

CITY COUNCIL MEETING

(Revised 01/21/08)

NO. 2008-01

JANUARY 7, 2008

The Mayor and City Council of the City of Chadron, Nebraska met in regular session in the City Hall Council Chambers at 234 Main Street on the 7th day of January, 2008, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers John Chizek and Rob Harvey, City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Megan Failla, Chief of Police Tim Lordino, Zoning/Building Official Janet Johnson, Finance Officer Melany Hughes, and Public Works Director Milo Rust. Absent: None.

Notice of the meeting was given in advance thereof by publishing notice in The Chadron Record as shown by the affidavit of publication filed in the City Clerk's office. Notice of the meeting was simultaneously given to the Mayor and all members of the City Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes and is filed in the City Clerk's office. Availability of the agenda was communicated in the advance notice and in the notice of the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Mayor Grantham called the meeting to order and declared a quorum present. The Mayor also read the following before continuing with the meeting: "As required by Section 84-1412, subsection of the Nebraska Statutes, notice is hereby given that a copy of the Open Meetings Act is posted for your examination on the wall inside the door to these City Council Chambers."

Councilmember Gamby moved to approve the agenda as written and distributed. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to approve the Consent Agenda, which included the following items:

- 1) Minutes for City Council Meeting No. 2007-30, December 17, 2007

The Minutes were approved as written and distributed.

- 2) Correspondence

There was no correspondence to report.

- 3) Claims

NOTE:

*Denotes Check Issued
 O-Ordinance, C-Contract, S-Statute
 R-Resolution, F-Federal Law, M-Motion
 N/A-No Authority, D-Discount

ABC Electric	Electrical Repair	540.34	
Alltel	12/07 Cell Phone Service	169.75	
Arrow Building Center	Lumber	38.03	
Assurant	Employee Benefits	62.96	
Avaya	12/07 Merlin Maintenance	154.23	*
Baker & Associates	Wastewater Facility Planning	14,419.00	
Barnes Distribution	Repairs	78.10	
Bauer, Derek	Travel Reimbursement	17.40	
Bauerkempers	Bulb	4.82	
Black Hills Truck & Trailer	Repairs	174.26	
Black Hills Weekly	Subscription	36.00	
Brennan Electric	Repairs	240.90	
Bruns Coin Laundry	Clothing Repair	6.75	
Bryan's Crane Service	Crane Rental for Installing Fuel System	629.85	
Chadron, City of	1/08 Employee Health Benefits	18,644.78	*
Chadron, City of	FICA through 12/27/07	5,045.83	*F
Chadron, City of	Payroll through 12/27/07	67,871.39	*C
Chadron, City of Economic Development	10/07 Sales/Use Tax Collections	30,979.03	*
Chadron Home Center	Supplies	332.80	
Chadron Plumbing	Backhoe Rental	68.00	
Chadron Wholesale	Janitorial Supplies	49.35	
Contractors Materials	Supplies	11.95	
DAS Central Finance	Long Distance Service	112.97	
Diversified Metal Fabricators	Picnic Tables	2,801.00	
Edmund, Adam	11/07 Legal Services	230.00	*
EMC Insurance Companies	Deductible Reimbursement	298.02	
Farm Plan	Supplies/Repairs	330.87	
FBINAA-Nebraska Chapter	Membership Dues/Lordino	90.00	
First National Bank of Chadron	Deposit Box Rent	20.00	
First National Bank Omaha	Travel Expense\Supplies	2,834.45	*
First National Financial Services	2 nd Qtr. Employees Mutual Insurance	25,506.00	
Galls	Police Uniforms	48.72	
Great Plains Communications	Internet Charges	79.90	

