

## CITY COUNCIL MEETING

NO. 2009-18

AUGUST 3, 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 3<sup>rd</sup> day of August, 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 Grantham moved to approve the agenda as written and distributed. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. 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. 2009-16, July 20, 2009 and Special City Council Meeting No. 2009-17, July 27, 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

Alltel	Internet Phone Service	304.27	
Arrow Building Center	Supplies/Parts	508.59	
AS Central Finance	Long Distance Service/Network Comm.	477.53	
Assurant	Fire Dept. Insurance	101.20	
Baker & Associates	Wastewater Facility Plant Planning	25,163.11	
Barber, Jesse	Utility Refund	60.00	
Bauerkempers	Repairs for Parks Dept.	37.56	
Birnbaum, Terry	Clothing Reimbursement	27.13	
Black Hills Mobile Extinguisher	Reconditioned Extinguishers at Airport	100.00	
Blaine Enterprises	Water Sample Shipping	95.38	
Bluffs Sanitary Supply	Pool Supplies	554.00	
Cal-Pacific Products	Wrenches for Water Dept.	150.34	
Calibre Press	Street Survival Seminar for Police Dept.	172.00	
Casselman, Dawna	Utility Refund	38.91	
Century Business Product	Library Copier Lease	59.50	
Chadron, City of	Annual Dept. Water Bill	8,907.00	
Chadron, City of	Electronic Withdrawal for 7/21/09 Payroll	25,705.19	*C/E
Chadron, City of	FICA through 7/21/09	5,195.34	*F
Chadron, City of	Payroll through 7/21/09	44,153.63	*C
Chadron, City of	Petty Cash Reimbursement	47.00	
Chadron, City of	Utility Refunds	373.74	
Chadron, City of	08/09 Side Fund	18,075.86	*
Chadron Community Hospital	LB840 Funds Distribution	62,952.38	
Chadron Plumbing	Repair at Fire Hall	62.10	
Chadron Record	City Hall Subscription	52.50	
Chadron Volunteer Fire Dept.	2009 Emergency Response Vehicle	30,000.00	*
Chadron Wholesale	Supplies for City Hall/Pool	63.86	

Contractors Materials	Caution Tape for Street Dept.	108.00	
Eagle Chevrolet	Vehicle Repair for Police Dept.	28.79	
Express Auto Salvage	Used Windshield for Parks Dept.	17.50	
Farm Plan	Supplies/Repairs	273.78	*
Feld Equipment	Supplies for Fire Dept.	367.00	
First National Bank Omaha	Travel Expense/Supplies	1,404.69	
First National Financial Services	Insurance for Airport Car/WW Builders	1,891.00	
Francotyp-Postalia	Quarterly Postage Meter Fee	80.85	*
French, Kim	Utility Refund	57.82	
GMC of Chadron	Rescue Unit Repair	181.13	
Grimms Pump & Industrial	Gear Box for Airport Fuel Farm	1,842.40	
Guardian	08/09 Dental Premium	333.32	*
Hach	Universal Controller for Water Dept.	1,455.23	
Hansen, Maruta	07/16-07/29/09 Janitorial Services	200.00	
Hencey Plumbing & Hydronics	Repair Kit/Breaker for Pool	132.00	
Henkens Equipment	Parts for Parks/Water Dept.	25.39	
Hills Tire & Supply	Tire Repair for Street Dept.	47.95	
HR Direct	Employment Applications	102.07	
Huntington Promotion	Black Gloves for Police Department	297.40	
ICMA Retirement Corp.	Employer Contribution for Brinker/Opp	97.20	*
Ideal Linen	Janitorial Supplies	156.37	
Lawson Products	Supplies for Water Dept.	350.48	
Lecher, Chris	Utility Refund	33.29	
Lifespan Wellness Team	Outdoor Fitness Equipment	5,375.00	
Mansfield Enterprises	Boiler Repair at Pool/Airport AC	391.60	
Mathis, Randy	Rebuild Pillar at Finnegan Park	1,400.00	
Melton, John A.	Repair for Leaf Blower for Parks Dept.	30.00	
Mercantile	Repairs for Fire Dept.	343.92	
Nebraska Dept. Of Economic Dev.	Your Selling Team Payment	2,976.19	
Nebraska Public Power District	7/09 Electric Service	6,065.09	
Nebraska Public Power District	Damage Claims (Light Pole Repair)	1,937.97	
Norm's Carquest	Supplies/Parts	1,647.70	

