

REGULAR MEETING OF THE CITY COUNCIL

JANUARY 22, 2013

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 22nd day of January 2013, at 7:30 o'clock P.M. Present were: President of the Council: Harold Peterson; Council Members: Darrell G. Bassett, Kevin Block, Karl Elmshaeuser and Rodger Rankin. Absent: None. City Manager: Bruce Smith; City Clerk: Jane M. Skinner; 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 January 17, 2013 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.

Councilman Elmshaeuser requested to pull check number 54197 payable to Visa from the consent agenda.

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

- A. Minutes of the Regular Meeting held January 8, 2013.
- B. Claims.
- C. Appointment to Board – Youth Committee (1).
 - 1) Jennifer Beamon – Three Year Term (1-1-13 – 12-31-15).
- D. Appointment to Board – RSVP Advisory Board (1).
 - 1) LaVern Eichner – Three Year Term (1-1-13 – 12-31-15).
- E. O.V.F.D. - Probationary Membership of Al Siple.

The claims were approved as follows:

General Fund: 125 Plan-295.00-Pretx; Eftps-14,448.90-Fit; Hartford-1,533.63-Ins; Hosp&Med-17,707.19-Ins; Icma-479.24-Pen; Kc Court-305.19-P/R; Manulife-5,968.20-Pen; Pinn Bank-52,200.57-Pp26; Valley Bank-1,521.40-Hsa; St Ne-5,149.91-Sit; 125 Plan-811.90-Pretx; Am Fam Ins-393.95-Ins; Eftps-16,591.79-Fit; Hosp&Med-16,535.48-Ins; Icma-376.55-Pen; Kc Court-305.19-P/R; Manulife-7,108.93-Pen; Pinn Bank-51,006.20-Pp1; Valley Bank-1,734.00-Hsa; Gen Fund-1,500.00-Su; Ne Dept Of Aero-3,190.83-Lease; Ne Dept Of Rev-780.83-Sales Tx; Pinn Bank-25.00-Se; Wells Flying Serv-7,787.50-Ref; Olsson Assoc-4,678.00-Se; Og Chamber-5,000.00-Cont; Kc Area Develop-13,200.00-Cont; Grow Keith Co-5,000.00-Cont; Kc Housing-10,000.00-Cont; U S Postal-79.50-Se; Schmidt Motors-13,815.00-Su; Nsvfa-125.00-Su; Adkins-60.00-Se; Alco-110.06-Su; Windstream-37.75-Se; Allen's Furniture-89.99-Su; Allo-164.60-Se; Napa-858.22-Su; Arnold Pool-85.00-Se; Baltzell-260.70-Su/Se; B & D Office Supply-166.96-Se; Bittersweet-51.00-Su; Bruckner-842.32-P/R; Candy Aero-1,000.00-Cont; Charter-54.95-Se; True Value-71.38-Su; Cornhusker Glass-241.80-Su; Cranmore-45.00-Se; Culligan-121.50-Su/Se; Dickinson Land-96.50-Se; Dollar General-61.90-Su; Dp Electronics-31.97-Su; Eichner-21.95-Su; Ems Billing-1,217.28-Cont; Fairbanks Intl-7,500.00-Cont; Farmers Coop-5,159.21-Su; John Deere-221.96-Su; Fp Mailing-248.85-Se; Fyr-Tek-40.09-Su; Hart's Auto-359.30-Su; Humphreys-234.36-Su; Icma-125.00-Cont; Ideal Linen-141.02-Su/Se; Waste Connections-711.97-Se; Jestribek-140.00-Ref; Kc Area

