

CITY COUNCIL MEETING

NO. 2009-25

NOVEMBER 16, 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 16th day of November, 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, 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: Harvey, Duncan, Grantham, Gamby, Chizek. 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. 2009-24, November 2, 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	Light Repair for Street Dept.	25.00	
Anderson, Beth	Refund Utility Credit Balance	16.36	
Apria Health Care	Oxygen Cylinders	25.00	
Arrow Building Center	Supplies for Various Depts.	648.91	
Baker & Taylor	Library Materials	244.38	
Behrends, Joni	Refund Dental Insurance Premium	28.85	*
Bellu, Annette	Refund Dental Insurance Premium	28.85	*
Birnbaum, Terry	Refund Dental Insurance Premium	28.85	*
Black Hills Extinguisher	Fire Extinguisher Inspections	730.73	
Black Hills Weekly	10/09 Ads	740.36	
Bollin, Cody	Refund Dental Insurance Premium	28.85	*
Brownlow, Tyrel	Refund Dental Insurance Premium	7.25	*
CCP Industries	Supplies for Street Dept.	124.79	
Century Business Products	Library Copier Lease	59.50	
Certified Power Inc. Companies	Parts for Street Dept.	194.55	
Certified Power Inc. Companies	Parts for Street Dept.	194.55	
CH Diagnostic Consulting Service	Water Testing	775.00	
Chadron Chamber of Commerce	1st Quarter Payment	1,500.00	
Chadron, City of	11/10/09 Electronic Withdrawal	31,678.65	*C/E
Chadron, City of	11/09 Employee Health Benefits	24,434.28	*
Chadron, City of	FICA through 11/10/09	5,078.10	*F
Chadron, City of	Payroll through 11/10/09	36,385.97	*C
Chadron Community Hospital	Flu Shots for Fire Dept.	309.52	
Chadron Community Recreation	1st Quarter Payment	750.00	
Chadron Glass	Windshield for Police Vehicle	275.00	
Chadron Home Center	Supplies for Various Depts.	332.68	
Chadron Housing Authority	1st Quarter Payment	750.00	
Chadron Medical Clinic	Exams for Handi Bus Drivers	441.00	
Chadron Plumbing	Fix Sink at Police Dept.	60.00	
Chadron Rotary	Quarterly Dues/Powell	114.50	
Chadron State College	Justice Studies Conference PD	75.00	
Chrisman, Aron	Refund Dental Insurance Premium	7.25	*
Culligan	Bottled Water for Airport	88.25	
Demco	Library Office Supplies	1,400.78	

Eagle Chevrolet	Vehicle Repair Police/Street Dept.	80.41	
Edmund, Adam	10/09 Legal Services	3,456.20	
Fire Chief Magazine	Subscription for Fire Dept.	68.00	
Frederick, Michael	Library Materials	25.00	
Fry, Joe	Refund Dental Insurance Premium	28.85	*
Fuchser, John	Refund Dental Insurance Premium	7.25	*
Gale	Library Materials	140.22	
Galls	Uniforms for Police Dept.	226.36	
Great Plains Communications	Internet Service	97.40	
Great Plains One Call Service	Locate Requests	40.87	
Hach	Chlorine/Supplies for Water Dept.	465.52	
Hampton Inn of Kearney	Water Conference/M. Rust-Menke	461.70	
Hansen, Josh	Refund Dental Insurance Premium	7.25	*
Hansen, Maruta	10/29-11/10/09 Janitorial Services	180.00	
Hawkins	Chlorine for Water Dept.	875.50	
Henkens Equipment	Repairs for Street Dept.	82.09	
Hills Tire & Supply	Tire Repair	273.90	
Horwath Laundry Equipment	Parts for Fire Dept.	86.35	
Houston Equipment	Supplies for Street Dept.	20.40	
Hughes, Chris	Refund Dental Insurance Premium	7.25	*
Hutton, Mark	11/09 Operations Contract	3,399.00	
Ideal Linen	Janitorial Supplies Various Depts.	281.74	
Ingram	Library Materials	548.07	
Inventory Trading Company	Shirts for Communications Dept.	361.73	
J & A Handy	Materials for Library Crafts	52.80	
JA Traffic Products	Sign Posts for Street Dept.	673.25	
Janssen, Jake	Clothing Allowance Reimb	135.00	
Keep Chadron Beautiful	1st Quarter Payment	1,000.00	
Lawrence, Edie	Refund Dental Insurance Premium	7.25	*
Levi's Auto & Metal	Tire for Street Dept.	25.00	
Linweld	Argon Cylinders	16.30	
Lordino, Tim	Refund Dental Insurance Premium	28.85	*
Loutzenhiser, Mike	Refund Dental Insurance Premium	28.85	*
Mathis, Lynn	Refund Dental Insurance Premium	7.25	*
Menke, Tom	CDL Reimbursement	32.44	
Metal Products	Service/Repair of Library Furnace	97.55	
Micro Marketing	Library Materials	35.99	
Mid American Specialties	Library Office Supplies	113.49	

