

CITY COUNCIL MEETING

NO. 2006-16

JULY 10, 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 10<sup>th</sup> day of July, 2006 at 5:00 o'clock P.M. The following individuals were present: Mayor John Gamby, Councilmembers Donny Grantham, Morgan Muller and Mark Douglas, City Manager Al Vacanti, City Clerk Donna Rust, City Attorney Bevin Bump, Interim Chief of Police Margaret Keiper, Police Sergeant Rick Hickstein, Public Works Director Milo Rust and Zoning/Building Official Janet Johnson. Absent: Vice Mayor Jim Stokey.

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. 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 Muller moved to approve the agenda as written and distributed. Seconded by Councilmember Douglas. The following Councilmembers voted Aye: Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

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

- 1) Minutes for City Council Meeting No. 2006-15, June 19, 2006

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

ABC Electric	Brushes and Bulbs	599.30
Alltel	06/2006 Cellular Service	465.77

Arrow Building Center	Deck Cleaner, Bits, Spray Paint	78.17	
Assurant Employee Benefits	Life Insurance	107.51	
Barnes Distribution	Filters, Swivels & Fittings	223.79	
Bartlett, Beverly	Travel Expense	44.96	*
Black Hills Weekly Group	6/2006 Legals & Advertisements	316.75	
Bluffs Sanitary Supply	Supplies for Pool	111.30	
Bowman, Amanda	Applied Utility Deposit	33.32	*
Britsch, Brittany	Applied Utility Deposit	29.15	*
Bump, Bevin B.	Legal Services	4,867.50	
C3 Controls	Water Supplies	162.00	
Chadron, City of	FICA to 6/29/2006	4,851.54	*F
Chadron, City of	Payroll to 6/29/2006	64,502.12	*C
Chadron, City of	Refund Meter Deposits	542.14	*
Chadron Concrete & Block	Cement	350.50	
Chadron Home Center	Supplies	131.84	
Chadron State College	Workstudy billing	194.89	
Chadron Volunteer Fire Dept.	Fire Dept. Pay	50.00	
Chadron Wholesale	Supplies	196.25	
Clarke Mosquito Control	O Ring	18.49	
Coe Engineering	Services	1,595.00	
Contractors Materials Inc.	Paint	42.00	
Culligan Water	6/2006 Bottled Water - Airport	10.30	
Diamond Vogel Paints	Traffic Paint	1,726.95	
Drivers License Guide Company	2006 ID Checking Guide	56.50	
EMC Insurance Companies	Workers Comp. Policy	164.00	
Erlewine, Sara	Applied Utility Deposit	13.30	*
Farm Plan/The Mercantile	Parts and Supplies	481.03	
First National Bank Omaha	Travel Expenses & Equip Purchases	1,083.84	*
Fresh Start Convenience Stores	6/2006 Fuel Purchases	3,883.21	
Galey, Margaret	Utility Refund	14.92	*
Gene's Auto Machine Shop	Mowing	35.00	
Great Plains Building Center	Survey Stakes & Toner	82.28	
Great Plains Communications	7/2006 Internet	89.90	
Great Plains One-Call Services	Locate Requests	75.86	
Green Acres Bakery	Refreshments	40.00	
Hansen, Maruta	6/15-7/6/2006 Janitorial Services	300.00	
Hansen, Shawna	Applied Utility Deposit	20.80	*
Hencey Plumbing & Hydronics	Valve & Thermostat	100.20	
Hewitt, Tyson	Applied Utility Deposit	34.16	*
Himrich, Deb	Applied Utility Deposit	27.48	*
Hills Materials Company	Asphalt	661.71	

