

CITY COUNCIL MEETING

NO. 2006-04

FEBRUARY 6, 2006

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 6th day of February, 2006 at 5:00 o'clock P.M. The following individuals were present: Mayor John Gamby, Vice Mayor Jim Stokey, Councilmembers Donny Grantham, Morgan Muller and Mark Douglas, City Manager Al Vacanti, City Clerk Donna Rust, City Attorney Bevin Bump, Chief of Police Jerry Crews, Finance Officer Dave Noble, Public Works Director Milo Rust and Zoning and 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 simultaneously given 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 Gamby called the meeting to order and declared a quorum present.

Councilmember Douglas moved to approve the agenda as amended, which amendment was to remove the issue to place Sunday liquor sales on the ballot, from the agenda. Seconded by Councilmember Grantham. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

Councilmember Muller moved to approve the Consent Agenda, which included the following items:

- 1) Minutes for City Council Meeting No. 2006-02, January 23, 2006 and Special Council Meeting No. 2006-03, January 30, 2006

The Minutes were approved as written and distributed.

- 2) Correspondence

There was no correspondence to report for this meeting.

- 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

ABC Electric	Materials & Service	560.79	
Alltel	1/2006 Cellular Service	542.60	
Arner, Chadd	Auctioneer Fees	65.05	*
Arrow Building Center	Supplies	15.10	

Bamford	Fire Sprinkler Inspection	125.00	
Bates, Tara	Applied Utility Deposit	9.01	*
Bauerkempers	Saw Repair & Sharpen Chains	290.38	
Black Hills Extinguisher Service	Annual Inspection	40.00	
Black Hills Weekly Group	1/2006 Legals & Advertisements	444.15	
Bordeaux Art Society	2006 Traveling Art Show	24.00	
Brennan Electric	Sprinkler System Pipe	39.25	
Bump and Bump	12/2005 & 1/2006 Legal Services	4,215.00	
Business Connection	Office Supplies	232.60	
Chadron, City of	Applied Utility Deposits	327.60	*
Chadron, City of	FICA to 1/26/2006	3,958.36	*F
Chadron, City of	2/2006 Health - Side Fund	17,731.56	
Chadron, City of	Payroll to 1/26/2006	53,660.67	*C
Chadron, City of	11/2005 LB840 Sales/Use Tax-Econ. Dev.	27,052.21	*
Chadron Home Center	Supplies	25.03	
Chadron Rotary Club	1 st Quarter Dues	103.25	
Chadron State College	12/4 - 12/24/2005 Work Study Program	130.28	
Chadron Volunteer Fire Dept.	2/2006 Fire Pay	50.00	
Coe Engineering	12/2005 & 1/2006 Engineering Services	1,935.00	
Contractors Materials	Wood Handle & Tow Rope	63.30	
Crews, Gerald	2/2006 Auto Allowance	100.00	
D & E Auto & Wrecker Service	Towing	64.20	
D M & E Railroad	2006 Land Lease	200.00	
Dale's Tire & Retreading	Tires	2,267.00	
Dawes County Treasurer	CDL Licenses	110.00	
Dennis Sales	Safety Glasses	49.32	
DXP Enterprises	Respirator Repair	360.00	
Eisenbarth Motor Co.	Fan Belts/Tube/Service	110.89	
Farm Plan/The Mercantile	Parts & Supplies	316.80	
First National Bank-North Platte	2006 Safe Deposit Box Rent	25.00	
Frank, Mike	Applied Utility Deposit	28.32	*
Galls	Uniform Jacket	227.39	
Great Plains Communications	2/2006 Internet Service	199.90	
Guardian	2/2006 Dental Premium	282.58	
Hansen, Maruta	1/19-2/01/2006 Janitorial Svcs.	180.00	
Hencey Plumbing & Hydronics	Pipe Fittings	101.80	
Hudson, Dusty	Applied Utility Deposit	40.00	*
Ideal Linen Supply	Janitorial Supplies	246.12	
Kinder Morgan	1/2006 Gas Service	3,142.23	*
Levi's Auto & Metal	Dipstick	7.00	
Miskimins Motors, John	Towing	50.00	
NE Dept. of Health	Chemical Tests	255.00	

NE Dept. of Revenue	12/2005 Sales/Use Tax	2,647.88	*S
Nebraska Police Chiefs Assoc.	2006 Membership	50.00	
Nebraska Public Power District	1/2006 Electric Service	7,160.99	
Nebraska, DAS Communications	1/2006 Toll Usage & State Telecomm	470.97	
Nebraskaland Tire	Flat Repair & Cooling System Flush	155.90	
Norm's Carquest Auto Parts	Parts & Supplies	182.12	
Northwest Pipe Fittings-Rapid City	Pipe Fittings	1,894.23	
Northwest Pipe Fittings-Scottsbluff	Pipe Fittings	194.89	
Parrott and Sons, Matt	Accounts Payable Checks	693.19	
Peterson, Heather	Applied Utility Deposit	24.98	*
Public Agency Training Council	Negotiations Training	495.00	*
Quality Tire	Sleeve/Wheel Alignment/Service	153.95	
Qwest	2/2006 Telephone Service	318.73	
Regional Care	2/2006 Specific/Life/Select-Flex	9,125.47	
Sturdevant's Auto Parts	Supplies	47.13	
SWANN	1/2006 Collections	57,956.10	
TTG Enterprises	Filter Valve Adjustments	200.00	
Union Security Insurance	2/2006 Fire Insurance	105.80	
United States Treasury	12/2005 F720 Excise Tax	150.90	*F
US Postmaster	1/2006 Utility Billing Postage	176.84	*
VantagePoint Trust 401 Employee	Pension to 1/26/2006	2,048.80	*C
VantagePoint Trust 401 Police	Pension to 1/26/2006	934.25	*C
Wahlstrom Ford	Towing	80.25	
Wal-Mart Community	Janitorial & Office Supplies	999.35	*
Warren, James	Utility Refund	76.31	*
West 2 nd Appliance	Cell Suit	19.95	
Western Communications	2/2006 Radio Parts & Maintenance	222.00	
Western Cooperative	Fuel Purchases	2,218.85	
WPCI	Substance Abuse Testing	247.50	
	TOTAL	209,056.07	

Void Check: 26485

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

4) Report on Collection of Special Assessments

5) Minutes for Boards and Commissions

There were no minutes to distribute at this meeting.

