

CITY COUNCIL MEETING

NO. 2010-02

JANUARY 18, 2010

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 18th day of January, 2010, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers John Chizek, and Steve Duncan, City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Adam Edmund, Police Chief Tim Lordino, Public Works Director Milo Rust, Finance Officer Melany Hughes, and Zoning/Building Official Janet Johnson. Absent: Councilmember Rob Harvey

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, Duncan, Grantham, Gamby. 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. 2010-01, January 4, 2010

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	Supplies for Fire Dept./Parks Dept.	275.85	
Baker & Taylor	Library Materials	1,165.15	
Bank of the West	Check Printing Fees for Dental Account	130.00	
Bauerkempers	Parts/Repairs for Parks/Street Depts.	54.57	
Bender, Mathew & Company	Criminal & Traffic Law Manual - Police	468.41	
Black Hills Mobile Extinguisher	Extinguisher/Brackets for Fire Dept.	50.00	
Black Hills Weekly	Chadron Record Subs./Monthly Ads	581.41	
Black Hills Weekly	Chadron Record Subs. For Library	36.00	
Bruns Coin Laundry	Cleaning Uniforms for Police Dept.	30.00	
Cakes & Etc.	Cookies for Snow Removal Meeting	28.80	
Central Parts Warehouse	Snow Plow Parts	136.24	
Century Business Products	Library Copier Lease	122.50	
Chadron, City of	1/5/10 Electronic Withdrawal	34,662.84	*C/E
Chadron, City of	FICA through 1/5/10	5,754.23	*F
Chadron, City of	Payroll through 1/5/10	43,387.99	*C
Chadron Community Hospital	LB840 Funds Distribution	66,884.54	
Chadron Home Center	Supplies/Repairs for Various Depts.	368.08	
Chadron Wholesale	Supplies for Police Dept./City Hall	131.58	
CIS Edaphic Controls	Radon Mitigation for City Hall Basement	4,000.00	
Creations of Heart Custom Sewing	Sewing/Alterations for Police Dept.	56.00	
Eagle Chevrolet	Vehicle Repair for Police Dept.	124.75	
Edmund, Adam	12/09 Legal Services	5,091.00	
EMC Insurance	Deductible Reimbursement/Loutzenhiser	112.70	
Factual Data-Midwest	ID Search	9.73	
First National Bank of Chadron	Safe Deposit Box Rent	20.00	
First National Bank NP	H.S.A. Employer Contribution	140.00	*
First National Financial Services	2nd Quarter Insurance Premiums	29,826.00	
Gale	Library Materials	70.11	
GMC of Chadron	Vehicle Repair for Parks Dept.	37.28	
Great Plains Communications	Internet Service	97.40	
Great Plains One Call Service	Locate Requests	16.45	

Hansen, Maruta	1/3-1/13/10 Janitorial Services	180.00	
Henkens Equipment	Repairs for Fire Dept.	8.78	
Houston Equipment Co.	Blades for Street Dept.	586.40	
Hutton, Mark	1/10 Operations Contract	3,399.00	
Ideal Linen	Janitorial Supplies for Various Depts.	273.78	
Indian Country Today	Library Yearly Subscription	36.00	
Ingram	Library Materials	460.25	
Library Store	Counter for Library	284.35	
Linweld	Argon Cylinders	16.30	
Littrel Construction	Snow Hauling for the City	870.00	
Manna Systems	Memory Upgrade for Police Dept.	108.05	
Metal Products	Heater Repair at Street Shop	35.00	
MicroMarketing	Library Materials	141.86	
Mobius	Airport Internet	18.99	*
Morfords Decorating Center	Carpet/Tile & Installation - Police Dept.	572.08	
Natl. Volunteer Fire Council	2010 Membership Renewal/Gould	30.00	
Nebraska Aviation Council	Aviation Symposium/Hutton	75.00	
Nebraska Library Commission	Library Promotional Materials	4.82	
Nebraska Public Power District	12/09 Electric Service for Various Depts.	5,416.80	*
Nebraska Public Power District	12/09 Electric Service for Various Depts.	3,047.48	
Nebraska Workforce Development	Unemployment Insurance/Opp	100.66	
Nebraskaland Tire	Tire Repair for Fire Dept.	98.34	
Norms Carquest	Supplies/Repairs for Various Depts.	1,254.44	
NRPPD	Rural Electric Service	12,668.18	
Olsson Associates	Professional Services	10,468.00	
Omaha World Herald	3 Month E-Edition Subscription	15.00	
Omaha World Herald	Yearly Subscription for Library	248.56	
Panhandle Collections	Collection for Past Due Accounts	118.17	
Panhandle Veterinary Clinic	11/09-12/09 Animal Boarding	600.00	
Paraclete Press	Library Materials	50.35	
Penworthy	Library Materials	102.95	
Peterson Locksmith	Change of Locks at Library	102.00	
Power House	Repairs for Parks Dept.	223.68	
Power Plan	Parts for Street Dept.	588.75	
Qwest	Phone Service for Wastewater Dept.	43.12	*
Qwest	Phone Service for Various Depts.	244.68	
Sandhills Computer	Internet Service for Street Dept.	29.00	

