REGULAR MEETING OF THE CITY COUNCIL

OCTOBER 25, 2016

A Regular Meeting of the City Council of the City of Ogallala, Nebraska, was held at City Hall Council Chambers in said City on the 25th day of October 2016, at 7:00 o’clock P.M. Present were: President of the Council: Harold Peterson; Council Members: Darrell G. Bassett, Kevin Block and Rodger Rankin. Absent: Karl Elmshaeuser. Interim City Manager: Jane M. Skinner. Deputy City Clerk: Roxane Welsh. City Attorney: Michael McQuillan.

Notice of the meeting was given in advance thereof by publishing one time in the Keith County News and posting at the City Hall Administration Building as shown by the Certificate of Publication and Posting Notice attached to these Minutes. Notice of this meeting was simultaneously given to the President and to all members of the Council on October 21, 2016 and a copy of their Acknowledgement of Receipt of Notice and the Agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the Notice to the President and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The President of the Council stated this meeting is being convened in accordance with the Open Meetings Act and acknowledged a copy of the Open Meetings Act being duly posted in the southeast Corner of Council Chambers.

Council Member Block moved to excuse Council Member Elmshaeuser from the October 25, 2016 City Council meeting. Council Member Rankin seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried.

Council Member Block moved to approve the consent agenda. Council Member Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser: Motion declared carried and the consent agenda was approved as follows:

* 1. Minutes of the Special Meeting held October 11, 2016.
	2. Minutes of the Regular Meeting held October 11, 2016.
	3. Claims.

The Claims were approved as follows:

**General Fund:**

125 Plan-588.43-Pretx; Eftps-17,195.09-Fit; John Hancock-10,151.90-Pen; Ne Child Support-46.15-P/R; Pinnacle Bank-54,835.89-Pp20; Ne Dept Of Rev-6,433.65-Sit; 125 Plan-588.43-Pretx; Am Fam Ins-374.90-Ins; Eftps-16,046.55-Fit; Hosp&Med-19,362.80-Ins; Kc Court-8.57-P/R; John Hancock-10,489.65-Pen; Ne Child Support-46.15-P/R; Pinnacle Bank-50,332.76-Pp21; Valley Bank-2,402.00-Hsa; Ne Dept Of Aero-3,190.83-Lease; Ne Dept Of Rev-602.91-Salestx; Pinnacle Bank-25.00-Se; Bluecross Blueshield-(470.30)-Refund; Water Dept-1,145.82-Ins; Sewer Treatment-366.73-Ins; Off Svc-8,400.00-Su; Eakes Off-1,673.84-Su; Kc Hosp Auth-46,266.40-Salestx; 21st Century-272.70-Su; Abat Lerew-37,247.15-Su/Se; Alive Outside-77.99-Su; Allo-1,053.79-Su; Al's Towing-414.63-Se; Napa-101.73-Su; Arnold Pool-202.95-Su; Baltzell Vet-20.00-Se; Bound Tree Med-350.81-Su; Bruckner, Mike-842.32-P/R; Candy Aerotech-1,000.00-Contract; Cash-Wa-237.02-Su; Chs Grainland-3,367.20-Su; Contractors Materials-199.00-Su; Correll Refrig-939.63-Su; Coventry Health-440.31-Refund; Cranmore Pest-45.00-Se; Culligan-92.50-Su; Dol Gen-3.00-Su; Eichner Sales-546.76-Su; Electrical Engineering-68.40-Su; Ems Billing-2,574.48-Se; John Deere Financials-614.16-Su; Fedex-26.46-Se; Fireguard-337.73-Su; Fyr-Tek-279.50-Su; Galls-1,023.77-Su; Holiday Inn-179.90-Su; Home Pc-15.00-Su; Humphreys-118.68-Su; Ideal Linen-202.37-Su/Se; Inland Truck-116.88-Se; Waste Conn-1,310.04-Se; Kc Hosp Auth-46,343.36-Salestx; Kc News-547.61-Se; Kc Treasurer-10,471.39-Se; Kents Towing-100.00-Se; Sourcegas-2,508.11-Su; League Of Ne Muni-498.00-Su; League Of Ks Muni-130.00-Se; Linweld-72.00-Su; Mcatee Contruc-67,855.80-Su/Se; Mcmillan Plbg-106.00-Su/Se; Mcquillan Law-1,502.60-Se; Midwest Turf-43.42-Su; Mobile Mech-316.00-Se; Nmc Exchange-76.31-Su; Ne Dept Of Roads-31,783.07-Su/Se; Ne Law Enforce Trng-50.00-Su; Ne Muni Clerks-25.00-Dues; Nppd-18,856.93-Su; Nessca-75.00-Dues; Off Svc-303.42-Su; Og Comm Hosp-39.60-Se; Chamber Of Comm-150.00-Su; Water Dept-12,917.54-Su; Indian Summer Rend-100.00-Refund; Scott England-840.00-Su/Se; Og Comm Hosp-130.22-Su; Ace Hard-44.99-Su; Og Med Center-79.20-Se; Olsson Assoc-9,951.04-Se; Paulsen-741.49-Su; Poppe's Truck-650.35-Se; Positive Promo-875.16-Su; Reams Sprinkler-115.87-Su; Sd Muni League-50.00-Se; Steve's Body-175.00-Se; Stericycle-134.49-Se; Tc Engineer-3,135.25-Se; Telvent-2,508.00-Contract; Titan Ind-24.80-Su; Tlc Cleansweep-440.00-Se; T&C Srv-1,253.17-Su; Uprr Real Est-250.00-Lease; United Healthcare-233.81-Refund; Us Bank-1,239.37-Su; Us Postal Svc-87.00-Su; Verizon-823.37-Su; Visa-243.94-Su; Western Path Consul-52.00-Se; Western Convenience-18.00-Su; Wolf Auto-100.56-Su.