Midwest Mailing	Annual Maintenance for Postage Machine	480.00	
Mobius	Airport Internet	18.99	
Municipal Supply	Repairs/Software Agreement	1,805.96	
NE Arborists Assn.	2010 Membership Dues/Schremmer	125.00	
Nebraska NW Dev. Corp.	1st Quarter Payment	7,500.00	
Nebraska Public Power District	10/09 Electric Service	7,872.90	
Nebraskaland Tire	Tire Repair for Street Dept.	80.35	
Norms	Supplies/Repairs Various Depts.	327.29	
Northwest Pipe Fittings	Repairs for Parks Dept.	351.13	
Northwest Rural Public Power	Rural Electric Service	57.33	
Omaha World Herald	Library Subscription	62.14	
Outlaw Printers	125th Anniversary Seals	118.64	
Panhandle Veterinary Clinic	October Animal Boarding	305.00	
Parrott & Sons	W2/1099 Forms-Utility Bills	1,511.79	
Penworthy	Library Materials	133.72	
Powell, Sandra	Refund Dental Insurance Premium	28.85	*
Quality Tire	Tire Repair for Various Depts.	150.00	
Quill	Office Supplies for City Hall	79.51	
Qwest	Phone Service for Various Depts.	460.54	
Regional Care	11/09 Select Flex/Emp. Benefits	11,713.70	*
Respond First Aid Systems	First Aid Supplies	25.92	
Roberts Electric	UPS Charges Water Sample Ship	145.43	*
RSVP	1st Quarter Payment	1,000.00	
Sandhills Computer	Internet for Street Dept.	29.00	
Schremmer, Scott	Clothing Allowance Reimb	36.02	
Service Master	Carpet Cleaning at Airport	135.00	
Showcases	DVD Cases for Library	25.60	
Source Gas	Gas Service for Library.	160.09	
Sturdevants	Supplies/Parts for Various Depts.	381.78	
SWANN	10/09 Collections	56,983.10	*
Taste of Home	Library Subscription	29.98	
Todd, Michael & Company	Parts for Street Dept.	673.82	
Vantage Point Trust 401 Employee	Pension to 11/10/09	2,431.41	*C
Vantage Point Trust 401 Police	Pension to 11/10/09	1,273.38	*C
Verizon	Phone Service for Various Depts.	287.06	*
Wahlstrom Ford	Vehicle Repairs for Police Dept.	477.81	

Westco	Propane for Various Depts.	738.11
Western Communications	Mobile Antenna for Street Dept/Siren Maint. Radio Repair for Police Dept.	261.50
WPCI	Random Drug Testing	473.00
Xerox	Copier Lease	633.00
TOTAL		220,247.14

The foregoing schedule of claims is published in accordance with Nebraska Revised Statutes 19-1102.

4) Minutes for Boards and Commissions

The Minutes for the Planning Commission meeting held November 9, 2009 were distributed to the Council.

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

Mark Hutton, Airport FBO/Operations Supervisor was not able to be in attendance at the meeting, but his written report was distributed to the Council.

Colette Fernandez, Executive Director for the Chamber of Commerce, updated the Council on Chamber activities.