Showcases	Library Materials	175.60	
Star Herald	Library Subscription	133.00	
Sturdevants	Parts/Repairs for Various Depts.	156.73	
SWANN	12/09 Collections	57,652.46	*
United States Postal Service	Annual Fees for Presort Mailing	185.00	
United States Treasury	4th Quarter Federal Excise Tax	100.16	
Vantage Point Trust 401 Employee	Pension through 1/5/10	2,734.40	*C
Vantage Point Trust 401 Police	Pension through 1/5/10	1,559.94	*C
Wall Street Journal	Yearly Subscription	476.48	
Westco	Diesel for Various Depts.	3,484.21	*
Western Communications	Siren Maintenance for Police Dept.	110.00	
WGGA	Groundskeeper Conference/Schremmer	165.00	
WPCI	Random Drug Testing	248.00	
Xerox	Copier Lease/Copies for City Hall	644.76	
TOTAL		304,216.17	

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 Treasurer's Report and Water Report for December 2009 were distributed.

6) Park/Cemetery Superintendent Scott Schremmer presented the 2009 Annual Report for Greenwood Cemetery.

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

Water Superintendent Tom Menke introduced Torey Zuver, a new employee in the department. Police Chief Tim Lordino introduced part-time dispatcher Mark Cloyd.

Emily Klein, co-chairperson of the 2010 committee, updated the Council on celebration preparations. On display were several commemorative items which are being sold as a fund raiser.

Mark Hutton, Airport FBO/Operations Supervisor, was not in attendance and no report was available.

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

The time being 5:11 p.m., Mayor Grantham opened the Public Hearing to Consider Application for Erich Landen dba Landen Chiropractic, P.C., for Community Development Block Grant Reuse Funds. Melany Hughes, Finance Officer, explained the procedure for requesting funds and indicated that the Citizen Advisory Committee had approved up to \$45,000.00. Mayor Grantham closed the public hearing at 5:13 p.m.

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

RESOLUTION NO. 2010-01

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

1. The City Council having been advised that there is Community Development Block Grant Reuse Funds available for loans, and that Erich Landen dba Landen Chiropractic, P.C. has filed an application for a loan in the amount of 50% of the total borrowing costs; that further the Citizen Advisory Review Committee met and reviewed the Application and has recommended that the loan be approved in an amount not to exceed \$45,000.00, subject to terms and conditions between the First National Bank of Chadron and the City of Chadron, for a period of seven (7) years, and at prime rate which was 3.25% on December 11, 2009.

2. The City Council discussed the same and being fully advised in the premises does hereby approve the Loan Application for Community Development Block Grant Reuse Funds, as recommended by the Citizen Advisory Review Committee.

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, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: 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 18th day of January, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Deb Cottier, Executive Director, Nebraska Northwest Development Corporation (NNDC) gave a report and update of NNDC activities.

Scott Schremmer, Parks/Cemetery Superintendent, and Junice Dagen of the kiosk committee updated the Council on the fundraising efforts for purchase of a kiosk for Greenwood Cemetery. The kiosk will also have information on Calvary Cemetery.

