

CITY COUNCIL MEETING

NO. 2009-11

MAY 4, 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 4th day of May, 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, 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 Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. 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. 2009-10, April 20, 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

Adams Machining and Welding	Supplies for Street Dept.	363.43	
Alltel	Cell Phone Service	312.79	
American Water Works Assn.	Membership Renewal/Menke	480.00	
Arrow Building Center	Fence/Supplies	1,572.27	
Assurant	Fire Dept. Insurance	3.68	
Baker & Associates	Wastewater Facility Planning	2,965.00	
Bamford	Fire Protection System Inspection	200.00	
Bauerkempers	Motorcycle Repair for PD	190.75	
Brennan Electric	Repairs at Fire Dept.	141.59	
Central Parts Warehouse	Repairs for Street Dept.	52.48	
Chadron, City of	Electronic WD for 4/28/09 Payroll	24,500.59	*C/E
Chadron, City of	05/09 Side Fund	19,368.36	*
Chadron, City of	FICA through 4/28/09	4,603.28	*F
Chadron, City of	Payroll through 4/28/09	37,604.50	*C
Chadron, City of	Utility Refunds	177.40	
Chadron Community Hospital	LB840 Funds Distribution	66,583.65	
Chadron Concrete	Cement	110.00	
Chadron Glass	Windshield for Fire Dept./Pool Window	864.00	
Chadron Home Center	Supplies for Fire Dept.	34.54	*
Chadron Wholesale	Supplies	102.80	
Coyle, Jean	Refund Overpayment for Burial Services	100.00	
DM & E Railroad	Right of Way Facility Permission	300.00	*
DXP Enterprises	Safety Kit for Fire Dept.	112.09	
EMC Insurance	Deductible Reimbursement	196.69	
Farm Plan	Supplies/Repairs	624.91	*
First National Bank Omaha	Travel Expense/Supplies	1,735.71	
Fry, Joe	Travel Reimbursement	11.73	
Graphic Screen Printing	Uniforms for Police Training/Hughes	72.00	*
Guardian	05/09 Dental Premium	246.43	*

Hansen, Maruta	4/16-4/29/09 Janitorial Services	180.00	
HD Waterworks	Meter for Water Plant	579.24	
Henkens Equipment	Parts/Repairs	25.28	
Hills Tire	Tire Repair	286.00	
Ideal Linen	Janitorial Supplies	116.45	
Janssen, Jamie	Utility Deposit Refund	37.82	
Lawson Products	Street Shop Supplies	77.88	
Lordino, Tim	Auto Allowance	400.00	
Mobius	Internet for Airport	18.99	
NE Dept. of Health & Human Services	Training/Book for Serres	178.00	
NE Dept. of Health & Human Services	Pool & Spa Retrofit Form	100.00	
Nebraska DAS	Long Distance Service	570.87	
Nebraska Law Enforcement Center	Training/Certification Fees for Hughes	130.00	*
Nebraska Machinery	Parts for Street Dept.	5,427.86	
Nebraska Public Health Dept.	Water Testing	116.00	
Nebraska Public Power District	04/09 Electric Service	292.76	
Nebraska Rural Water Assn.	WW Class Reg./Lliteras-Menke-Serres	150.00	
Nebraska Safety Center	Safety Class/Birnbaum-Wild-Lliteras	225.00	*
Nebraskaland Tire	Tire Repair	41.55	
Norms	Parts/Supplies	865.28	
Northwest Pipe Fittings	Repairs for Parks/Water Dept.	370.68	
Panhandle Veterinary Clinic	03/09 Animal Boarding	300.00	
Parker, Caitlin	Utility Deposit Refund	55.58	
Pests Go	Spray Swimming Pool & PD for Insects	155.00	
Petersen Drug	Pharmacy Supplies	268.86	
Power Plan	Repairs for Wastewater Dept.	385.83	
Quality Tire	Tire Repair	60.00	
Qwest	Phone Service	1,054.95	*
Regional Care	05/09 Emp. Health Benefits/Select Flex	12,236.14	*
Rust, Donna	Travel Reimbursement	12.47	
Sandhills Nursery	Tree for Finnegan Park	100.00	
Shell	03/11-04/10/09 Fuel Charges	3,168.43	*
Source Gas	04/09 Gas Service	4,038.70	*
State Fire Marshal Training Division	Fire Fighter Certification	300.00	
Sturdevants	Parts/Repairs	242.40	

Tree Doc	Tree Removal in Memorial Park	400.00	
US Postmaster	05/09 Utility Bills Postage	450.61	*
Vantage Point Trust 401 Employee	Pension to 4/28/09	2,034.61	*C
Vantage Point Trust 401 Employee #3	Pension #3	178.23	
Vantage Point Trust 401 Police	Pension to 4/28/09	1,208.17	*C
Wahlstrom Ford	Parts for Police Dept.	15.20	
Wal Mart	Supplies	724.28	
Westco	Diesel/Gas	1,718.34	
Western Communications	Monthly Radio Maint. for Police Dept.	222.00	
Whetham, Michelle	Utility Deposit Refund	49.20	
TOTAL		203,199.33	

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.