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

RESOLUTION NO. 2009-87

WHEREAS, the Planning Commission of the City of Chadron has reviewed the Final Plat of Lot 1, Block 1, Northeast 8th Addition, an Addition to the City of Chadron, in the Northeast Quarter of Section 17, Township 33 North, Range 48 West of the 6th P.M., Dawes County, Nebraska, executed by Ralph and Helen Strotheide, husband and wife, Chadron Sales Company, being the fee owners and proprietors of a tract of land located on the 300 Block of East Norfolk Avenue, at their meeting held on November 9, 2009, and has recommended approval of the same, and

WHEREAS, the City Council finds that the Final Plat of Final Plat of Lot 1, Block 1, Northeast 8th Addition, an Addition to the City of Chadron, in the Northeast Quarter of Section 17, Township 33 North, Range 48 West of the 6th P.M., Dawes County, Nebraska, executed by Ralph and Helen Strotheide, husband and wife, Chadron Sales Company, being the fee owners and proprietors

of a tract of land located on the 300 Block of East Norfolk Avenue, should be approved and accepted by the City Council of the City of Chadron, Dawes County, Nebraska, as presented and recommended by the Planning Commission.

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

That the Final Plat of Final Plat of Lot 1, Block 1, Northeast 8th Addition, an Addition to the City of Chadron, in the Northeast Quarter of Section 17, Township 33 North, Range 48 West of the 6th P.M., Dawes County, Nebraska, executed by Ralph and Helen Strotheide, husband and wife, Chadron Sales Company, being the fee owners and proprietors of a tract of land located on the 300 Block of East Norfolk Avenue, is hereby approved and accepted by the City of Chadron, and the Mayor and City Clerk are hereby authorized and directed to execute the same on behalf of the City of Chadron.

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: Harvey, Duncan, Grantham, Gamby, Chizek. 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 16th day of November, 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. 2009-88

WHEREAS, the Chadron Knights of Columbus, Council #1128, Chadron, NE, has applied for a Special Designated License from the Nebraska Liquor Control Commission, and the City Council find 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 5:30 o'clock P.M. and 12:00 Midnight on Saturday, December 12, 2009, inside the entire building of the Assumption Arena located at 355 Spruce Street, Chadron, NE, which building is 100 feet in length and 150 feet in width.

2. It is recommended that approval be granted for a Special Designated License to the Chadron Knights of Columbus, Council #1128, Chadron, NE, to conduct a cash bar for the Chadron Community Hospital employee Christmas party, between the hours of 5:30 o'clock P.M. and 12:00 Midnight on Saturday, December 12, 2009, inside the entire building of the Assumption Arena located at 355 Spruce Street, Chadron, NE, which building is 100 feet in length and 150 feet in width, 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 Councilmembers voted Aye: Harvey, Duncan, Grantham, Gamby, Chizek. 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 16th day of November, 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. 2009-89

WHEREAS, Angela's Eatery, 251 Main Street, 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 on Friday, December 11, 2009 between the hours of 6:00 o'clock P.M. and 11:00 o'clock P.M., at the National Guard Armory, located at 485 East 12th Street, Chadron, Nebraska.
2. It is recommended that approval be granted for a Special Designated License to Angela's Eatery, 251 Main Street, on Friday, December 11, 2009, between the hours of 6:00 o'clock P.M. and 11:00 o'clock P.M., at the National Guard Armory, in an area which is 150' x 150' and located at 485 East 12th Street, Chadron, Nebraska, for a Christmas Party, 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 Control 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 Councilmembers voted Aye: Harvey, Duncan, Grantham, Gamby, Chizek. 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 16th day of November, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Lynn Mathis presented the Chadron Community Video which was recently completed and is on the City's web site. The other Councilmembers also extended their congratulations.

Chief of Police Tim Lordino wished everyone a safe and happy Thanksgiving.

City Manager Sandy Powell reported on the H1N1 vaccination clinic to be held November 18, 2009, at the high school.

Councilmember Duncan congratulated the Chadron High School football team for their great season.

Councilmember Duncan moved to adjourn the meeting at 5:17 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Harvey, Duncan, Grantham, Gamby, Chizek. 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 November 16, 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)