

CITY COUNCIL MEETING

NO. 2009-07

MARCH 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 March, 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, Police Chief Tim Lordino, Finance Officer Melany Hughes, Public Works Director Milo Rust, and Zoning/Building Official Janet Johnson. 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 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.

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: Chizek, Harvey, Duncan, Grantham, Gamby. 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. 2009-06, March 2, 2009

The Minutes were approved as written and distributed.

- 2) Correspondence

The Council received a letter from Scott Cotton, County Extension Educator, inviting a representative from the City Council to attend the Strengthening Community Agro-Security Preparedness Conference on April 28 and 29, 2009 in Alliance.

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
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ABC Electric	Bulbs for Police Dept.	50.00	
Alamar Uniforms	Uniforms for Police	234.96	
Alltel	Cell Phone Service	303.64	*
Arrow Building Center	Paint/Supplies	77.39	
Baker & Taylor	Library Materials	340.12	
Bauerkempers	Repairs for Parks Dept.	20.25	
Birnbaum, Terry	Clothing Reimbursement	42.39	
Black Hills Weekly	02/09 Ads	691.26	
Brice Construction	Overhead Garage Door for Water Plant	1,500.00	
Broad Reach	Library Materials	175.55	
Business Connection	Office Supplies for Police/Water Dept.	162.33	
Central Parts Warehouse	Supplies for Airport	867.88	
Chadron, City of	Electronic Withdrawal for Payroll	23,895.63	*C/E
Chadron, City of	FICA through 03/03/09	4,409.68	*F
Chadron, City of	Payroll through 03/03/09	35,707.00	*C
Chadron Concrete	Cement	345.00	
Chadron Home Center	Parts/Supplies	246.60	
Chadron Wholesale	Supplies	49.60	
Coe Engineering	Engineering Services	522.00	

Contractors Materials	Parts for Street Dept.	360.50	
Culligan	Bottled Water for Airport	77.75	
Edmund, Adam	02/09 Legal Services	1,397.40	
Enviro	Wastewater Testing	62.00	
Express Auto Salvage	Parts for Parks Dept.	271.00	
Factual Data	ID Search	9.73	
Fry, Joe	Refund Insurance Over-Payment	31.07	
Gale	Library Materials	93.48	
Galls	Police Supplies	683.76	
Great Plains Communications	Internet Charges	99.90	
Great Plains One Call Service	Locate Requests	32.61	
Hansen, Maruta	02/26-03/11/09 Janitorial Services	200.00	
HD Waterworks	Repairs for Water Plant	2,682.57	
Henkens Equipment	Parts for Street Dept.	63.04	
Hills Tire	Tire Repair for Water Dept.	37.00	
Holst, Don	Library Materials	60.00	
Hutton, Mark	03/09 Operations Contract	3,399.00	
Ideal Linen	Janitorial Supplies	65.26	
Ingram	Library Materials	609.83	
Internal Revenue Service	Payroll Taxes	297.68	*
Junior Library Guild	Library Materials	636.00	
Kriz Davis	Street Dept. Supplies	271.72	
Lakota Country Times	Library Materials	60.00	
League of Nebraska Municipalities	Water Operator's Workshop/Emick	35.00	
Linweld	Argon Cylinders	14.35	
Littrel Construction	Meter Pit with Lid	450.00	
Metal Products	Parts for Street Dept.	282.33	
Miskimins Motors	Vehicle Repair for Police Dept.	45.40	
Municipal Supply	Water Dept. Repairs	4,117.29	
NE Mosquito/Vector Control Assn.	2009 Workshop Reg./Schremmer	95.00	
Nebraska DAS	Long Distance Service	562.21	
Nebraska Public Power District	02/09 Electric Service	6,801.90	*
Nebraska Public Power District	02/09 Electric Service	751.45	
Nebraska Safety Center	Bus Driver Training Class	225.00	
NW Rural Public Power Dist.	Rural Electric Service	7,234.92	

NW Rural Public Power Dist.	Electrical Service for Wastewater Facility	14,500.00	*
Old Dominion Brush	Parts for Street Sweeper	46.17	
Oldies.Com	Library Materials	61.10	
Oriental Trading	Summer Reading Program Material	233.09	
Outlaw Printers	Oversize Copies	40.50	
Pennington County Sheriff	Psychological Evaluation for Police Dept.	300.00	
Pennington Extension	Tree Care Workshop/Schremmer	5.00	*
Petty Cash	Reimburse Petty Cash Fund	43.50	*
Quality Tire	Tire Repair	15.00	
Quill	Library Materials	108.99	
Qwest	Phone Service	318.48	
Qwest	Phone Service	215.86	*
Random House	Library Materials	10.50	
Rapid City Journal	Library Newspaper Ad	61.60	
Respond First Aid Systems	First Aid Kit Supplies for Police Dept.	39.83	
Sandhills Computer	Internet for Street Dept	29.00	
Schremmer, Scott	Clothing Reimbursement	18.01	
Serres, Tom	Utility Refund	46.87	
Simon Contractors	Cold Mix for Street Dept.	1,027.20	
Sirchie Finger Print Lab	Kits for Police Dept.	230.72	
SWANN	02/09 Collections	58,603.20	*
Upstart	Summer Reading Program Supplies	250.09	
USI	Library Materials	83.79	
Vantage Point Trust 401 Employee	Pension to 03/03/09	2,194.35	*C
Vantage Point Trust 401 Police	Pension to 03/03/09	1,102.51	*C
Wahlstrom Ford	Oil Change/Vehicle Repair	251.13	
Westco	Petroleum for Parks Dept.	39.00	
Western Communications	Monthly Radio Maint. for Police Dept.	222.00	
Wild, Waymann	Refund Health Insurance Premium	56.16	
Woods, Adam	Utility Refund	18.26	
WPCI	Random Drug Testing/Policy Update	223.50	
Xerox	Copier Lease/Copies	614.72	

TOTAL

182,767.56

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 to distribute at this meeting.

