

SPECIAL CITY COUNCIL MEETING

NO. 2006-32

DECEMBER 11, 2006

The Mayor and City Council of the City of Chadron, Nebraska met in special session in the City Hall Council Chambers at 234 Main Street on the 11th day of December, 2006 at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers Mark Douglas, John Chizek, and Rob Harvey, Interim City Manager Donna Rust, Acting City Clerk Elizabeth Sanchez, Sergeant Chuck James, Public Works Director Milo Rust, Zoning/Building Official Janet Johnson, and Finance Officer Melany Hughes. Absent: None. Also present: Interim City Attorney representatives from the law firm of Waite, McWha and Harvat, Terry Wait, David Schreiber and local associate Megan Failla.

Notice of the meeting was given in advance thereof by posting notice in three public places as shown by the certificate of posting 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.

Interim City Manager Rust introduced Attorneys Terry Waite, David Schreiber, and Megan Failla to the City Council.

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 Douglas. The following Councilmembers voted Aye: Gamby, Douglas, Chizek, Harvey Grantham. The following voted Nay: None. Motion carried.

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

RESOLUTION NO. 2006-125

WHEREAS, Wrecker's Roadhouse, 164 Main St. 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 8:00 o'clock A.M. on December 30, 2006, and 1:00 A.M. the following morning, December 31, 2006, at the Chadron Arts Center, in an area which is 100' x 50' and located at 371 King St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Wrecker's Roadhouse, 164 Main St., Chadron, NE 69337, between the hours of 8:00 o'clock A.M. on December 30, 2006 and 1:00 A.M. the following morning, December 31, 2006, at the Chadron Arts Center, in an area which is 100' x 50' and located at 371 King St., Chadron, Nebraska, for a Chamber of Commerce Fundraiser Ball, 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 Council members voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham. 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 11th day of December, 2006.

CITY OF CHADRON

Mayor

ATTEST:

Acting City Clerk

(S E A L)

Interim City Manager Donna Rust stated that since the last Council meeting held on December 4, 2006, Tom Gallaway, owner of Your Selling Team, had signed a letter requesting creation of the paving and water districts for his new building.

ORDINANCE PASSAGE PROCEEDINGS

UNDER SUSPENSION OF RULES

City of Chadron, Nebraska

Councilmember Gamby introduced Ordinance No. 1290

AN ORDINANCE creating Paving District No. 124 in the City of Chadron, Nebraska, ordering the construction of street improvements therein, directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Councilmember Chizek moved that the statutory rule requiring reading on three different days be suspended. Councilmember Harvey seconded the motion to suspend the rules and, upon roll call vote on the motion, the following Councilmembers voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham. The following voted Nay: None. The motion to suspend the rules was adopted by three-fourths of the Council, and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter Councilmember Chizek moved for final passage of the Ordinance, which motion was seconded by Councilmember Douglas. The Mayor then stated the question, "Shall Ordinance No. 1290 be passed and adopted?" Upon roll call vote, the following Councilmembers voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham. The following voted Nay: None. The passage and adoption of said Ordinance having been concurred in by a majority of the members of the Council, the Mayor declared the Ordinance adopted, and the Mayor, in the presence of the Council, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said Ordinance may be found in the Ordinance Record Book.

ORDINANCE PASSAGE PROCEEDINGS

UNDER SUSPENSION OF RULES

City of Chadron, Nebraska

Councilmember Douglas introduced Ordinance No. 1291

AN ORDINANCE to create Water Extension District No. 20 of the City of Chadron, Nebraska; establishing the outer boundaries of the District; designating the size, location and terminal points and referring to the plans and specifications and estimate of the Engineer in connection therewith on file with the City Clerk; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Councilmember Douglas moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gamby seconded the motion to suspend the rules and, upon roll call vote on the motion, the following Councilmembers voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham.

The following voted Nay: None. The motion to suspend the rules was adopted by three-fourths of the Council, and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter Councilmember Douglas moved for final passage of the Ordinance, which motion was seconded by Councilmember Chizek. The Mayor then stated the question, "Shall Ordinance No. 1291 be passed and adopted?" Upon roll call vote, the following Councilmembers voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham. The following voted Nay: None. The passage and adoption of said Ordinance having been concurred in by a majority of the members of the Council, the Mayor declared the Ordinance adopted, and the Mayor, in the presence of the Council, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said Ordinance may be found in the Ordinance Record Book.

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

RESOLUTION NO. 2006-126

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

The City having received a request from Tom Gallaway, President of Your Selling Team, for the creation of a water extension district to continue west approximately 444 feet to the west property line of Block Two, Southwest Thirteenth Addition, the City Council does hereby authorize preparation of plans and specifications for the creation of said District.

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 Council members voted Aye: Gamby, Douglas, Chizek, Harvey, Grantham. 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 11th day of December, 2006.

CITY OF CHADRON

Mayor

ATTEST:

Acting City Clerk

(S E A L)

Councilmember Douglas moved to adjourn into executive session at 5:12 p.m to review the applications for the City Manager position. Councilmember Chizek seconded the motion. Voting Aye:

December 4, 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.

Acting City Clerk

(S E A L)