

## CITY COUNCIL MEETING

NO. 2009-16

JULY 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 July, 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, 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: 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. 2009-15, July 6, 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

Arrow Building Center	Rebar for Airport	6.49	
Audio Editions	Library Materials	46.79	
Baker & Taylor	Library Materials	972.37	
Bartlett, Mike	Library Elevator Repair	95.00	
Bauerkempers	Parts for Street/Water Dept.	45.47	
Black Hills Journal	06/09 Ads	383.67	
California Contractors	Pliers for Water Dept.	187.50	
Carrot Top Industries	Flags	255.26	
Chadron, City of	Electronic Withdrawal for 7/07/09 Payroll	26,171.18	*C/E
Chadron, City of	FICA through 7/07/09	5,175.20	*F
Chadron, City of	Payroll through 7/07/09	43,409.84	*C
Chadron, City of	Utility Correction	20.00	*
Chadron Glass	Well House Security Windows	2,850.00	
Chadron Home Center	Supplies/Repairs	678.55	
Chadron Wholesale	Supplies for Police Dept.	23.90	
Diamond Vogel	Paint/Paint Thinner for Street Dept.	839.40	
Eagle Chevrolet	Vehicle Repair for Police Dept.	52.75	
Enviro Service	Water Testing	62.00	
Fischer Construction	Pay Est. #3 for Wastewater Plant	365,586.30	*
Gale	Library Materials	23.37	
Great Plains One Call Services	Locate Requests	53.35	
Griese, Lea	Reimburse Expense for Swimming Lesson	20.00	
Hansen, Maruta	07/05-07/15/09 Janitorial Services	180.00	
Hutton, Mark	07/09 Operations Contract	3,399.00	
Ideal Linen	Janitorial Supplies	368.52	
Ingram	Library Materials	274.07	
Intl. Assn. Of Chiefs of Police	Books for Police Dept.	713.25	

International Code Council	Member Dues	100.00	
Kriz-Davis	Water Dept. Repairs	563.90	
LA Sign	Window Decals/Vinyl Lettering for Police	123.00	
Linweld	Argon Cylinders	14.95	
Metal Products Company	Swimming Pool Repair	481.25	
Midwest Tape	Library Materials	36.48	
Nebraska Dept. Of Agriculture	Registration Fee for Airport	49.10	
Nebraska Library Commission	Library Annual Dues	315.00	
Nebraska Machinery Company	Truck Repair for Street Dept.	16,861.35	
Nebraska Public Power District	7/09 Electric Service	2,469.74	
Nebraska Public Power District	7/09 Electric Service	1,450.95	*
NEFSMA	Registration Fee/Johnson	10.00	
Northwest Rural Public Power	Rural Electric Service	9,583.16	
Omaha World Herald	Library Yearly Subscription	62.14	
Pumpkin Books	Library Materials	295.70	
Quality Tire	Tire Repair for Water/Police Dept.	55.00	
Qwest	Phone Service	244.68	
Rapp Sales Company	Supplies for Street Dept.	170.00	
Ron's Repair	Repairs for Airport	36.75	
Sandhills Computer	Street Dept. Internet	29.00	
Star Herald	Police Dept. Help Wanted Ads	525.26	
Twenty-First Century	Repairs for Parks Dept.	9.25	
US Treasury	2 <sup>nd</sup> Quarter Federal Excise Tax	65.49	
Vantage Point Trust 401 Employee	Pension to 07/07/09	2,318.62	*C
Vantage Point Trust 401 Police	Pension to 07/07/09	1,211.12	*C
Western Communications	Siren Maintenance	110.00	
WFI	Televise Sewer Lines	1,160.00	
WPCI	Random Drug Testing	148.50	
Xerox	Copier Lease/Copies	736.75	
	<b>TOTAL</b>	<b>491,960.20</b>	

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.

#### 5) Monthly Reports

The monthly Water Report was distributed.

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.

Mark Hutton, Airport FBO/Operations Supervisor, was unable to be in attendance so Public Works Director, Milo Rust updated the Council on Airport activities.