Guardian	1/08 Dental Premiums	298.10	*
Hankin, Larry	Travel Reimbursement	10.26	
HD Waterworks	Water Repairs	2,064.71	
Henkens Equipment	Parts	256.13	
Hills Tire & Supply	Tires & Repair	280.90	
Ideal Linen	Janitorial Supplies	138.81	
JJ's Engraving	Plaques/Engraving	217.95	
Midwest Mailing	Postage for Meter	400.00	*
Miskimins Motors	Brake Pads/Transmission Repair	68.77	
Mobius Communications	Airport Internet Service	18.99	
Municipal Supply	Repairs	353.23	
Murphy Tractor & Equipment	Repairs	315.14	
Nebraska Commission on Law Enforcement	Training/Brown	175.00	
Nebraska Department of Economic Dev.	Your Selling Team Payment #5	2,976.19	
Nebraska Public Health Laboratory	Water Testing	154.00	
Nebraska Public Power District	12/07 Electric Service	385.21	*
Nebraska Public Power District	12/07 Electric Service	5,526.36	
Nebraskaland	Building Officials Dues/Johnson	100.00	
Newman Traffic Signs	Signs	81.69	
Norms Carquest	Parts & Repairs	549.92	
Olsson Associates	Design/Bidding/Construction Services	1,973.22	*
Outlaw Printers	Door Hangers for Utilities Dept.	149.50	
Panhandle Area Development District	2007/2008 Membership	2,409.22	
Panhandle Drilling	Repairs	142.00	
Panhandle Veterinary Clinic	Animal Boarding	610.00	
Parrott, Matt & Sons	W2 Forms/Envelopes	132.06	
Qwest	Phone Service	1,009.00	*
R & J Industries	Labor & Materials	4,000.00	
Regional Care	1/08 Select Flex/Emp. Health Benefits	10,886.54	*
Richards Electric	Airport Signage/3-31-0017-09	48,951.13	*
Sandhills Computer Consulting	Internet Service	29.70	*
Schaffer, Dallas	EMT Training	1,955.00	*
Shell	11/09-12/10 Fuel Charges	4,527.19	*
Sioux Plating Co.	Auto Body Supplies	237.40	
Source Gas	12/07 Gas Service	2,531.12	*
Star Herald	Library Subscription	126.50	
Sturdevants	Parts	76.81	
SWANN	December Collections	53,818.62	
Timberline Autoplex	Repairs	204.17	

US Postmaster	01/08 Utility Bills Postage	457.90	*
Vantage Point Trust 401 Employee	Pension to 12/27/07	2,537.76	*C
Vantage Point Trust 401 Police	Pension to 12/27/07	1,110.22	*C
Wal Mart	Supplies	948.08	*
Western Communications	Radio Maintenance	319.00	
WGGA	Conference/Schremmer & Brownlow	255.00	*
TOTAL		325,695.95	

The foregoing schedule of claims is published in accordance with Nebraska Revised Statutes 19-1102.

4) Minutes for Boards and Commissions

There were no minutes of Boards and Commissions to distribute to the Council for this meeting.

Councilmember Harvey seconded the motion for approval of the Consent Agenda. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

Councilmember Gamby moved to appoint Deb Cottier, Tim Donohue, Lorrie Miller, Rob Bila and Dave Noble to the Citizen Advisory Review Committee. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

Councilmember Harvey moved to approve the following appointments and reappointments to various boards and commissions:

AIRPORT ADVISORY COMMITTEE

Barton Kreider	Reappointment
Todd Rickenbach	Reappointment

CITIZEN ADVISORY REVIEW COMMITTEE - ECONOMIC DEVELOPMENT PLAN

Deb Cottier	Reappointment
Tim Donohue	Reappointment
Rob Bila	Appointment
Lorrie Miller	Appointment
Dave Noble	Appointment

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Rob Bila Reappointment
Scott Schremmer Reappointment

PLANNING COMMISSION

Russ Bohnenkamp Reappointment
Barbara (Phillips) Olson Reappointment
Charles “Chuck” Miller Reappointment

TRAFFIC SAFETY COMMITTEE

Moon Mullins Reappointment
Bob Zahm Reappointment

ZONING BOARD OF ADJUSTMENT

Dave Coe Reappointment
Jerry Evans Reappointment

Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

The time being 5:07 p.m., Mayor Grantham opened the public hearing scheduled for this date and time for the purpose of considering an application for a federal grant for financial assistance from the Federal Transit Administration for the acquisition of a small bus with ambulatory seating for 12 Positions and two wheelchair positions for public transportation. Finance Officer Melany Hughes explained the application process. Several individuals were present and were heard with regard to this issue. Speaking in favor: None. Speaking in opposition: None. Speaking in a neutral position: John Axtell, Kathy Rapp, Joan Hill, and Jeff Broberg. There being no further comments, Mayor Grantham closed the public hearing at 5:14 p.m. There was no action taken by the Council at the conclusion of the hearing.

