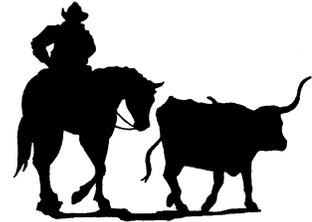


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MEMORANDUM

DATE: November 18, 2016
TO: Ogallala City Council
CC: Mike McQuillan, City Attorney
FROM: Jane Skinner, Interim City Manager
RE: Briefing for Regular Council Meeting of: November 22, 2016

1. Roll call of Members. (Verification of Notice to call meeting to Order).
2. Consent Agenda:
3. Public Hearing:
 - A. **Planning and Zoning – A proposal to amend the Ogallala Zoning Code, Chapter 44. Proposed amendments would add regulations pertaining to primary use utility structures within residential zoning districts and also would add regulations regulating temporary storage structures in residential zoning districts.**

The hearing is opened stating the topic and the time. Ken Knoepfel, Planning and Zoning Administrator should be in attendance to discuss. This is an action item under 6.A. below.

4. Public Forum:
 - A. **Ogallala/Keith County Business Retention and Expansion results from May 2016 Business Visits – Starr Lehl, Nebraska Department of Economic Development.**

Starr Lehl from the Nebraska Department of Economic Development will be in attendance to present results from BR&E visits performed by the state.

- B. **Cleaning Streets of Snow/Lights (Jean Thunker).**

Jean Thunker has requested to address the council.

- C. **Riley Hilton – Five Year Recognition.**

This is the Council's opportunity to recognize Riley for her service at the Waste Water Treatment Plant.



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5. Report of City Clerk-Treasurer:

A. Minutes of the Regular Meeting held November 8, 2016.

Council Member Rankin absent from this meeting any may abstain from voting.

Recommended motion:

“Move to approve the minutes of the regular meeting held November 8, 2016.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

B. Minutes of the Special Meeting held November 10, 2016.

Council Members Block and Rankin were absent from this meeting any may abstain from voting.

Recommended motion:

“Move to approve the minutes of the special meeting held November 10, 2016.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

C. Claims.

Recommended motion:

“Move to approve the claims as presented.”

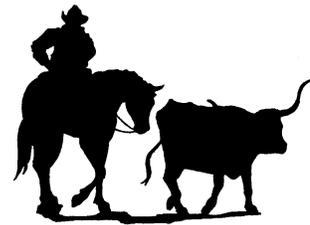
After the motion receives a second, the vote is called for.

After the vote, the Council President declares:



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“Motion carried.”

Or;

“Motion failed.”

D. Claim – Rankin Sales & Services.

Due to Councilman Rankin’s previously declared conflict of interest these claims have been removed for separate consideration.

Recommended motion:

“Move to approve the claim payable to Rankin Sales and Services in the amount of \$11.16.”

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. Planning and Zoning - A proposal to amend the Ogallala Zoning Code, Chapter 44. Proposed amendments would add regulations pertaining to primary use utility structures within residential zoning districts and also would add regulations regulating temporary storage structures in residential zoning districts. (Ord. 1349).**

This item received discussion under the public hearing agenda item 3.A. above. The hearing is closed and the time stated before taking any action.

The Ogallala Planning Commission is recommending this proposed ordinance regarding the approval process for primary use utility structure and the placement of portable storage pods in the city. There is no urgency to adopting this ordinance quickly, therefore, I would recommend reading the ordinance three times.

Procedure to read the ordinance three times prior to vote:

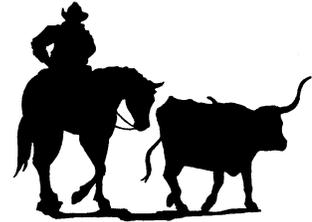
Recommended motion, by ordinance:

“I introduce Ordinance 1349.”



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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 44-1203 - Special Uses, 44-1303 - Special Uses, 44-1403 - Special Uses, 44-302 - Permitted Uses 44-602 - Permitted Uses, 44-802 - Permitted Uses And 44-1002 - Permitted Uses And Adding Sections 44-1712 - Design Standards And 44-1713 - Design Standards 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 1349 has been read for the first time.”

This is the appropriate time to discuss the ordinance and bring up any modifications you would like to see in the ordinance.

- B. Police – Nuisance Abatement –Declared Nuisance.**
1) 2016 OGA 152 115 East H Street (Res. 1604).

Police Chief and Nuisance Officer Dave Kling will present the visual evidence regarding the proposed nuisance property.

Recommended motion (by resolution):
“I would introduce Resolution 1604 and move for its adoption.”

The Council President then reads the resolution by title:
“A resolution of declared nuisance.”

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:
“Resolutions 1604 is adopted.”

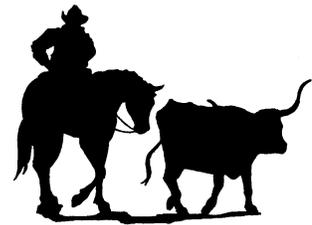
Or:
“Resolution 1604 has failed.”

- C. Police – Nuisance Abatement –Abate Nuisance.**
1) 2016 OGA 002 1701 East 1st Street



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- 2) 2016 OGA 004 1702 East 1st Street
- 3) 2016 OGA 005 203 ½ East M Street
- 4) 2016 OGA 006 215 East M Street
- 5) 2016 OGA 007 219 East M Street
- 6) 2016 OGA 171 202 East L Street
- 7) 2016 OGA 192 310 East 6th Street

Police Chief and Nuisance Officer Dave Kling will present visual evidence regarding the following nuisance properties. The properties have been declared a nuisance, and the next step of the process is to abate the nuisance. Property owners and tenants of the nuisance properties will be given notice regarding the abatement.

