

CITY COUNCIL MEETING

NO. 2009-05

FEBRUARY 16, 2009

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 16th day of February, 2009, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers John Chizek, Rob Harvey and Steve Duncan, City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Adam Edmund, Chief of Police Tim Lordino, Finance Officer Melany Hughes, and Zoning/Building Official Janet Johnson. Absent: Public Works Director Milo Rust.

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 also given in advance 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.

Vice Mayor Gamby announced the Congressional Amendment to the National Defense Authorization Act which allows veterans to salute the American flag when they are not in uniform.

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

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

- 1) Minutes for City Council Meeting No. 2009-03, February 2, 2009, and Special City Council Meeting No. 2009-04, February 10, 2009.

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
 T-Transfers/Pass Through
 E-Electronic Checks

A & M Aviation	Airband Radio and Antenna	964.23	
ABC Electric	Repairs/Labor	336.00	
Alltel Subpoena Compliance	Subpoena Phone Records	100.00	*
Baker & Associates	Wastewater Facility Planning	2,750.00	
Baker & Taylor	Library Materials	297.71	
Bauerkempers	Repairs for Parks Dept.	235.46	
Black Hills Weekly	01/09 Ads	435.64	
Business Connection	Office Supplies for Police Dept.	62.88	
Central Parts Warehouse	Parts for Street Shop	1,627.93	
Chadron Bowl	Utility Refund	128.53	
Chadron, City of	Electronic Withdrawal for Payroll	23,029.79	*C/E
Chadron, City of	FICA through 02/03/09	4,482.85	*F
Chadron, City of	Payroll through 02/03/09	37,556.68	*C
Chadron, City of	Transfer Pmt. From Source Gas to Utilities	50.49	*
Chadron, City of	Utility Refunds	294.74	
Chadron Community Hospital	Flu & Hepatitis Shots for Firemen	78.54	
Chadron Community Recreation	2 nd Quarter Payment	750.00	
Chadron Home Center	Parts, Repairs	180.81	
Chadron Housing Authority	2 nd Quarter Payment	750.00	
Chadron Plumbing	Repairs at Airport	97.78	
Culligan	Bottled Water and Dispenser Rent	202.75	
Diamond Lake	Library Materials	196.46	
Edmund, Adam	01/09 Legal Services	1,344.80	
Factual Data-Midwest	Credit Check on Applicant	9.73	
Failla Law Office	01/09 Legal Services	700.00	
Follett	Printer Paper for Library	167.10	
Gale	Library Materials	46.74	
Geju Oil and Gas	Refund for Overpayment of Hangar Rent	200.00	
Great Plains Communications	Internet Charges	104.90	
Great Plains One Call Service	Locate Requests	4.08	
Hansen, Maruta	01/29-02/11/09 Janitorial Services	200.00	
Hawkins	Chlorine for Water Dept.	818.00	
HD Waterworks	Water Department Repairs	184.23	

Hills Tire	Tire Repair	25.00	
HR Direct	Poster Kit	357.48	
Hutton, Mark	02/09 Operations Contract	3,300.00	
Hyatt, Trevor	Utility Refund	36.73	
Ideal Linen	Janitorial Supplies	248.17	
Indian Country Today	Subscription for Library	36.00	
Ingram	Library Materials	317.82	
Keep Chadron Beautiful	2 nd Quarter Payment	1,000.00	
Lien, Pete & Sons	Sand for Street Department	502.70	
Linweld	Argon Cylinders	15.25	
Metal Products Company	Airport Shop Heater Repair	904.20	
Mid America	Library Materials	166.44	
Midland Telecom	Pager Testing for Fire Dept.	306.30	
Midwest Tape	Library Materials	204.66	
Municipal Supply	Parts for Water Dept.	293.86	
National Casualty Company	Fire Dept. Insurance	315.56	
Nebraska Crime Commission	Directories for Police Dept.	52.00	
Nebraska Dept. Of Economic Dev.	Your Selling Team Payment	2,976.19	
Nebraska Northwest Development Corp.	2 nd Quarter Payment	12,500.00	
Nebraska Planning & Zoning	Conference Registration/Johnson	140.00	*
Nebraska Public Power District	01/09 Electric Service	8,115.15	
Norms Carquest	Parts/Supplies for Fire Dept.	24.25	
Northwest Rural Public Power	Rural Electric Service	7,674.70	
NPZA Membership/Johnson	2009 Membership Fee	40.00	
Panhandle Collection	Fees for Delinquent Account	130.58	
Panhandle Veterinary Clinic	12/08 Animal Boarding	300.00	
Public Safety Center	Radio Battery for Fire Dept.	350.91	
Quality Tire	Tires for Water Dept.	777.95	
Quill	Computer Paper for City Hall	491.34	
Qwest	Phone Service	318.48	
RSVP	2 nd Quarter Payment	1,000.00	
Sandhills Computer	Internet for Street Dept.	29.00	
SWANN	01/09 Collections	47,458.08	*
Technology Center	Printer for City Hall/Labor	1,298.00	
Tree Doc	Tree Trimming at Library	550.00	
US Postmaster	02/09 Utility Bills Postage	450.61	*
Vantage Point Trust 401 Employee	Pension to 02/03/09	2,341.39	*C
Vantage Point Trust 401 Police	Pension to 02/03/09	1,071.16	*C
Westco	Diesel/Cylinder Rental	448.92	
Western Communications	Siren Maintenance	110.00	
WPCI	Random Drug Testing	148.50	
Wright, Bridget	Refund Overpayment for Utilities	27.28	