Councilmember Harvey 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.

Rollin Curd representing the Dawes County Historical Society sign committee was present and requested authorization to place interpretive sign markers in the right-of-way. The signs would identify portions of the Forgotten Trail, a military, freight and stage route between Fort Robinson and Camp Sheridan, which was used between 1874 and 1885.

Councilmember Harvey moved to approve the request to place the interpretive signs in the right-of-way as requested, with the understanding that the City of Chadron will not be responsible for maintenance and/or replacement of the signs. Seconded by Councilmember Gamby with the following Councilmembers voting Aye: Grantham, Gamby, Chizek, Harvey, Duncan. Voting Nay: None. Motion carried.

Terry Rajewich of Nebraska Public Power District gave a presentation on wind generation.

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

RESOLUTION NO. 2009-23

WHEREAS, Chadron Knights of Columbus Council #1128, 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 6:00 o'clock P.M. on May 23, 2009 and 11:00 P.M. at the Assumption Arena, in an area which is 150' x 100' and located at 355 Spruce St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Chadron Knights of Columbus Council #1128, Chadron, NE 69337, between the hours of 6:00 o'clock P.M. on May 23, 2009, and 11:00 P.M. at the Assumption Arena, in an area which is 150' x 100' and located at 355 Spruce St., Chadron, Nebraska, for the CSC golf tournament dinner and social, 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 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 Council members 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 4th day of May, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2009-24

WHEREAS, Ridgeview Country Club, 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 beer by adults between the hours of 8:00 o'clock A.M. on May 24, 2009 and 10:00 P.M. at the Ridgeview Country Club Clubhouse, in an area which is 24' x 60', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Ridgeview Country Club, Chadron, NE 69337, between the hours of 8:00 o'clock A.M. on May 24, 2009, and 10:00 P.M. at the Ridgeview Country Club Clubhouse, in an area which is 24' x 60', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska, 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: 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 4th day of May, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2009-25

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

1) That the Surplus Personal property of the City of Chadron as shown on Exhibit "A" filed in the City Clerk's office be sold at Public Auction, after due notice of time and place of said auction as required by law, and that said property be sold to the highest bidder upon acceptance by the City Manager. Any and all bids may be accepted or rejected by the City Manager.

2) The City Council further authorizes the City Manager to discard any of the surplus personal property as she deems to be in the best interest of the City to do so.

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. Voting 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 4th day of May, 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. 2009-27

Whereas, the City of Chadron maintains certain police policies to promote the safety of its citizens and police officers; and

Whereas, the City of Chadron finds it necessary to update these policies periodically;

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

The Chadron Police Department Firearms Specification Policy, Firearms Range Policy, and

Taser Policy are hereby approved and adopted with an effective date of May 4, 2009.

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 4th day of May, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Public Works Director Milo Rust reported that a new procedure will be implemented at Greenwood Cemetery during the Memorial Day period which will allow patrons to reclaim floral arrangements up to a week after the regular deadline, which is three days following Memorial Day. He also stated that the City is waiting for feedback on a request for stimulus dollars for Main Street improvements.

Zoning/Building Official Janet Johnson reported on a recent meeting regarding city housing issues. She indicated that there will be further meetings to discuss goals and objectives.

City Manager Sandy Powell reported on several items including a letter which was sent to Congressman Adrian Smith supporting the Heartland Expressway funding. She also reminded everyone of the City surplus auction which will be held at 10 a.m. on Saturday, May 16, 2009, at the Street Shop. The BID will be meeting at noon on Monday, May 11, 2009, at City Hall.

Councilmember Chizek reported that on April 29, City volunteers planted 200 trees on C Hill. He also stated that he had received an anonymous letter and would be willing to discuss issues with the writer if he or she would contact him.

Councilmember Chizek moved to adjourn the meeting at 5:58 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 May 4, 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)