**Select Flex:**

Rci-192.30-P/R; Rci-800.60-P/R.

**Water Dept:**

Ne Dept Of Rev-11,681.41-Fees; Adams Bank-25.00-Se; Maguire Iron-105,483.50-Su; Allo-135.42-Su; Am Ag Lab-87.50-Se; Napa-30.93-Su; Chs Grainland-354.57-Su; Cornhusker Glass-35.10-Se; Gen Fund-33,117.18-Su/Se; Harcros Chem-3,060.00-Su; Dhhs-332.28-Su/Se; Ideal Linen-97.70-Su/Se; Waste Conn-141.48-Se; Kc News-15.30-Se; Sourcegas-146.68-Su; Midwest Elec-7,339.85-Su; Muni Supply-5,968.44-Su; Ne Printworks-99.62-Su; St Of Ne Treasur-114.61-Se; Nppd-4,545.04-Su; Water Dept-6,666.10-Su; One Call Concepts-53.97-Se; Paulsen-110.85-Su; Platte Valley Ag-36.00-Ins; Us Bank-963.69-Su; Verizon-126.20-Su; Ron Brown-31.66-Refund; Jakob Centeno-28.10-Refund; Brianna Praski-27.12-Refund; Jana Stover-200.20-Refund; Dr Wayne Walburn-3.59-Refund; Heather Worley-38.62-Refund.

**Sewer Treatment Fund:**

Adams Bank-25.00-Se; Allo-117.34-Su; Gen Fund-23,105.34-Su/Se; Hach Co-142.79-Su; Ideal Linen-42.06-Su/Se; Waste Conn-161.04-Se; Sourcegas-1,732.72-Su; Nppd-5,447.90-Su; Water Dept-77.00-Su; Scott England-3,932.10-Se; Centurylink-73.80-Su; The Filter Shop-111.20-Su; Us Bank-125.19-Su; Verizon-53.88-Su.

**Medical Benefit:**

Chamber of Comm-540.00-Su; Rci-15,422.77-Ins; Rci-10,849.60-Ins; Rci-1,244.83-Ins; Rci-7,311.08-Ins.

Council Member Rankin moved to approve the special designated liquor license for Silverchair, LLC DBA 1 Eleven Lounge event to be held November 18, 2016 from 5:00 P.M. until 7:00 P.M. Council Member Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried.