Colette Fernandez, Executive Director, Chamber of Commerce, gave a report and update.

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

#### RESOLUTION NO. 2009-57

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

1. The Council being fully advised, recommends that the Manager Application of Thomas P. Buchanan, Jr. in connection with the Class B-22504 Liquor License for Moyle Petroleum dba Common Cents Food Store, located at 301 Main Street, Chadron, Dawes County, Nebraska, be approved.

2. The City Clerk is hereby directed to send a copy of this Resolution by first class mail prepaid to the Nebraska Liquor Control 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 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 20<sup>th</sup> day of July, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

Terry Rajewich, Nebraska Public Power District, gave a presentation of NPPD's Time of Use Pilot Program.

Jerrod Haberman, Director, Panhandle Area Development District (PADD) gave a report on the goals and focus of PADD, and the benefits our area receives.

Gretchen Lotspeich of Ponderosa Search & Rescue Team informed the Council of recent legislation requiring a pet evacuation plan in the event of a disaster.

Rossella Tesch, Library Director, gave a presentation of the Library Space Needs Report.

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

RESOLUTION NO. 2009-58

WHEREAS, JEDI Enterprises, Ltd. dba Over Draft Lounge, License #C-66944, Chadron, NE 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 Saturday, August 1, 2009 and 1:00 A.M. the next day, at the Chadron Arts Center, in an area which is 40' x 60' and located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to JEDI Enterprises dba Over Draft Lounge, Chadron, NE 69337, between the hours of 5:00 o'clock P.M. on Saturday, August 1, 2009 and 1:00 A.M. the next day, at the Chadron Arts Center, in an area which is 40' x 60' and located at 371 King Street, Chadron, Nebraska, for a wedding reception and dance, 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 Grantham 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 20<sup>th</sup> day of July, 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. 2009-59

The Mayor and Council hereby finds and determines that it is in the best interest of the City to enter into a certain agreement with the State of Nebraska Department of Roads, which agreement provides for partial funding of the Chadron Public Transportation System, under terms and conditions set out in said agreement.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF

CHADRON, NEBRASKA:

That the Mayor of the City of Chadron, Nebraska, is hereby authorized and directed to execute a certain agreement providing for partial funding of the Chadron Public Transportation System, Project No. RPT-M232 (209) for Fiscal Year 2009-2010, from July 1, 2009 to June 30, 2010, as set forth fully in the agreement presented to the City Council, and filed in the office of the City Clerk.

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 20<sup>th</sup> day of July, 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. 2009-60

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

1. The City Council, having reviewed an Application for Federal Assistance for a planning grant to reimburse the City of Chadron for the update the Airport Layout Plan (ALP) for the Chadron Municipal Airport, with the federal share for the total project to be an estimated \$184,300.00, and the City's total estimated share to be \$9,700.00, for a total estimated project cost of \$194,000.00, does hereby adopt and approve such application.

2. The Mayor is hereby authorized and directed to execute the Application for Federal Assistance, the Sponsor Certification for Drug-Free Workplace, and the Sponsor Certification for Consultant Selection on behalf of the City of Chadron.

The foregoing Resolution having been read, Councilmember Grantham 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 20<sup>th</sup> day of July, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

Police Chief Tim Lordino reported on several projects the department has in process.

City Manager Sandy Powell commented on the budget book, which had been distributed by the Finance Officer; the Wastewater Treatment Facility and Economic Development. She also reminded the Council of the special budget session at 5 p.m. on Monday, July 27, 2009. She commended George Ledbetter for his recent award and announced that Brenda Johnson has resigned from Nebraska Northwest Development Corporation. Applications are being taken to fill her position. Powell reported on a recent leadership workshop she attended and offered to work on technology of long term goals.

Councilmember Gamby reminded everyone of the third anniversary of the Dawes County Complex fires and made a motion to extend a vote of confidence for the fire department for all they do and the hours they dedicate. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. Voting Nay: None. Motion carried.

Councilmember Harvey moved to adjourn into executive session at 6:14 p.m. for the purpose of



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City Clerk

(SEAL)