Councilmember Chizek introduced Ordinance No. 1307

AN ORDINANCE to amend Chapter 6, Article 7, amending the Article title and adding Section 7-102 entitled “Animal Control Officer; Issuance of Citations,” of the Municipal Code of the City of Chadron, Nebraska; to repeal all ordinances and parts of ordinances in conflict herewith; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect..

The Council then considered Ordinance No. 1307 on its first reading by title. Councilmember Chizek moved to approve Ordinance No. 1307 on its first reading. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Ordinance No.1307 was approved on its first reading. The second reading will be January

21, 2008.

Councilmember Harvey introduced Ordinance No. 1308

AN ORDINANCE to amend Chapter 5, Article 4, adding Section 5-412 entitled "Building Official," of the Municipal Code of the City of Chadron, Nebraska; to repeal all ordinances and parts of ordinances in conflict herewith; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

The Council then considered Ordinance No. 1308 on its first reading by title. Councilmember Chizek moved to approve Ordinance No. 1308 on its first reading. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Ordinance No.1308 was approved on its first reading. The second reading will be January 21, 2008.

Councilmember Harvey introduced Ordinance No. 1309

AN ORDINANCE to amend Chapter 5, Article 4, adding Section 5-413 entitled "Code Enforcement Officer," of the Municipal Code of the City of Chadron, Nebraska; to repeal all ordinances and parts of ordinances in conflict herewith; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect..

The Council then considered Ordinance No. 1309 on its first reading by title. Councilmember Gamby moved to approve Ordinance No. 1309 on its first reading. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Ordinance No.1309 was approved on its first reading. The second reading will be January 21, 2008.

Councilmember Chizek introduced the following Resolution and moved for its adoption:

RESOLUTION NO. 2008-01

WHEREAS, the City Council finds that it should establish and approve depositories for the deposit and safe keeping of all monies received or held by the City; and

WHEREAS, the City Council finds that the City Treasurer shall require the depository banks or institutions to give bond and render statements of account on monies of the City as required by law, or in lieu of bond, the depositories may deposit securities with the City Clerk as authorized by law; now therefore,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHADRON, NEBRASKA:

1. The following named banks, located in the City of Chadron, Nebraska:

BANK OF THE WEST;
FIRST NATIONAL BANK OF CHADRON; and
CHADRON OFFICE - FIRST NATIONAL BANK NORTH PLATTE

are hereby designated and approved as depositories for the deposit and safe keeping of any monies deposited by the City Treasurer to such Bank, subject however, to said depository providing a bond as required by law to the City Treasurer, or the deposit of securities with the City Clerk as required by law in lieu of said bond.

2. The City Treasurer is further authorized to purchase certificates of deposit or other time deposits at the above named banks wherever the highest interest rate is being paid by said Bank at the time of such investment of City funds, pursuant to the State Statutes and to the benefit of the City of Chadron and the public in general.

3. The above named banks as designated depositories of the City of Chadron be and are hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in the City of Chadron's name, including those drawn to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature of the Mayor of the City of Chadron, and such depositories shall be entitled to honor and to charge the account of the City of Chadron for all such checks, drafts, or other orders, regardless of by whom or by what means the facsimile signature thereon may have been affixed thereto, if such facsimile signature resembles the facsimile specimen's duly certified to or filed with the above named banks by the City Clerk of the City of Chadron.

The foregoing Resolution having been read, Councilmember Harvey seconded the motion for its passage and adoption, and after consideration thereof, the roll was called on the passage and adoption of said Resolution and the following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. The passage of the Resolution having been consented to by more than a majority of the members elected to the Council was declared passed and adopted this 7th day of January, 2008.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Gamby introduced the following Resolution and moved for its adoption:

RESOLUTION NO. 2008-02

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHADRON,
NEBRASKA:

The Specifications for One Used ½ Ton Four Wheel Drive Pickup Truck, having been prepared by Public Works Director Milo Rust and Parks/Cemetery Supervisor Scott Schremmer for the City, by order of the Mayor and City Council and filed with the City Clerk, are hereby approved, and the City Clerk is hereby directed to publish Notice to Bidders, pursuant to law.