Hills Tire & Supply	Parts & Service	795.00	
Holiday Inn	Lodging	126.00	
Ideal Linen Supply	Janitorial Supplies	172.68	
Jack's Uniforms & Equipment	Uniforms	24.44	
Johnson, Becki	Applied Utility Deposit	34.99	*
Kinder Morgan	6/2006 Gas Service	3,451.49	
Larson Insurance Agency	4 <sup>th</sup> Quarter Insurance	30,052.00	
Lutz, Michael	Applied Utility Deposit	10.79	*
Mackey, Ryan	Utility Refund	56.10	*
Midwest Laboratories	Toxicity Analysis	1,015.00	
Midwest Water Solutions	Chemicals	1,840.74	
Murd's Pit Stop & Auto Sales	Towing	242.00	
Nebraska Department of Admin. Services	Telecommunications Charges	533.75	
Nebraska Department of Revenue	SLS/USE Tax	2,651.21	*
Nebraska Law Enforcement Training Cntr	Firearms Instructor School	365.00	
Nebraska Public Power District	6/2006 Electric Service	8,265.67	
Newman Traffic Signs	Traffic Signs	35.50	
Norm's Carquest Auto Parts	Parts & Supplies	322.85	
Northwest Rural Public Power	6/2006 Electric Services	7,250.55	
O'Dea, Bill	Applied Utility Deposit	33.32	*
OMB's Express Police Supply	Flashlights & Bulb	383.93	
Outdoor Recreation Products	Landscape Structures	1,030.00	
Outlaw Printers	Copies of Street Map	11.37	
Panhandle Veterinary Clinic	6/2006 Animal Control Services	399.00	
Popp, John	Utility Refund	40.00	*
Power House	Steer Rod	170.68	
Qwest	6/2006 Telephone Service	790.19	
Regional West	Ambulance Training	200.00	
Robert's Electric	Materials & Labor	388.92	
Rose Brothers	Parts	211.64	
Rosenbaum, Shaton	Applied Deposit	13.29	*
Schwarting, Justin	Applied Utility Deposit	29.15	*
Shaw, Brent	Applied Utility Deposit	25.81	*
Smith, Alex	Applied Utility Deposit	22.30	*
State of Nebraska HHS Lab	Water Tests	165.00	
Sturdevant's	Parts & Supplies	257.47	
Teledyne Isco, Inc	Ultrasonic Lever Sensor	496.90	
US Postmaser	Utility Bills Postage	243.74	*
VantagePoint Trust 401 Employee	Pension to 6/29/2006	1,972.28	*C
VantagePoint Trust 401 Police	Pension to 6/29/2006	895.81	*C
Wal-Mart	Supplies	580.73	
Warne Chemical & Equipment	Trigger Valve	28.85	

Western Communications	7/2006 Siren Maintenance	423.30
Western Cooperative	Parts & Fuel	912.96
White River Feed & Trailers	Posts	17.99
Wingate Inn	Lodging	106.00

**155,512.12**

Void Checks: 27195 & 27371

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: Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Motion carried.

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

**RESOLUTION NO. 2006-65**

WHEREAS, DRW Enterprises Inc., 801 West Third Street, dba Charley's Liquor, License #61780 C/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 6:00 o'clock P.M. on September 9, 2006, to 1:00 o'clock A.M. the following morning, at the Chadron Arts Center, which building is 100 feet in length and 50 feet in width, located at Fourth and King Street, Chadron, Nebraska, for a wedding reception.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises Inc., 801 West Third Street, dba Charley's Liquor, License #61780 C/K, Chadron, NE 69337, between the hours of 6:00 o'clock P.M. on September 9, 2006, to 1:00 o'clock A.M. the following morning, at the Chadron Arts Center, which building is 100 feet in length by 50 feet in width, located at Fourth and 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 Muller 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: Grantham, Muller, Douglas, Gamby. The following voted Nay: None. Absent: Stokey. 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 10<sup>th</sup> day of July, 2006.

CITY OF CHADRON

\_\_\_\_\_  
Mayor

ATTEST:

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

(S E A L)

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

RESOLUTION NO. 2006-66

WHEREAS, Maria Wheeler Groves dba Helen’s Pancake & Steak House/Added Touches Catering, 950 W. Hwy. 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 July 29, 2006, to 1:00 o'clock A.M. the following morning, at the Chadron Arts Center, which building is 82 feet in length and 48 feet in width, located at Fourth and King Street, Chadron, Nebraska, for a wedding reception.
2. It is recommended that approval be granted for a Special Designated License to Maria Wheeler Groves dba Helen’s Pancake & Steak House/Added Touches Catering, 950 W. Hwy. 20, License #40364 I/K, Chadron, NE 69337, between the hours of 4:00 o'clock P.M. on July 29, 2006, to 1:00 o'clock A.M. the following morning, at the Chadron Arts Center, which building is 82 feet in length by 48 feet in width, located at Fourth and 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 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: Grantham, Muller, Douglas, Gamby.