Recommended motion:

“Move to abate the nuisance properties identified as: 2016 OGA 002 1701 East 1st Street; 2016 OGA 004 1702 East 1st Street; 2016 OGA 005 203 ½ East M Street; 2016 OGA 006 215 East M Street; 2016 OGA 007 219 East M Street 2016 OGA 171 202 East L Street; 2016 OGA 192 310 East 6th Street.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

D. Police – Nuisance Abatement –Rescind Declared Nuisances.

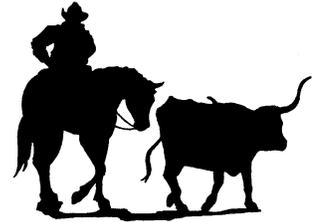
- 1) 1489 2016 OGA 010 1304 East 4th Street (Res. 1605).
- 2) 1492 2016 OGA 024 805 East M Street (Res. 1606).
- 3) 1500 2016 OGA 056 115 East 11th Street (Res. 1607).
- 4) 1504 2016 OGA 068 608 Highland Drive (Res. 1608).
- 5) 1551 2016 OGA 103 217 East 3rd Street (Res. 1609).
- 6) 1515 2016 OGA 107 216 East E Street (Res. 1610).
- 7) 1516 2016 OGA 109 501 East 3rd Street (Res. 1611).
- 8) 1525 2016 OGA 138 213 East G Street (Res. 1612).
- 9) 1528 2016 OGA 158 215 East I Street (Res. 1613).
- 10) 1556 2016 OGA 173B 214 East 1st Street (Res. 1614).
- 11) 1534 2016 OGA 183 413 East C Street (Res. 1615).

Police Chief and Nuisance Officer Dave Kling will present information regarding these previously declared nuisance properties, which have since been cleared of their nuisance



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items. The resolutions can be adopted as a group, which will rescind the resolutions declaring the nuisance.

Recommended motion (by resolution):

“I would introduce Resolutions 1605 - 1615 and move for their adoption.”

The Council President then reads the resolution by title:

“Resolutions rescinding declared nuisances.”

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:

“Resolutions 1605 - 1615 are adopted.”

Or:

“Resolution 1605 - 1615 have failed.”

E. Wastewater – Wastewater Treatment Plant Improvements 2016-1 – Effluent Pumps and Controls.

Bids were received on the Ogallala WWTP Improvements 2016-1 until November 1, 2016. Two bids were received. As you will notice on the bid tabulation sheet I have prepared, one bid was misplaced in my office and not opened until later that afternoon. I have included the UPS tracking showing the bid was in fact received in my office Friday prior to the due date. I have included an e-mail from Brent Burklund, T.C. Engineering, and Doug Flores, Wastewater Superintendent. As you can see, there are many factors to consider in this decision. The low bidder (Bert Gurney and Associates Inc.) has a time frame that does not meet the requirements set forth in our bid requirements. As you can see in Brent Burlund’s e-mail, He is concerned as well as Doug (and myself), regarding the additional items Burt Gurney has placed as conditions of the bid. I would therefore recommend the council accept the lowest responsible bidder, Electric Pump. This capital expenditure has a budgeted amount of \$80,000.

Recommended motion:

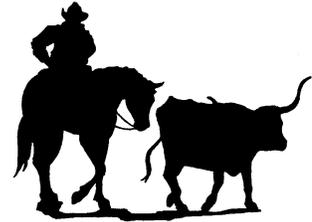
“Move to accept the lowest responsible bid from Electric Pump in the amount of \$77,996.00 for Wastewater Treatment Plant Improvements 2016-1 for Effluent Pump and Controls.”

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



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After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

F. Water – Exercise of Option to purchase real estate – Patrick and Patricia Vlasin.

On December 8, 2015, The City of Ogallala approved an agreement for option for purchase of real estate with Patrick and Patricia Vlasin for the purpose of future wellfield expansion. The test well results came back favorable, and this agreement, if approved, will exercise the option to purchase the land. I have included the agreement approved in December 2015 for your review.

Recommended motion:

“Move to exercise the option to purchase real estate pursuant to the terms of the agreement from Patrick and Patricia Vlasin.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

G. O.V.F.D. – Resignation of K.C. Bang.

Recommended motion:

“Move to approve the resignation of KC. Bang from the Ogallala Volunteer Fire Department.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

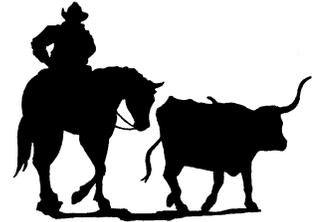
“Motion failed.”

7. Report of City Attorney:



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8. Report of City Manager:

9. Report of City Council Members:

- A. Board of Health – Pete Peterson.
- B. Chamber of Commerce – Kevin Block.
- C. Keep Keith County Beautiful – Pete Peterson.
- D. Keith County Area Development – Rodger Rankin.
- E. Kenfield Petrified Wood Gallery – Buck Bassett.
- F. Library Board – Kevin Block.
- G. Ogallala Community Hospital Advisory Board – Karl Elmshaeuser.
- H. City Council Member/County Commissioner Meeting/School Board.

10. Adjourn.

Recommended motion:

“Move to adjourn.”

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

After the vote, the Council President declares:

“Motion carried.”

Or;

“Motion failed.”

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.