Northwest Pipe Fittings	Supplies for Parks Dept.	342.22	
Outlaw Printers	Envelopes for City Hall	122.50	
Panhandle Veterinary Clinic	07/09 Animal Boarding	310.00	
Pavelka, Lynn	Rebuild Pillar at Finnegan Park	1,400.00	
Pests Go	Tree Spraying for Parks Dept.	250.00	
Philby, Ronni	Reimburse Garden Plot Payment	10.00	
Power House	Mower Parts for Water Dept.	225.36	
Quality Tire	Tires/Tire Repair for Parks Dept.	595.00	
Qwest	Phone Service	802.74	*
Qwest	Phone Service for Police Dept.	215.96	
Regional Care	08/09 Employee Health Ben./Select Flex	12,420.59	*
Ricks Foreign Car Service	Parts for City Hall Vehicle	378.83	
Roberts, Audrey	Utility Refund	16.82	
Roberts Electric	Repairs at Softball Field	106.75	
Robinson, Mark	Utility Refund	29.42	
Shell	6/10/09-7/12/09 Gas Charges	3,369.34	
Simon Contractors	Cold Mix for Street Dept.	966.40	
Sioux Plating Company	Step Bumper for Street Dept.	176.21	
Source Gas	07/09 Gas Service	1,507.11	*
Sturdevants	Parts/Repairs	94.52	
US Postmaster	Mail Increase in Utility Bills	16.93	*
US Postmaster	08/09 Utility Bills Postage	458.11	*
Van Deist Supply Company	Herbicides for Parks/Wastewater Dept.	4,141.55	
Vantage Point Trust 401 Employee	Pension to 07/21/09	2,300.86	*C
Vantage Point Trust 401 Police	Pension to 07/21/09	1,126.37	*C
Wal Mart	Supplies	434.44	
Wallace, Jarvis	Travel Reimbursement	10.35	
Westco	Unleaded Gas/Diesel	1,860.37	
Western Communications	Radio Maintenance for Police Dept.	222.00	
	<b>TOTAL</b>	<b>287,000.00</b>	

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.

#### 5) Monthly Reports

The monthly Treasurer's report for June 2009 was distributed.

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

Mayor Grantham proclaimed August 26, 2009, as Chadron State College Day for the "Up-Town on Campus" event. Laure Sinn was in attendance and accepted the proclamation.

Mayor Grantham presented certificates to convey greetings and appreciation to seven Korean young people who have been in Chadron and doing volunteer work in the City parks. They were also presented with City lapel pins.

Tina McLain was present and gave the annual report and update for the Chadron Community Recreation Program.

The Council considered Ordinance No. 1328 on its first reading:

AN ORDINANCE to establish the amount of certain fees and taxes charged by the City of Chadron for various services including but not limited to Building and Use, Zoning, Library, Occupation Licension, and Pet Licensing, Sewer and Drainage Systems and Facilities of the City for Residential Users and Commercial Users (Including Industrial Users) of the City of Chadron for the 2009-2010 Fiscal Year; 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 second reading of Ordinance No. 1328 will be on August 17, 2009.

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

#### RESOLUTION NO. 2009-61

WHEREAS, the City of Chadron is committed to attracting and retaining skilled city employees by offering wages comparable with certain other communities as directed by the Commission of Industrial Relations (CIR); and

WHEREAS, the City of Chadron understands that a salary schedule must be flexible enough to promote professional growth and to encourage longevity; and

WHEREAS, the City of Chadron must also be fair to all employees while remaining fiscally responsible to the taxpayers of Chadron; and

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

- 1.The City of Chadron hereby adopts the 2009-10 Chadron Salary Schedule attached as Exhibit A.
- 2.This Resolution shall be effective October 1, 2009.

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 Councilmembers voted Aye: Gamby, Chizek, Duncan, Grantham. The following voted Nay: Harvey. 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 3rd day of August, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