The foregoing Resolution having been read, Councilmember Chizek seconded the motion for the passage of the Resolution, and after consideration, the roll was called on the passage of said Resolution and the following Councilmembers voted Aye: Gamby, Chizek, Grantham. The following voted Nay: Harvey. The passage of the Resolution having been consented to by more than a majority of all the members elected to the Council was declared by the Mayor passed and adopted this 7th day of January, 2008.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Chizek introduced the following Resolution and moved for its adoption:

RESOLUTION NO. 2008-03

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHADRON, NEBRASKA:

The Plans and Specifications for the Armor Coating Streets Project 2008, having been prepared by David V. Coe, P.E., Special Engineer by order of the Mayor and City Council, together with an estimate of the total cost of the improvements filed with the City Clerk, are hereby approved, and the City Clerk is hereby directed to publish Notice to Bidders, pursuant to law.

The foregoing Resolution having been read, Councilmember Gamby seconded the motion for the passage of the Resolution, and after consideration, the roll was called on the passage of said Resolution and the following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. The passage of the Resolution having been consented to by more than a majority of all the members elected to the Council was declared by the Mayor passed and adopted this 7th day of January, 2008.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Chizek introduced the following Resolution and moved for its adoption:

RESOLUTION NO. 2008-04

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHADRON,
NEBRASKA:

The Plans and Specifications for the Reconstruction of the 300 Block of Lake Street, having been prepared by David V. Coe, P.E., Special Engineer for the City by order of the Mayor and City Council, together with the Engineer's estimate of the total cost of the improvements filed with the City Clerk, are hereby approved, and the City Clerk is hereby directed to publish Notice to Bidders, pursuant to law.

The foregoing Resolution having been read, Councilmember Gamby seconded the motion for the passage of the Resolution, and after consideration, the roll was called on the passage of said Resolution and the following Councilmembers voted Aye: Gamby, Chizek, Harvey. The following voted Nay: None. Abstaining: Grantham. The passage of the Resolution having been consented to by more than a majority of all the members elected to the Council was declared by the Mayor passed and adopted this 7th day of January, 2008.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Zoning/Building Official Janet Johnson gave a report on the building permits issued in 2007.

Finance Officer Melany Hughes reported on property tax levies and made a comparison to other communities.

Public Works Director Milo Rust updated the Council on the construction of the Airport Fuel Farm and the status of the Stormwater Drainage Plan.

Chief of Police Tim Lordino updated the Council on the 2007 DUI Report (Grant).

City Manager Sandy Powell gave a recap of projects that will be worked on during 2008, which includes the following: Sewer Treatment Plant; Economic Development Manual; Boards and Commissions Manual; Storm Water Master Plan; Chartran Development; Construction of New Hospital; Revision to Policies; Schedule a Strategic Planning session with the Council; Schedule Management Team Meetings with Supervisors and Department Heads; Public Transportation; Recodification of the Municipal Code; Personnel Manual Update; Safety Manual Update; Capital Improvement Plan; Develop a Fee Ordinance; Naming of Roads in Wilson Park; Clean-up of Miscellaneous Records, Agreements, etc.; Review Interlocal Agreements for those needing established or re-established; Create Water Rights File; and Create Youth Advisory Board. Future projects include: Revise Blighted Substandard Map and Update Comprehensive Plan.

City Attorney Megan Failla explained the process that the City Council will be using to appoint a new City Councilmember to fill the vacancy created by the resignation of Mark Douglas. The following six individuals that had submitted their names to be considered for appointment were present at the meeting: Jeff Broberg, Steve Duncan, Morgan Muller, Joseph Red Cloud, Don Thompson, and Steve Welch. It was stated that a list of questions had been prepared and would be asked of each of the candidates. Steve Welch removed his name from consideration after the first round of questions.

Councilmember Gamby moved to nominate the remaining slate of candidates. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

Councilmember Gamby commented that he was very impressed with all of the candidates and would encourage all of them to file for City Council in the upcoming election.

Mayor Grantham and Councilmembers Harvey and Chizek concurred with Gamby's comments.

A roll call vote was taken and Don Thompson was unanimously selected to fill the vacant seat on the City Council.

Councilmember Gamby moved to adjourn at 7:03 o'clock p.m. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

STATE OF NEBRASKA)
)
County of Dawes) ss
)
City of Chadron)

I, the undersigned City Clerk for the City of Chadron, Nebraska, hereby certify that all of the subjects included in the attached proceedings were contained in the agenda for the regular meeting of January 7, 2008 kept continually 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 the said minutes of the City Council of the City of Chadron were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body.

City Clerk

(S E A L)