

## CITY COUNCIL MEETING

NO. 2009-10

APRIL 20, 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 20<sup>th</sup> day of April, 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 Lieutenant Rick Hickstein, Public Works Director Milo Rust, Finance Officer Melany Hughes, 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 Harvey. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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. 2009-09, April 6, 2009

The Minutes were approved as written and distributed.

- 2) Correspondence

The Council received a report from Brenda Johnson, Executive Director of the Northwest Nebraska Development Corporation.

- 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

ABC Electric	Repair Well Motor/Labor	554.52	
Alamar Uniforms	Supplies for Police Dept.	35.58	
Arrow Building Center	Paint/Supplies	42.57	
Baker & Associates	Wastewater Planning Services	2,060.00	
Baker & Taylor	Library Materials	553.25	
Bartlett, Mike	Library Elevator Repairs	100.00	
Bauerkempers	Repairs for Parks Dept.	5.64	
Black Hills Weekly	03/09 Ads	188.38	
Blaine Enterprises	Water Tests Shipping	99.98	
CCP Industries	Parts for Street Dept.	236.69	
Central Parts Warehouse	Parts for Street Dept.	906.52	
Century Business Products	Library Copier Maintenance	59.50	
Chadron Chamber of Commerce	2 <sup>nd</sup> Quarter Payment	1,500.00	
Chadron, City of	Electronic Withdrawal for 4/14/09 Payroll	24,820.42	*C/E
Chadron, City of	FICA through 4/14/09	4,756.09	*F
Chadron, City of	Payroll through 4/14/09	39,282.57	*C
Chadron Concrete	Cement	157.50	
Chadron Glass	Chip Repair for Police Dept.	30.00	
Chadron Home Center	Parts/Repairs	161.92	
Chadron Wholesale	Supplies	74.42	
Creations of the Heart	Uniform Patching	16.00	
Culligan	Bottled Water/Dispenser Rent for Airport	105.25	
Dailey, Jenny	Refund Health Insurance Premium	56.16	
Demco	Library Office Supplies	406.06	
Ebsco	Library Materials	17.96	
Gale	Library Materials	70.11	
Galls	Police Uniforms	555.75	
Great Plains Communications	Internet Services	99.90	
Great Plains One-Call Services	Locate Requests	21.86	

Hansen, Maruta	04/02-04/14/09 Janitorial Services	200.00	
HD Waterworks	Repairs for Water Plant	276.32	
Hencey Plumbing	Repairs for Parks Dept.	10.00	
Henkens Equipment	Parts/Repairs	141.65	
Hutton, Mark	04/09 Operations Contract	3,399.00	
Ideal Linen	Janitorial Supplies	335.94	
Ingram	Library Materials	680.89	
Kriz-Davis	Supplies for Street Shop	3,592.00	
Linweld	Argon Cylinders	15.25	
Menke, Tom	Travel Reimbursement	22.20	
NE Commission on Law Enforcement	Instructor Training Program/Hansen	75.00	
Nebraska Municipal Power Pool	Member Dues	1,505.95	
Nebraska Public Power District	03/09 Electric Service	1,049.64	
Nebraska Rural Water Assn.	Training/Emick, Lliteras, Serres	150.00	
Nebraska Workforce Development	Unemployment Insurance/Horn	107.40	
Nebraskaland Tire	Tire Repair for Street Shop	80.35	
Northwest Rural Public Power	Rural Electric Service	7,150.50	
Power Plan	Repairs for Wastewater Dept.	445.24	
Quality Tire	Tire Repair	72.00	
Qwest	Phone Service	318.48	
Rose Equipment	Equipment for Street Dept.	1,278.33	
Sandhills Computer	Street Internet	29.00	
Todd, Michael & Company	Parts for Street Dept.	673.50	
United States Treasury	1 <sup>st</sup> Quarter Federal Excise Tax	89.14	
Vantage Point Trust 401 Employee	Pension to 4/14/09	2,385.19	*C
Vantage Point Trust 401 Police	Pension to 4/14/09	1,105.41	*C
Wahlstrom Ford	Vehicle Repair	168.84	
Western Communications	Monthly Siren Maint. for Police Dept.	110.00	
Wild, Waymann	Refund Health Insurance Premium	28.08	
WPCI	Random Drug Testing	49.50	

**TOTAL** **102,519.40**

The foregoing schedule of claims is published in accordance with Nebraska Revised Statutes

4) Minutes for Boards and Commissions

There were no minutes to distribute at this meeting.

