

## CITY COUNCIL MEETING

NO. 2009-19

AUGUST 17, 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 17<sup>th</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 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. 2009-18, August 3, 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

|                                 |  |           |      |
|---------------------------------|--|-----------|------|
| ABC Electric                    | Repair Door at Street Shop/Bulbs for Library | 148.42    |      |
| Andersons                       | Uniforms for Street Dept./Fry                | 38.97     |      |
| Arrow Building Center           | Water/Fire Dept. Supplies                    | 1,563.41  |      |
| Audio Editions                  | Library Materials                            | 697.82    |      |
| Baker & Taylor                  | Library Materials                            | 815.12    |      |
| Barco                           | Parks Dept. Repairs                          | 204.50    |      |
| Bauerkempers                    | Trimmers/Parts for Parks Dept.               | 644.58    |      |
| Black Hills Weekly              | 07/09 Ads                                    | 860.80    |      |
| Blaine Enterprises              | Water Sample Shipping                        | 90.80     |      |
| Brenntag Pacific                | Tack Oil for Street Dept.                    | 1,626.60  |      |
| Business Connection             | Ink Cartridge for Library                    | 70.47     |      |
| Chadron Chamber of Commerce     | 4 <sup>th</sup> Quarter Payment              | 1,500.00  |      |
| Chadron, City of                | Electronic Withdrawal for 08/04/09 Payroll   | 25,041.71 | *C/E |
| Chadron, City of                | FICA through 08/04/09                        | 5,043.99  | *F   |
| Chadron, City of                | Payroll through 08/04/09                     | 42,897.67 | *C   |
| Chadron Community Recreation    | 4 <sup>th</sup> Quarter Payment              | 750.00    |      |
| Chadron Concrete                | Concrete Block for Library                   | 273.50    |      |
| Chadron Home Center             | Supplies                                     | 185.22    |      |
| Chadron Housing Authority       | 4 <sup>th</sup> Quarter Payment              | 750.00    |      |
| Chadron Lumber Company          | Tape for Street Shop                         | 21.99     |      |
| Chadron Rotary                  | Quarterly Dues/Powell                        | 114.50    |      |
| Chadron Wholesale               | Supplies for Pool                            | 28.68     |      |
| Contractors Materials           | Plastic Cylinder/Drill Bit for Street Shop   | 165.50    |      |
| Culligan                        | Bottled Water for Airport                    | 109.75    |      |
| Davis Instruments               | Chart Paper for Water Dept.                  | 79.44     |      |
| Dawes County Historical Society | LB840 Historical Marker                      | 1,500.00  |      |
| Diamond Vogel                   | Paint for Street Shop                        | 140.45    |      |