4) Monthly Reports

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

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

Library Director Rossella Tesch introduced Sunny Brinker, the new children's librarian. Public Works Director Milo Rust introduced Andrew Opp, who recently started work in the Parks and Cemetery Department. Finance Officer Melany Hughes introduced CSC intern, Greg Kusek, who has been working with her on the City's Capital Improvement Plan.

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

Terri Haynes gave a report in the absence of Airport FBO/Operations Supervisor regarding monthly Airport activities.

The time being 5:10 p.m., Mayor Grantham opened the public hearing regarding a Liquor License Application for a Retail Class C, Spirits, Wine, Beer, On & Off Sale, Liquor License for Chadron Bowling Center, Inc. dba Big Jim's Bowling Center. Those speaking in favor of the application: Andrea Voss. Those speaking against the application: None. Those speaking in a neutral position: Chief of Police Tim Lordino. Police Chief Tim Lordino reported on his concerns, but recommended approval of the license without the proposed beer garden. Mayor Grantham closed the public hearing at 5:22 p.m.

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

RESOLUTION NO. 2009-13

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

WHEREAS, the application of Chadron Bowling Center, Inc., dba Big Jim's Bowling Center was submitted to the Nebraska Liquor Control Commission as per Section 53-131 of the Nebraska

Liquor Control Act for the issuance of a "Retail Class C, Spirits, Wine, Beer, On and Off Sale, Liquor License, to be located on Lot 3 of a Replat of the Southwest First Addition to the City of Chadron, Dawes County, Nebraska, also described as 950 West 10th Street; and

WHEREAS, said application was submitted to the City Council for examination and hearing in accordance with the Nebraska Liquor Control Act and the Municipal Code and notice was published on March 4, 2009, and notice was given to the applicant, and hearing was held on March 16, 2009 before the City Council, of the City of Chadron, Nebraska.

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

1. Notice of the hearing on said application was duly published and given to the applicant, and the City Council having heard all of the evidence, witnesses, and arguments presented to it, being fully advised in the premises, recommends that a "Retail Class C, Spirits, Wine, Beer, On and Off Sale, Liquor License be issued to Chadron Bowling Center, Inc., dba Big Jim's Bowling Center at 950 West 10th Street, contingent upon the 90 foot x 90 foot outdoor beer garden being deleted from the application.

2. The cost of the published notice in this matter is \$_____.

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

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: Chizek, Harvey, Duncan, Grantham. Voting Nay: Gamby. 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 March, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Members of the Chadron Youth Council were in attendance and presented their mission statement, bylaws and project criteria, all created by the group. Officers and committee members were introduced. City Manager Sandy Powell commended the group for their hard work and indicated she was very proud of the group.

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

RESOLUTION NO. 2009-14

WHEREAS, in 2006, Your Selling Team (YST) applied for and received a Community Development Block Grant (CDBG) through the Nebraska Department of Economic Development and applied for and received LB840 Economic Development funds from the City of Chadron; and

WHEREAS, the funding for both programs required the employment of fifty (50) full-time employees; and

WHEREAS, the owner of Your Selling Team has advised that due to current challenging economic conditions, the company is not able to meet this requirement.

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

After due consideration and being fully advised in the premises, the Council does hereby grant Your Selling Team (YST) additional time in order to meet the requirement of employing fifty (50) full-time employees as required by the Community Development Block Grant and the LB840 Economic Development programs and that said extension be granted until March 1, 2010

The foregoing Resolution having been read, Councilmember Chizek 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: Chizek, Harvey, Duncan, Grantham, Gamby. 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 March, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

City Manager Sandy Powell reported on several items including legislative issues, thank you letters that were mailed out regarding the federal stimulus package and alternative energy options. She also reminded everyone that City Hall appreciates receiving letters from the public, but requested that they be signed rather than being anonymous. If the letters are not signed, the staff is not able to respond to the content of the letters.

Councilmembers congratulated the Chadron High School speech and basketball members who qualified for state competition.

Councilmember Chizek moved to adjourn into executive session at 5:47 p.m. for the purpose of conducting the performance evaluation of City Manager Sandy Powell. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. The following voted Nay: None. Motion carried.

Councilmember Gamby moved to adjourn the executive session and reconvene in open session at 7:24 p.m. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. The following voted Nay: None. Motion carried.

Councilmember Gamby moved that the City Council having completed the performance evaluation of City Manager Sandy Powell, does hereby approve a salary increase for Ms. Powell

based on the current salary schedule. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. The following voted Nay: None. Motion carried.

Councilmember Harvey moved to adjourn the meeting at 7:25 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. 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 March 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)