Development-2,300.00-Cont; Kc Clerk-30.00-Se; Kc Hosp Auth-31,602.50-Sales Tx; Kc News-361.63-Se; Kc Senior Cen-36.75-Su; Kc Treas-10,197.35-Se; Kenfield Elec-25.67-Se; Kildare-72.11-Su; Sourcegas- 27,224.07-Se; Knott-125.99-Ref; Matheson-259.39-Su; Mcquillan-1,083.65-Se; Mid-States Organized Crime-100.00-Se; Mobile Mechanic-400.00-Se; Nation Air Ins-3,675.00-Se; Nmc Exchange-8,500.00-Lease; Ne Salt & Grain-8,090.60-Su; Ne Printworks-389.02-Su; Ne State Patrol-102.90-Su; Ne Economic Devel-100.00-Se; Nppd-16,804.94-Se; Ne Supreme Crt Pub-161.75-Su; Ne Workforce-8.33-P/R; Office Service-1,506.06-Su; Og Bond Acct-33,613.00-Se; Og Water Dept-526.40-Se; Scotties-180.00-Su; Og Comm Hosp-111.47-Su; Og Honor Guard-200.00-Se; Olsson Assoc-11,837.50-Se; Oshkosh Cleaners-91.95-Su; Palmetto Gba Railroad-447.89-Ref; Quill Corp-368.55-Su; Centurylink-1,036.42-Se; Safeway-37.50-Su; Sandoval Concrete-15,550.00-Su/Se; Schmidt Motors-146.10-Su; Servicemaster-357.00-Se; Shopko-44.52-Su; Sunmart-9.43-Su; Steve's Body-825.37-Su; Zoellner Ford-110.39-Su; Trophy Shoppe-92.00-Su; T & A Inc-133.75-Se; Upr-111.98-Ref; U S Postal-269.50-Se; Verizon-848.06-Se; Visa-6,625.32-Su; Volunteer Software-300.00-Su; West Central Ne Dev-3,900.00-Se; Western Path-26.00-Su; Logicon-500.00-Se;

Select Flex: RCI-329.96-Prex;

Water: Ne Depart Of Rev-15,562.44-Sales Tx; Adams Bank-25.00-Se; Radio Shack-(18.18)-Reversal; Alco-21.36-Su; Windstream-4.00-Se; Napa-43.11-Su; Arnolds Upholstery-76.00-Se; B & D Office-27.54-Su; Bomgaar's-105.50-Su; Charter-54.95-Se; True Value-8.02-Su; Cornhusker Glass-10.13-Se; Dickinson Land-500.00-Se; Eichner-27.63-Su; Farmers Coop-516.49-Se; Gen Fund-26,703.55-Se; Humphreys-26.87-Su; Ideal Linen-84.70-Su/Se; Waste Connection-108.64-Se; Kenfield Elec-282.59-Su; Kimball Midwest-145.67-Su; Sourcegas-443.36-Se; Lawson Products-286.55-Su; Lubrication Engineers-239.47-Su; McQuillan & McQuillan-150.00-Se; Midwest Elec-5,380.10-Se; Municipal Supply-2,582.68-Su; Nppd-2,785.28-Se; Office Service-519.98-Su; Og Water Dept-37.08-Se; Og Water-16,137.72-Cont; Olsen's Ag Lab-191.10-Se; One Call Concepts-48.55-Se; Centurylink-134.21-Se; Safety-Kleen-241.99-Su; St Of Ne-Dept Health-521.00-Se; Usa Blue Book-710.18-Su; Verizon-102.72-Se; Visa-240.00-Su; Wel-Life-384.24-Se; Albright-34.73-Ref; Hickenbottom-36.92-Ref; Knaub-16.56-Ref; Nass-42.37-Ref; St Of Ne Military Dept-30.00-Ref; Sibell-42.90-Ref;