The following voted Nay: None. Absent: Stokey. 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 10<sup>th</sup> day of July, 2006.

CITY OF CHADRON

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

(S E A L)

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

RESOLUTION NO. 2006-67

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

1. Progress Estimate No. 2 filed with the Clerk, showing the amount of material furnished and work performed in the City under contract heretofore let for the construction of the East Niobrara Street Repair 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:

FULLER CONSTRUCTION

TOTAL ESTIMATED QUANTITY CONTRACT AMOUNT		\$41,419.25
SUM OF ALL CHANGE ORDERS		\$1,015.00
CURRENT CONTRACT AMOUNT		\$42,434.25
TOTAL COMPLETED AND STORED		\$48,328.75
RETAINAGE:		
A. 10.00% OF COMPLETED WORK	\$0.00	\$4,832.88
B. 0.00% OF MATERIAL STORED		
TOTAL RETAINAGE	\$0.00	\$4,832.88
TOTAL COMPLETED & STORED LESS RETAINAGE:		\$43,495.88
LESS PREVIOUS PAYMENT APPLICATIONS:		\$36,470.03
<b>PAYMENT DUE CONTRACTOR:</b>		<b>\$7,025.85</b>

BALANCE TO COMPLETION:       -\$5,894.50

**TOTAL AMOUNT DUE CONTRACTOR**

**\$7,025.85**

2. That Fuller Construction be paid the sum of \$7,025.85 for materials furnished and work performed in the construction of the East Niobrara Street Repair Project.

The foregoing Resolution having been read, Councilmember Grantham 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 Council members voted Aye: 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 10<sup>th</sup> day of July, 2006.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

City Manager Vacanti gave the following report to the Council:

1) Tom Jacobs, our intern from Chadron State College, recently finished a data base for the Greenwood Cemetery. Mr. Jacobs has scanned the Police Policies and Procedures manual, created an improved grant application for Handi Bus funds, formatted the Zoning and Subdivision Rules and Regulations, and created a Paving District Index program that provides a history of all paving projects completed throughout the City of Chadron. Mr. Vacanti added that Mr. Jacobs has been an invaluable member of the City Hall staff.

2) Interviews for the Finance Officer position have been completed and the new Finance Officer will be introduced at the August 7, 2006 Council Meeting.

3) An August, 2006 start date for repairing/replacing of cracking panels is expected, and the process is also expected to take one week to complete.

4) The formal public hearing regarding the wastewater project will be held at an upcoming City Council Meeting, possibly in August 2006.

5) The Civil Service Commission met on June 14, 2006 and approved a request to post for a Lieutenant position for the Chadron Police Department. Two internal candidates have applied for the position and are expected to take a written test in the next two weeks. Any person/s passing will be interviewed by the Civil Service Commission and considered for promotion to the position.

6) A letter was mailed to Fuller Construction requesting that the grinding and installation of striping to complete the Main Street paving project be done by the end of July. They have responded that they will complete the project in this time frame.

7) Water Extension District Nos. 18 and 19, located at 6<sup>th</sup> & Cedar Buttes Drive, are installed. Final pay estimates will be submitted for the Council's approval at a future Council Meeting.

8) Work continues on the 2006-2007 budget. Meetings have been held with the Department Heads. A budget workshop will be scheduled prior to the first reading of the budget, which is scheduled for the August 7, 2006 Council Meeting.

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

RESOLUTION NO. 2006-68

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

That the absence of Vice Mayor Jim Stokey from the regular Council Meeting held July 10, 2006 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 Muller 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: 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 10th day of July, 2006.

CITY OF CHADRON

\_\_\_\_\_  
Mayor

ATTEST:

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

(S E A L)

Councilmember Grantham moved to adjourn at 5:25 o'clock P.M. Seconded by Councilmember Muller. The following Councilmembers voted Aye: 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 July 10, 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.

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City Clerk

(S E A L)