Councilmember Douglas seconded the motion for approval of the Consent Agenda. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

Terry Owens appeared before the Council on behalf of the Chadron Walkabout to request a proclamation to encourage citizens of Chadron to participate in the program. It was reported that approximately 20% of the residents of Chadron have registered to participate in the Chadron Lifestyle Challenge 2006 and the group is still accepting registrations. Due to the overwhelming response, the organizers are excited and would like to bring more attention to the program. Chadron is participating with other Nebraska communities and if Chadron logs in the most steps, could win an additional \$10,000.00 for the community.

The group is also seeking donations of community wellness related items to award as prizes at the end of the event. The group had indicated an interest in family season swimming pool passes. There were no objections stated in granting the group four (4) family season swimming pool passes for the 2006 swimming season. The proclamation was signed by Mayor Gamby.

Since Harold Krueger was not present at the meeting, it was noted that the report and update for the Chadron Housing Authority will be placed on the agenda for the February 20, 2006 Council Meeting.

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

RESOLUTION NO. 2006-04

WHEREAS, Angela's Eatery located at 251 Main Street, Chadron, NE 69337, 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 March 18, 2006 and 1:00 A.M. the following morning, March 19, 2006, at the Chadron Arts Center, which building is 44' x 100', located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Angela's Eatery between the hours of 5:00 o'clock P.M. on March 18, 2006 and 1:00 A.M. the following morning, March 19, 2006, at the Chadron Arts Center, which building is 44' x 100', 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 Stokey 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: Stokey, Grantham, Muller, Douglas, 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 6th day of February, 2006.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2006-05

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

1. The City of Chadron, Nebraska shall enter into an Agency Agreement with the Nebraska Department of Aeronautics for Airport Improvement Project No. 3-31-0017-08-2006 (R01) (Grade Runway 2 Safety Area) for the purpose of obtaining Federal assistance in the development of the Chadron Municipal Airport.

2. The Mayor of the City of Chadron is hereby authorized and directed to execute said Agency Agreement on behalf of the City of Chadron, and the City Clerk is hereby authorized and directed to attest said execution.

3. The said Agreement, referred to hereinabove, in reference to the passage of Resolution No. 2006-06, is on file in the office of the City Clerk.

The foregoing Resolution having been read, Councilmember Stokey 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: Stokey, Grantham, Muller, Douglas, 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 6th day of February, 2006.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2006-06

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

The Plans and Specifications for Sanitary Sewer Extension District No. 61 (Lomax Drive, South of Eighth Street), having been prepared by David V. Coe, P.E., Special Engineer for the City by order of the Mayor and City Council, together with the Engineer's estimate of the total cost of the improvements filed with the City Clerk, are hereby approved, and the City Clerk is hereby directed to publish Notice to Bidders, pursuant to law.

The foregoing Resolution having been read, Councilmember Douglas 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: Stokey, Grantham, Muller, Douglas, 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 6th day of February, 2006.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2006-07

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

The Plans and Specifications for the Street Repair Project for East Niobrara Avenue, having been prepared by David V. Coe, P.E., Special Engineer for the City by order of the Mayor and City Council, together with the Engineer's estimate of the total cost of the improvements filed with the City Clerk, are hereby approved, and the City Clerk is hereby directed to publish Notice to Bidders, pursuant to law.

The foregoing Resolution having been read, Councilmember Douglas seconded the motion for the passage of the Resolution, and after consideration thereof, the roll was called on the passage of said Resolution and the following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. The passage of the Resolution having been consented to by more than a majority of all the members elected to the Council was declared by the Mayor passed and adopted this 6th day of February, 2006.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Grantham moved to make appointments and reappointments to the following Boards and Commissions:

BUSINESS IMPROVEMENT DISTRICT BOARD: Reappoint Judd Hageman and appoint Rob Bila to serve three year terms. **CIVIL SERVICE COMMISSION:** Reappoint Harry Holmberg for a six year term. **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE:** Appoint Senna Johnson for a three year term. **PLANNING COMMISSION:** Reappoint Russ Harford, Catherine Lockwood, and Marguerite Vey-Miller for three year terms. **POLICE RETIREMENT COMMITTEE:** Reappoint Charles Cressy and Jerry Crews and appoint Morgan Muller for four year terms.

Seconded by Councilmember Stokey. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

Councilmember Grantham moved to enter into executive session at 5:35 o'clock P.M. to discuss personnel matters. Seconded by Councilmember Muller. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

Councilmember Stokey moved to adjourn the executive session and reconvene in open session at 7:10 o'clock P.M. Seconded by Councilmember Muller. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

There was no action taken as a result of the executive session.

Councilmember Muller moved to adjourn the meeting at 7:11 o'clock P.M. Seconded by Councilmember Douglas. The following Councilmembers voted Aye: Stokey, Grantham, Muller, Douglas, 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 February 6, 2006 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

(S E A L)