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

RESOLUTION NO. 2010-04

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

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Region 23 Emergency Management with assistance from JEO Consulting Group, Inc., of Lincoln, NE, which includes the City of Chadron; and

WHEREAS, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the Region and participating jurisdictions located within the planning boundary, by identifying the hazards that affect the Region, and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards; and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the City of Chadron in the form of a resolution, and further requesting approval of the plan at the Federal Level.

NOW, THEREFORE, the governing body of the City of Chadron does herewith adopt the Region 23 Emergency Management Multi-jurisdictional Hazard Mitigation Plan in its entirety and requests approval of the plan at the Federal Level.

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: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: 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 18th day of January, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-05

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

1. The City Council having been fully advised of a funding opportunity announcement for financial assistance from the Nebraska Energy Office for an Energy Efficiency and Conservation Block Grant through the American Recovery and Reinvestment Act for energy efficiency improvements such as lighting projects, building improvements and renewable energy systems, and being further advised that there is a maximum grant amount of \$250,000.00, which must be matched with 20 percent in non-federal funds, does hereby approve and authorize such application.

2. The Mayor is hereby authorized and directed to execute the Application for Financial Assistance from the Nebraska Energy Office for an Energy Efficiency and Conservation Block Grant through the American Recovery and Reinvestment Act 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: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: 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 18th day of January, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-06

WHEREAS, the City Council finds that it should establish and approve depositories for the deposit and safe keeping of all monies received or held by the City; and

WHEREAS, the City Council finds that the City Treasurer shall require the depository banks or institutions to give bond and render statements of account on monies of the City as required by law, or in lieu of bond, the depositories may deposit securities with the City Clerk as authorized by law; now therefore,

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

1. The following named banks, located in the City of Chadron, Nebraska:

PRIMARY DEPOSITORIES

BANK OF THE WEST;
FIRST NATIONAL BANK OF CHADRON; and
CHADRON OFFICE - FIRST NATIONAL BANK NORTH PLATTE

SECONDARY DEPOSITORIES

ACCOUNTS BROKERED THROUGH PRIMARY DEPOSITORIES; and
NEBRASKA PUBLIC AGENCY INVESTMENT TRUST (NPAIT)

are hereby designated and approved as depositories for the deposit and safe keeping of any monies deposited by the City Treasurer to such Bank, subject however, to said depository providing a bond as required by law to the City Treasurer, or the deposit of securities with the City Clerk as required by law in lieu of said bond.

2. The City Treasurer is further authorized to purchase certificates of deposit or other time deposits at the above named banks wherever the highest interest rate is being paid by said Bank at the time of such investment of City funds, pursuant to the State Statutes and to the benefit of the City of Chadron and the public in general.

3. The above named banks as designated depositories of the City of Chadron be and are hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in the City of Chadron's name, including those drawn to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature of the Mayor of the City of Chadron, and such depositories shall be entitled to honor and to charge the account of the City of Chadron for all such checks, drafts, or other orders, regardless of by whom or by what means the facsimile signature thereon may have been affixed thereto, if such facsimile signature resembles the facsimile specimen's duly certified to or filed with the above named banks by the City Clerk of the City of Chadron.

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: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: 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 18th day of January, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Chief of Police Tim Lordino asked officer Jon Fuchser to report on a grant recently received by the department for the purchase of a trailer for alerting speeders.

Zoning/Building Official Janet Johnson reported on 2009 building permit statistics.

Public Works Director Milo Rust addressed a previous question regarding water issues across the state and said that there are currently none. He also stated that the wastewater treatment facility is up and running and doing well.

City Manager Sandy Powell reported on upcoming activities including the efforts to combine east and west with the Nebraska Horse Council, the Housing Fair, Youth Council and NNDC annual meeting.

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

RESOLUTION NO. 2010-07

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

That the absence of Councilmember Rob Harvey from the Regular Council Meeting held January 18, 2010, is hereby excused by the Council for reason of personal business and that this Resolution shall be entered upon the journal.

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, Duncan, Grantham, Gamby. 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 18th day of January, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Chizek moved to enter into executive session at 5:52 p.m. for the purpose of discussing legal matters. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. Motion carried.

Councilmember Chizek moved to adjourn the executive session at 6:35 p.m.. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. Motion carried.

Councilmember Gamby moved to adjourn at 6:36 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. 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 January 18, 2010, 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)