5) Monthly Reports

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

6) Proclamation for Week of the Young Child

Mayor Grantham signed a proclamation on Tuesday, April 14, 2009, to declare the week of April 19-25, 2009, as Week of the Young Child.

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

Mayor Grantham proclaimed April 24, 2009, as Arbor Day. Parks and Cemetery Superintendent Scott Schremmer was present and informed the Council that this is the 19<sup>th</sup> year of Chadron being declared a Tree City USA.

Mayor Grantham proclaimed April 25, 2009, as Autism Awareness Day. Chrissy Bannan was present to accept the proclamation.

FBO Supervisor Mark Hutton gave a report on monthly activities at Chadron Municipal Airport.

Susan Huckle of Keep Chadron Beautiful reported on the upcoming City clean-up scheduled for April 25, 2009.

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

RESOLUTION NO. 2009-19

WHEREAS, DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated License should be approved so 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 12:00 o'clock Noon on May 9, 2009 and 1:00 A.M. the following morning, May 10, 2009, at the Chadron Arts Center, in an area

which is 50' x 100' and located at 371 King St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, between the hours of 12:00 o'clock Noon on May 9, 2009, and 1:00 A.M. the following morning, May 10, 2009, at the Chadron Arts Center, in an area which is 50' x 100' and located at 371 King St., Chadron, Nebraska, for a reception, 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 Council members voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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 20<sup>th</sup> day of April, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

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

RESOLUTION NO. 2009-20

WHEREAS, DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated License should be approved so 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 5:00 o'clock P.M. on June 6, 2009 and 1:00 A.M. the following morning, June 7, 2009, at the Chadron Arts Center, in an area which is 50' x 100' and located at 371 King St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, between the hours of 5:00 o'clock P.M. on June 6, 2009, and 1:00 A.M. the following morning, June 7, 2009, at the Chadron Arts Center, in an area which is 50' x 100' and located at 371 King St., Chadron, Nebraska, for a reception, 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 Duncan 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 Council members voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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 20<sup>th</sup> day of April, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

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

RESOLUTION NO. 2009-21

WHEREAS, DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated License should be approved so 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 5:00 o'clock P.M. on June 27, 2009 and 1:00 A.M. the following morning, June 28, 2009, at the Chadron Arts Center, in an area which is 50' x 100' and located at 371 King St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, between the hours of 5:00 o'clock P.M. on June 27, 2009, and 1:00 A.M. the following morning, June 28, 2009, at the Chadron Arts Center, in an area which is 50' x 100' and located at 371 King St., Chadron, Nebraska, for a reception, 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 Council members voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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 20<sup>th</sup> day of April, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

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

RESOLUTION NO. 2009-22

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

1. Per Chadron Municipal Code §13-204, the City Council hereby orders by Resolution that the owner of the property located at 933 Chadron Avenue be given notice that he/she is required to replace or reconstruct the sidewalk located at 933 Chadron Avenue within sixty (60) days from and after such notice.
2. If the owner shall neglect, refuse or shall have failed, after such notice has been given, to replace or reconstruct said sidewalk within the time limit in the notice, the City shall proceed at once without further notice to the owner to have such sidewalk replaced or reconstructed, as the case may be, and the expense of the work shall be assessed to the lot or piece of land, and collected as provide by law.

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: Duncan, Grantham, Gamby, Chizek, Harvey. 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 20<sup>th</sup> day of April, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(SEAL)

Councilmember Harvey moved to approve Misty Hickstein and Sunny Brinker as mentors to the Chadron Youth Council. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. Voting Nay: None. Motion carried.

Councilmember Harvey moved to approve the Municipal Swimming Pool hours and fees for 2009 as presented. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. Voting Nay: None. Motion carried.

Public Works Director Milo Rust reported on the pre-construction meeting which involved contractors who will be working on the Wastewater Treatment Facility. He also reported on the Arbor Day program for Chadron 5<sup>th</sup> graders, which was held April 20, 2009.

City Manager Sandy Powell reported on several items including the report from the library consultant, the numbers regarding Handi Bus riders and fuel tax legislation.

Councilmember Chizek invited City employees and Councilmembers to join in a tree-planting project on C Hill which will be an effort to reforest following the July 2006 fire.

Councilmember Duncan moved to adjourn the meeting at 5:36 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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 April 20, 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.

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City Clerk

(SEAL)