Sewer: Adams Bank-25.00-Se; Napa-176.04-Su; John Deere-115.41-Su; Gen Fund-15,231.98-Se; Hach Co-59.94-Su; Ideal Linen-43.61-Su/Se; Waste Connections-123.64-Se; Kelly Supply-130.28-Su; Sourcegas-2,357.45-Se; Nmc Exchange-3,750.00-Lease; Nppd-3,859.52-Se; Og Water Dept-116.85-Se; Centurylink-321.45-Se; Sunmart-14.37-Su; Verizon-25.09-Se; Visa-120.00-Su; Youth: Alco-17.97-Su; City Of Og-75.00-Assist; Dickinson-727.50-Se; Elite Sports-387.50-Su; Luis Juarez-250.00-Se; Og Wrestling-75.00-Assist; Sunmart-21.96-Su; Visa-192.94-Su;

Medical Benefit: RCI-19,972.13-Ins

Councilman Bassett moved to pay check number 54197, specifically the meals for KCAD. Motion died for lack of a second.

Councilman Elmshaeuser moved to pay check number 54197 minus the claims for the meal for KCAD in the amount of \$53.73.

Councilman Elmshaeuser rescinded his motion.

Councilman Block moved to pay check number 54197. Councilman Bassett seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, and Harold Peterson. No: Karl Elmshaeuser and Rodger Rankin. Absent: None. Motion declared carried.

Mayor Peterson proclaimed January 27 – February 2, 2013 as Catholic Schools Week in the City of Ogallala.

John Trecek of Ameritas Investment Corp addressed the council regarding the issuance of Highway Allocation Fund Pledge Bonds, Series 2013.

Councilman Block introduced Ordinance 1298, entitled: An ordinance providing for the issuance of highway allocation fund pledge bonds, series 2013, in the amount of two hundred fifty thousand dollars (\$250,000) for the payment of costs in connection with the construction of street and paving improvements in the city; prescribing the form of said bonds; pledging funds to be received by the city from the state of Nebraska highway allocation fund; agreeing to levy taxes; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds and ordering the publication of the ordinance in pamphlet form, and moved that the Statutory Rule requiring the reading on three different days be suspended. Councilman Bassett seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: None. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Ordinance No. 1298 was read by title and, thereafter, Councilman Bassett moved for the final passage of the Ordinance. Councilman Block seconded the motion. The President then stated the question: "Shall Ordinance No. 1298 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Darrell Bassett, Stacey Bauer, Kevin Block, Harold Peterson and Rodger Rankin. The following Council Members voted "No": None. Absent: None. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the President declared the Ordinance adopted and the President, in the presence of the Council, signed and approved the Ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto, a copy of said Ordinance No. 1298 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Terry Galloway of Almquist, Maltzahn, Galloway & Luth appeared before the council to present the fiscal year 2011-12 audit report.

Upon consideration of the results of a survey conducted of local fireworks vendors regarding changes to the current fireworks municipal code, the consensus of the council in regard to the sales and discharge times for fireworks is to make no changes to the current ordinance.

Kendra Caskey, Library Director, presented the Goodall City Library Annual Report.

Councilman Elmshaeuser moved to authorize the City Manager to purchase a truck for the parks department and a truck for the street department each vehicle shall be less than \$30,000 as allowed under City of Ogallala Municipal Code Chapter 4. Councilman Block seconded the motion. The following council members voted Yes: Kevin Block, Karl Elmshaeuser, Rodger Rankin and Harold Peterson. No: Darrell Bassett. Absent: None. Motion declared carried.

Councilman Elmshaeuser moved to approve the Agreement for Professional Services with Olsson Associates on the Ogallala 2nd Street and B Street and South A Street Paving Improvements Project at a not to exceed price of \$57,900. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl Elmshaeuser, Harold Peterson and Rodger Rankin. No: None. Absent: None. Motion declared carried.

Councilman Bassett moved to approve the Agreement for Sale and Purchase of Real Estate and to authorize the City Manager to sign the Agreement on behalf of the City and to forward the Agreement to Patricia J. Wright, Trustee, as the City's best and final offer as contemplated by Neb. Rev. Stat. Section 76-704. Councilman Block seconded the motion. The following council members voted Yes: Darrell Bassett, Kevin Block, Karl