**Exhibit A**

<b>Proposed 2009-10 Chadron Salary Schedule</b>			

	<b>Proposed</b>	<b>Proposed</b>	<b>Proposed</b>
<b>Position</b>	<b>Hiring Rate</b>	<b>“Regular”/Min</b>	<b>Maximum</b>
Mayor		\$1,500 yearly	
Council		\$1,200 yearly	
City Manager	contract	position	\$37.13 39.13
City Clerk	<del>\$18.11</del> 21.00	<del>\$18.65</del> 21.63	<del>\$26.11</del> 30.28
Finance Officer	<del>\$17.50</del> 20.00	<del>\$18.03</del> 20.60	<del>\$25.24</del> 28.84
Personnel Clerk	<del>\$14.00</del> 16.00	<del>\$14.42</del> 16.48	<del>\$20.19</del> 23.07
Utility Clerk	<del>\$10.50</del> 11.00	<del>\$10.82</del> 11.33	<del>\$15.14</del> 15.86
Accounts Clerk	<del>\$10.50</del> 11.00	<del>\$10.82</del> 11.33	<del>\$15.14</del> 15.86
Customer Service Clerk	<del>\$9.50</del> 10.00	<del>\$9.79</del> 10.30	<del>\$13.70</del> 14.42
Secretary	<del>\$8.90</del> 9.50	<del>\$9.17</del> 9.79	<del>\$12.83</del> 13.70
Police Chief	<del>\$22.00</del> 23.25	<del>\$22.66</del> 23.95	<del>\$31.72</del> 33.53
Lieutenant	<del>\$18.00</del> 19.50	<del>\$18.54</del> 20.09	<del>\$25.96</del> 28.12
Sergeant	<del>\$15.30</del> 16.50	<del>\$15.76</del> 17.00	<del>\$22.06</del> 23.79
Police Officer/Special Assignment	<del>\$13.00</del> 14.25	<del>\$13.39</del> 14.68	<del>\$18.75</del> 20.55
Police Officer	<del>\$13.00</del> 14.25	<del>\$13.39</del> 14.68	<del>\$18.75</del> 20.55
Records Supervisor	\$10.50	\$10.82	\$15.14
Animal Control/Code Enf Off	<del>\$10.50</del> 11.25	<del>\$10.82</del> 11.59	<del>\$15.14</del> 16.22
911 Supervisor	<del>\$12.50</del> 13.20	<del>\$12.88</del> 13.60	<del>\$18.02</del> 19.03
Dispatcher	<del>\$10.00</del> 11.00	<del>\$10.30</del> 11.33	<del>\$14.42</del> 15.86
Dispatcher (pt)	<del>\$10.00</del> 11.00	<del>\$10.30</del> 11.33	<del>\$14.42</del> 15.86
Handibus Driver (pt)	<del>\$8.25</del> 9.00	<del>\$8.50</del> 9.27	<del>\$11.90</del> 12.98
Public Works Director	<del>\$20.75</del> 21.75	<del>\$21.37</del> 22.40	<del>\$29.92</del> 31.36
Utility Foreman	<del>\$18.75</del> 19.75	<del>\$19.31</del> 20.34	<del>\$27.04</del> 28.48
Street Foreman	<del>\$18.00</del> 19.00	<del>\$18.54</del> 19.57	<del>\$25.96</del> 27.40
Master Mechanic	<del>\$13.00</del> 13.90	<del>\$13.39</del> 14.32	<del>\$18.75</del> 20.04
Park Foreman	<del>\$16.00</del> 17.00	<del>\$16.48</del> 17.51	<del>\$23.07</del> 24.51
Planning/Bldg Official	<del>\$15.00</del> 16.25	<del>\$15.45</del> 16.74	<del>\$21.63</del> 23.43
Water Operator	<del>\$11.25</del> 12.25	<del>\$11.59</del> 12.62	<del>\$16.22</del> 17.66
Sewer Operator	<del>\$11.25</del> 12.75	<del>\$11.59</del> 13.13	<del>\$16.22</del> 18.39
Maint/Equip Operator (Park)	<del>\$10.25</del> 11.25	<del>\$10.56</del> 11.59	<del>\$14.78</del> 16.22
Maint/Equip Operator (Street)	<del>\$10.50</del> 11.50	<del>\$10.82</del> 11.85	<del>\$15.14</del> 16.58
Meter Reader	<del>\$9.50</del> 10.00	<del>\$9.79</del> 10.30	<del>\$13.70</del> 14.42
Library Director	<del>\$15.01</del> 16.00	<del>\$15.46</del> 16.48	<del>\$21.64</del> 23.07
Library Technical Services	<del>\$10.87</del> 10.96	<del>\$11.20</del> 11.29	<del>\$15.67</del> 15.80
Child Librarian	<del>\$8.80</del> 9.25	<del>\$9.06</del> 9.53	<del>\$12.69</del> 13.34
Pool Manager	\$9.50	\$9.79	\$13.70