|                                   |  |            |    |
|-----------------------------------|--|------------|----|
| Edmund, Adam                      | 07/09 Legal Services                     | 3,426.00   |    |
| Fischer Construction              | Wastewater Treatment Facility Payment #4 | 701,505.90 | *R |
| Fry, Joe                          | CDL License Reimb. (Dawes County)        | 31.00      |    |
| Gale                              | Library Materials                        | 163.59     |    |
| Great Plains Communications       | Internet Services                        | 89.90      |    |
| Great Plains One Call Service     | Locate Requests                          | 54.00      |    |
| Grimms Pump & Industrial          | Repairs for Fuel Farm/Street Dept.       | 222.47     |    |
| Hansen, Maruta                    | 07/30-08/12/09 Janitorial Services       | 200.00     |    |
| Hawkins                           | Chlorine for Water Dept.                 | 837.50     |    |
| Hencey Plumbing                   | Repairs for Restroom at Police Dept.     | 30.00      |    |
| Hourt's Body Shop                 | Repair Radiator Tube for Parks Dept.     | 50.00      |    |
| Hutton, Mark                      | 08/09 Operations Contract                | 3,399.00   | C  |
| Ideal Linen                       | Janitorial Supplies                      | 321.15     |    |
| Ingram                            | Library Materials                        | 1,592.95   |    |
| Janssen, Jacob                    | CDL License Reimb. (Sheridan County)     | 32.00      |    |
| Keep Chadron Beautiful            | 4 <sup>th</sup> Quarter Payment          | 1,000.00   |    |
| Knapp Consulting Associates       | Landfill Well Dev./Sample Collection     | 6,250.00   |    |
| KONE                              | Library Elevator Repair                  | 321.05     |    |
| Kriz Davis Company                | Repairs for Water Dept.                  | 508.26     |    |
| League of Nebraska Municipalities | Utilities Section Membership Dues        | 1,154.00   |    |
| Levi's Auto & Metal               | Vehicle Repair for Police Dept.          | 50.00      |    |
| Linweld                           | Argon Cylinders for Street Dept.         | 15.25      |    |
| Lordino, Tim                      | Travel Reimbursement                     | 7.56       |    |
| Lordino, Tim                      | Auto Allowance                           | 400.00     |    |
| MES-Midam                         | Fire Department Supplies                 | 485.91     |    |
| Metal Products                    | Air Conditioner Repair at Library        | 55.00      |    |
| Mobius                            | Airport Internet                         | 18.99      |    |
| Museum of the Fur Trade           | Library Materials                        | 390.28     |    |
| NE Volunteer Firefighters Assn.   | Fire Department Dues                     | 570.00     | *  |
| Nebraska Liquor Control           | 2009 Law Book                            | 12.00      |    |
| Nebraska Public Health Laboratory | Water Testing                            | 104.00     |    |
| Nebraska Public Power District    | 7/09 Electric Service                    | 4,420.23   |    |

|                                  |                                       |                   |    |
|----------------------------------|---------------------------------------|-------------------|----|
| Nebraska Rural Water Assn.       | Membership Renewal/Menke/Rust         | 275.00            | *  |
| Norm's Carquest                  | Parts for Fire Dept.                  | 4.76              |    |
| Northwest Pipe Fittings          | Supplies for Water Dept.              | 2,148.56          |    |
| Northwest Rural Public Power     | Rural Electric Service                | 12,151.22         |    |
| Oriental Trading                 | Library Supplies                      | 93.00             |    |
| Panhandle Library System         | Annual Library Meeting Lunches & Fees | 24.00             |    |
| Penworthy                        | Library Materials                     | 425.98            |    |
| Pests Go                         | Tree Spraying for Parks Dept.         | 440.00            |    |
| Peterson Locksmith               | Locks & Keys for Library              | 50.00             |    |
| Police Chiefs Assn. Of Nebraska  | 2009 Membership Dues/Lordino          | 50.00             |    |
| Quality Tire                     | Tire Repair for Police Dept.          | 15.00             |    |
| Quill                            | Office Supplies for City Hall         | 392.05            |    |
| Qwest                            | Phone Service                         | 244.68            |    |
| Ron's Repair                     | Parts for Street Dept.                | 22.85             |    |
| RSVP                             | 4 <sup>th</sup> Quarter Payment       | 1,000.00          |    |
| Sandhills Computer               | Internet for Street Dept.             | 29.00             |    |
| Star Herald                      | Police Officer Ads                    | 376.06            |    |
| SWANN                            | 07/09 Collections                     | 60,914.45         | *T |
| 3M                               | Parts for Street Dept.                | 1,916.20          |    |
| Treat America Dining             | Police Training Meal Charge/Hughes    | 6.57              |    |
| TTG Enterprises                  | Install Door Security at Well Field   | 2,500.00          |    |
| Vantage Point Trust 401 Employee | Pension to 08/04/09                   | 2,256.63          | *C |
| Vantage Point Trust 401 Police   | Pension to 08/04/09                   | 1,125.81          | *C |
| Viewu                            | Video Cameras for Police Dept.        | 1,406.70          |    |
| Wahlstrom Ford                   | Towing Charge                         | 70.50             |    |
| Western Communications           | Siren Maintenance                     | 110.00            |    |
| WPCI                             | Random Drug Testing                   | 198.00            |    |
|                                  | <b>TOTAL</b>                          | <b>901,328.90</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 for July 2009 was distributed.

