have received complaints of trailers, RV's, and travel trailers being parked for extended periods of time in our downtown parking lots.

This amendment to the ordinance would make it a violation to park trailers, travel trailers or RV's in City owned parking lots overnight. Currently someone could park a trailer or RV in a city parking lots for an indefinite amount of time without penalty.

This ensures that our parking lots are utilized for their intended purpose. To serve, employees, customers, and visitors.

**Recommended Action (Read on three separate occasions):**

**"I would introduce Ordinance 1339."**

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

**"An ordinance amending sections 41-308 – Mobile homes, trailers, and the like of the municipal code of the city of Ogallala, Nebraska."**

There is no motion, second or vote.

After the reading, the Council President declares;

**"Ordinance 1339 has been read for the first time."**

- I. Wastewater – Sewer Jetting, Pumping and Vacuuming – Request for Proposals.

Our current contract was entered into in 2009 and is now expired. This action allows the City to go out for proposals for Sewer Jetting, Pumping, and Vacuuming services.

**Recommended Motion:**

**"Move to authorize city staff to advertise and accept request for proposals, for sewer jetting, pumping, and vacuuming services."**

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

After the vote, the Council President declares:

**"Motion carried."**

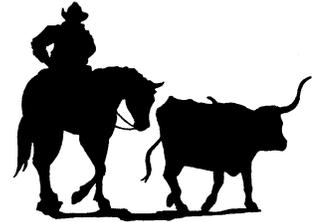
Or;

**"Motion failed."**



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7. Report of City Attorney:
8. Report of City Manager:
9. Adjourn.

In accordance with Section 84-1412 sub-section eight (8) of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying. The Council President and City Council reserve the right to adjourn into closed session as per Section 84-1410 of the Nebraska Revised Statutes.