Pool Manager w/out licenses	\$9.00	\$9.27	\$12.98
Asst. Pool Manager	\$8.75	\$9.01	\$12.62
Lifeguard/WSI	<del>\$7.00</del> 7.50	<del>\$7.21</del> 7.73	<del>\$10.09</del> 10.82
Lifeguard	<del>\$6.75</del> 7.25	<del>\$6.95</del> 7.47	<del>\$9.73</del> 10.45
Seasonal Workers	<del>\$7.00</del> 7.25	<del>\$7.21</del> 7.47	<del>\$10.09</del> 10.45
Library Part-time	<del>\$7.00</del> 7.25	<del>\$7.21</del> 7.47	<del>\$10.09</del> 10.45
Police Officer Contract	<del>\$12.50</del> 13.00	<del>\$12.88</del> 13.39	<del>\$18.03</del> 18.75

The Council considered Ordinance No. 1329 on its first reading:

AN ORDINANCE to adopt the 2009-2010 budget statement to be termed the Annual Appropriations Bill; to appropriate sums for necessary expenses and liabilities; 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 second reading of Ordinance No. 1329 will be on August 17, 2009.

George Klein was in attendance and presented the City a letter regarding the annual audit option for the fiscal year ending September 30, 2009. Councilmember Harvey moved to accept the audit proposal as submitted by George Klein. Seconded by Councilmember Chizek with the following Councilmembers voting Aye: Gamby, Chizek, Harvey, Duncan, Grantham. Voting Nay: None. Motion carried.

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

RESOLUTION NO. 2009-62

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

1. Progress Estimate No. 4 filed with the Clerk by the Special Engineer of the City, showing the amount of material furnished and work performed in the City under contract heretofore let for the construction of improvements in the Chadron Wastewater Treatment Facility Project; and the statements of the Special Engineer and others set out below are hereby approved; and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claims therefore are hereby allowed as follows:

FISCHER CONSTRUCTION, INC.

Total Estimated Quantity Contract

	Amount
	\$4,092,313.00
Net Change by Change Orders	(\$7,800.00)
Contract Sum to Date	\$4,084,513.00
Total Value of Work & Materials	\$1,567,495.00
Less Amount Paid (Previous Estimates)	\$709,239.60
	Less Retainage (10%)
	\$156,749.50
Total Claim	\$701,505.90

2. That Fischer Construction be paid the sum of \$701,505.90 for materials furnished and work performed in the Chadron Wastewater Treatment Facility Project.

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: Gamby, Chizek, Harvey, Duncan, Grantham. 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 3<sup>rd</sup> day of August, 2009.

CITY OF CHADRON

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(S E A L)

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

RESOLUTION NO. 2009-63

WHEREAS: Fischer Construction, Inc. has presented Change Order No. 2, dated July 24, 2009, which supplements the contract for the Wastewater Treatment Facility Project to provide for a decrease in costs related to the following:

(1) VFD Duplication	(\$31,740.00)
(2) Control Conduit	459.00
(3) 6" Pavement	1,866.00
(4) Overhead Door Operators	(3,300.00)
(5) Telephone Cable/Conduit	440.00
Total Change Order No. 2	(\$32,275.00)

\* \* \* \* \*

Original Base Bid Amount	\$4,075,525.00
Plus Alternate Item J-4	\$16,788.00
Total Original Contract Amount	\$4,092,313.00
Net Change by Previous Change Orders (DECREASE)	(7,800.00)
Contract Sum to Date	4,084,513.00
Amount this Change Order (DECREASE)	<u>(\$32,275.00)</u>
Revised Contract Amount	\$4,052,238.00

WHEREAS: The Council finds that said Change Order should be approved.

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

Change Order No. 2, dated July 24, 2009 presented by Fischer Construction, Inc., resulting in a decreased adjustment in the contract price in the total amount of \$32,275.00 for the Wastewater Treatment Facility Project is hereby approved.

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: Gamby, Chizek, Harvey,

Duncan, Grantham. 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 3<sup>rd</sup> day of August, 2009.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

Public Works Director Milo Rust reported on the Airport Fuel Farm and indicated that all problems have hopefully been solved.

City Manager Sandy Powell reported that interviews will be taking place to fill the position of Executive Director of Nebraska Northwest Development Corporation. She also told of Senator Louden's meeting in Bridgeport and reminded citizens to be aware of heavy motorcycle traffic in the area during the Sturgis Rally.

Councilmember Gamby added that many motorcyclists stop at the state line to either remove or put on helmets, so this area can be heavily congested at times.

Mayor Grantham commended the recent editorial by Jim Dickey which encourages the community to clean up and fix up for the 125<sup>th</sup> celebration in 2010.

Councilmember Gamby moved to adjourn the meeting at 5:36 o'clock p.m. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

CITY OF CHADRON

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Mayor

ATTEST:

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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 August 3, 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)