Council Member Bassett moved to approve the claim payable to Rankin Sales and Services in the amount of $64.01. Council Member Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block and Harold Peterson. No: None. Abstain: Rodger Rankin. Absent: Karl Elmshaeuser. Motion declared carried.

Ron Froschheiser addressed the Council with concerns regarding the proposed Fowl/Livestock ordinance.

Council President Peterson announced Ordinance 1348 was introduced and read for the first time on September 27, 2016 and read for the second time on October 11, 2016. Council President Peterson read Ordinance 1348 by title, An Ordinance Amending Section 3-302 – Permits of The Municipal Code of The City of Ogallala, Nebraska. Council President Peterson announced that Ordinance 1348 has been read for the third time.

Council Member Block moved for the final passage of Ordinance 1348.  Council Member Bassett seconded the motion.  The President then stated the question:  “Shall Ordinance No. 1348 be passed and adopted?”  Upon roll call vote, the following Council Members voted “Yes”:  Kevin Block.  The following Council Members voted “No”:  Darrell Bassett, Harold Peterson and Rodger Rankin.  Absent: Karl Elmshaeuser.  Council President Peterson announced Ordinance 1348 has failed.

Brian Vasa notified the council that the CRA intends to enter into a redevelopment agreement with Davis Land Investments LLC at 801 East 1 Street and another agreement with Davis Land Investments LLC at 1008 West 1 Street.

Mary Wilson, Keith County Area Development, updated the council on the activity since her arrival on August 22, 2016.

David Kling, Police Chief and Nuisance Officer, presented the visual evidence regarding nuisance properties.

Council Member Bassett introduced Resolutions 1549 – 1557 of declarednuisance and move for their adoption. Council Member Block seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted “No”: None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution numbers 1549-1557 adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Council Member Bassett moved to abate the nuisance properties identified as: 2016 OGA 008-305 East N Street; 2016 OGA 010-1304 East 4th Street; 2016 OGA 018-1330 Highland Drive; 2015 OGA 056-115 East 11th Street; 2016 OGA 104-213 East 3rd Street; 2016 OGA 138-213 East G Street; 2016 OGA 187-409 East 4th Street; 2016 OGA 203-402 Elmwood Drive. Council Member Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried.

Council Member Block introduced Resolutions 1558 - 1597 rescinding declared nuisances andmove for their adoption. Council Member Rankin seconded the motion. Upon roll call vote, the following Council Members voted “Yes”: Darrell Bassett, Kevin Block, Harold Peterson and Rodger Rankin. The following council Members voted “No”: None. Absent: Karl Elmshaeuser. Motion declared carried and Resolution numbers 1558 - 1597 adopted, a copy of said Resolutions being attached hereto and by this express reference, incorporated herein and made a part hereof.

Joe Malone addressed the council regarding the Nuisance Abatement program and his Mobile Home Park license.

The City Council Members gave their committee reports as follows:

1. Library Board – Kevin Block.

Mark Giles, property owner at 510 East 3rd Street addressed the council regarding the nuisance abatement program.

The City Council Members continued to give their committee reports as follows:

1. City Council Member/County Commissioner Meeting/ School Board – Kevin Block.

There being no further business to come before the council, Council Member Block moved to adjourn. Council Member Rankin seconded the motion. The following council members voted Yes: Darrell G. Bassett, Kevin Block, Harold Peterson and Rodger Rankin. No: None. Absent: Karl Elmshaeuser. Motion declared carried and the meeting adjourned at 8:19 P.M.

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 Jane M. Skinner

City Clerk

Approved:

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Harold L. Peterson

Council President

STATE OF NEBRASKA )

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COUNTY OF KEITH ) SS.

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CITY OF OGALLALA )

I, Jane M. Skinner, the undersigned, City Clerk for the City of Ogallala, Nebraska, hereby certify that all of the subjects included in the attached proceedings were contained in the Agenda for the meeting of October 25, 2016 kept continuously current and available for public inspection at the office of the City Clerk; that such subjects were contained in said Agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the Minutes of the President and Council of the City of Ogallala, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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 Jane M. Skinner

 City Clerk

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