#### 6) Fire Department Membership Update

An updated membership list for the Chadron Volunteer Fire Department was presented.

7) A resignation letter was received from Russ Harford who had been serving on the Planning Commission.

Councilmember Duncan 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.

Mark Hutton, Airport FBO/Operations Supervisor, gave a report and update of activities at the Chadron Municipal Airport

Colette Fernandez, Executive Director, Chamber of Commerce, reported on Chamber activities.

The Council considered Ordinance No. 1330 on its first reading:

AN ORDINANCE to adopt amendments to the 2006 International Property Maintenance Code; 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. 1330 will be on September 8, 2009.

The Council considered Ordinance No. 1331 on its first reading:

AN ORDINANCE to amend Chapter 8 "Health and Sanitation" of the Municipal Code to repeal Subsection (b) Buildings and Structures of Article 4 Nuisance to Public Health, Welfare or Safety; 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. 1331 will be on September 8, 2009.

The Council considered Ordinance No. 1332 on its first reading:

AN ORDINANCE to amend Chapter 4 “City Planning – Zoning” of the Municipal Code to provide for the Property Maintenance Code to be applied and extended to the unincorporated area two-miles beyond the corporate limits, with exceptions; 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. 1332 will be on September 8, 2009.

The Council considered Ordinance No. 1328 on its second 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 third and final reading of Ordinance No. 1328 will be on September 8, 2009.

The time being 5:30 p.m., Mayor Grantham opened the public hearing for the Annual Budget for Fiscal Year 2009-2010. Finance Officer Melany Hughes commented on the budgeting process. Councilmembers Gamby and Harvey and City Manager Sandy Powell also made statements. Mayor Grantham closed the public hearing at 5:34 p.m.

The Council considered Ordinance No. 1329 on its second 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 third and final reading of Ordinance No. 1329 will be on September 8, 2009.

Forrest Maxwell of Neuman Equipment and Fred Stipkovits of Garsite, Inc., were present and addressed the Council regarding retainage for the Airport Fuel System Project for the Chadron

Municipal Airport.

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

RESOLUTION NO. 2009-64

WHEREAS, Maria Wheeler Groves dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License #40364 I/K, Chadron, NE, 69337, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council finds that a 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 4:00 o'clock P.M. on Saturday, September 19, 2009 and 1:00 o'clock A.M. the following morning, September 20, 2009, at the Chadron Arts Center, which building is 82 feet in length and 48 feet in width, located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Maria Wheeler Groves dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License #40364 I/K, Chadron, NE 69337, between the hours of 4:00 o'clock P.M. on Saturday, September 19, 2009, and 1:00 o'clock A.M. the following morning, September 20, 2009, at the Chadron Arts Center, which building is 82 feet in length by 48 feet in width, located at 371 King Street, Chadron, Nebraska for a wedding 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 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. 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 17<sup>th</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 updated the Council regarding post-storm clean-up, the 6<sup>th</sup> Street rebuilding project and the status of the wastewater treatment plant.

Zoning/Building Official Janet Johnson reported that the Property Maintenance Code will be on the City web site. She also reported on a recent training session she attended.

Chief of Police Tim Lordino reminded all that school is starting and the light at the corner of 6<sup>th</sup> and Main is reactivated. The golf tournament benefitting the Boys & Girls Club will be the upcoming weekend.

City Manager Sandy Powell reported that she had attended a meeting with Senator Loudon regarding the highway building program. She also commented on PADD fees, the Heartland Expressway, the reception for Russ Harford and the Youth Council.

Councilmember Duncan commented on the Youth Council, Problem Resolution Team and calls he has received regarding stray cats.

Councilmember Chizek complemented those involved with the Boys & Girls Club.

Councilmember Gamby welcomed all the returning CSC students.

Councilmember Harvey moved to adjourn the meeting at 6:03 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

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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 August 17, 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)