TOTAL**175,827.01**

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

4) Minutes for Boards and Commissions

The Minutes for the Planning Commission meeting held February 9, 2009, were distributed.

5) Monthly Reports

Copies of the monthly Treasurer's Report and Water Report were presented.

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

Mayor Grantham declared the month of March 2009 as Gambling Awareness Month.

Councilmember Gamby moved to approve the appointments of Jessica Nielsen and Kirk Morse to the Chadron Youth Council. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. Voting Nay: None. Motion carried.

Mayor Grantham administered the Oath of Service to Jessica and Kirk.

Brenda Johnson, Executive Director, Nebraska Northwest Development Corporation, gave a report and update of NNDC activities.

Mark Hutton, Airport FBO/Operations Supervisor was not able to be in attendance, but the monthly report for Chadron Municipal Airport was distributed.

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

RESOLUTION NO. 2009-09

WHEREAS, Feik's 120, 120 West Second Street, Chadron, NE, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council finds that a Special Designated License should be approved as long as said consumption of alcohol is in accordance with and pursuant to licenses granted by the Nebraska Liquor Control Commission.

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

1. The City Council being the governing body of the City of Chadron does hereby authorize the consumption of alcoholic liquors by adults between the hours of 6:00 o'clock P.M. on March 21, 2009 and 1:00 o'clock A.M. the following morning, March 22, 2009, at the Motel 6 Convention Center,

located at 755 Microtel Drive, Chadron, in an area of the building which is 70 feet in length and 50 feet in width.

2. It is recommended that approval be granted for a Special Designated License to Feik's 120, to conduct a cash bar for the Rodeo Club Rocky Mountain Oyster Fundraiser between the hours of 6:00 o'clock P.M. on March 21, 2009 and 1:00 o'clock A.M. the following morning, March 22, 2009, at the Motel 6 Convention Center, located at 755 Microtel Drive, Chadron, in an area of the building which is 70 feet in length and 50 feet in width, pursuant to the rules and regulations of the Nebraska Liquor Control Commission and in accordance with any license issued by said Commission.

3. The City Clerk is hereby directed to send a copy of this Resolution by first class mail prepaid to the Nebraska Liquor Commission.

The foregoing Resolution having been read, Councilmember Gamby 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: Grantham, Gamby, Chizek, Harvey, Duncan. 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 16th day of February, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

The Council considered Ordinance No. 1326 on its second reading:

AN ORDINANCE to amend Chapter 2 "Building Regulations," to Enact Article 3 "Problem Resolution Team", of Ordinance No. 1000, being the Municipal Code of the City of Chadron, Nebraska; to adopt the current International Property Maintenance Code; 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 third and final reading of Ordinance No. 1326 will be on March 2, 2009.

The Council considered Ordinance No. 1327 on its second reading:

AN ORDINANCE to amend Chapter 2 "Building Regulations," to Enact Article 4 "Board of Appeals", of Ordinance No. 1000, being the Municipal Code of the City of Chadron, Nebraska; to adopt the current International Property Maintenance

Code; 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 third and final reading of Ordinance No. 1327 will be on March 2, 2009.

Councilmember Gamby moved to adjourn the meeting at 5:49 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. 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 February 16, 2009 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

(SEAL)