

## CITY COUNCIL MEETING

NO. 2007-18

JULY 2, 2007

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 2<sup>nd</sup> day of July, 2007, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Councilmembers John Chizek, and Rob Harvey, City Manager Sandra Powell, City Clerk Donna Rust, Interim City Attorney Megan Failla, Interim Chief of Police Margaret Keiper, Public Works Director Milo Rust, Zoning/Building Official Janet Johnson, Finance Officer Melany Hughes. Absent: Vice Mayor John Gamby and Councilmember Mark Douglas.

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

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

- 1) Minutes for City Council Meeting No. 2007-16, June 18, 2007; and Special City Council Meeting No. 2007-17, June 28, 2007

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	Labor & Materials	32.94	
Access Data Corporation	Sleuth Support	1,609.37	*
Alltel	Cell Phone Service	385.13	
Arrow Building Center	Supplies	144.47	
Assurant Employee Benefits	07/07 Fire Insurance	117.30	*
Avaya	Merlin Maintenance	132.48	
Barnes Distribution	Repairs	266.28	
Bauerkempers	Parts	93.48	
Bluffs Sanitary Supply	Swimming Pool Supplies	24.00	
Business Connection	Office Supplies	36.74	
Chadron, City of	FICA through 6/28/07	4,842.53	*F
Chadron, City of	Payroll to 6/28/07	64,956.37	*C
Chadron, City of	Petty Cash	44.33	*
Chadron Community Hospital	Fire Department Supplies	101.25	
Chadron Home Center	Parts/Supplies	133.04	
Chadron Wholesale	Supplies	18.00	
Cowgirl Peg Enterprises	Library Programming	64.00	*
Culligan	Water Bottles	42.15	
Dawes County Weed Control	Weed Spraying	199.18	
Economic Development Program	4/2007 Sales/Use Tax Collections	26,022.22	*
Elifeguard	Lifeguard T-Shirts	79.11	
Employers Mutual Casualty	Deductible Reimbursement	567.05	
Farm Plan	Supplies	206.37	
First National Bank Omaha	Travel Expense/Supplies	887.37	*
First National Financial Services	4 <sup>th</sup> Qtr Insurance Installment	30,216.00	
Galls	Police Supplies	309.99	
Halsen Products	Traffic Cones	275.09	
Hansen, Maruta	Janitorial Services	200.00	
Hencey Plumbing	Swimming Pool Repair	99.50	
Henkens Equipment	Repairs	57.29	
Holiday Inn Kearney	Rooms/Finance Conference	260.00	
Houston Equipment, Stan	Water Tank	72.94	
Ideal Linen Supply	Janitorial Supplies	259.55	

JA Traffic Products	Telespar Posts	535.00	
Landstrom, Cody	Library Programming	200.00	*
Law Enforcement Targets	Targets	469.06	
Leonard, A. M.	Blades/Sprayer	312.19	
Littrel Welding	Airport Door Repair	450.00	
Maesa Design	Council Sport Coats	127.50	
Millenium Computer Systems	Computer Software	394.90	
NE Com. on Law Enforcement	Officer Training	170.00	
Nebraska DAS	Monthly Long Distance Charge	551.18	
Nebraska HHS Laboratory	Water Tests	258.00	
Nebraska Public Power District	06/07 Electric Service	1,044.28	*
Nebraska Public Power District	06/07 Electric Service	5,195.33	
Nelson Electric Motor Service	Airport Door Repairs	296.56	
Norms Carquest	Parts & Repairs	264.56	
Northwest Mfg. & Dist.	Valve	365.00	
Northwest Pipe Fittings of Rapid City	Repairs	258.00	
Outlaw Printers	Office Supplies	241.49	
Panhandle Veterinary Clinic	06/07 Animal Boarding	329.00	
Power House	Parts/Repairs	85.60	
Qwest	06/07 Phone Service	934.86	*
Ron's Repair	Repairs	53.90	
Shell	05/12-06/09/07 Fuel Charges	3,947.58	*
Source Gas	06/07 Gas Service	4,887.93	*
US Postmaster	Fire Dept. Box Rent	68.00	*
US Postmaster	07/07 Utility Bills	270.16	*
Van Diest Supply Co.	Cemetery Grass Maintenance	3,392.72	
Vantage Point Trust 401 Employee	Pension to 6/28/07	2,301.18	*C
Vantage Point Trust 401 Police	Pension to 6/28/07	814.97	*C
Wahlstrom Ford	Car Repair	125.88	
Waite, McWha & Harvat	Legal Services	406.81	
Wal Mart	Supplies	320.18	*
Western Communications	Radio Maintenance	168.00	
WPCI	Employee Drug Testing	49.50	

**TOTAL** **162,044.84**

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 include.

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

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

#### RESOLUTION NO. 2007-75

WHEREAS, DRW Enterprises dba Charley's Liquor, 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 July 28, 2007, and 1:00 A.M. the following morning, July 29, 2007, 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 DRW Enterprises dba Charley's Liquor, Chadron, NE 69337, between the hours of 5:00 o'clock P.M. on July 28, 2007, and 1:00 A.M. the following morning, July 29, 2007, at the Chadron Arts Center, in an area which is 100' x 50' and located at 371 King St., 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 Harvey 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: Chizek, Harvey, Grantham. The following voted Nay: None. Absent: Gamby, Douglas. 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 2<sup>nd</sup> day of July, 2007.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

The time being 5:07 p.m., Mayor Grantham opened the public hearing scheduled for this date and time to levy a special assessment for maintenance of the Business Improvement District. Wayne Lembke addressed the Council. Mr. Lembke stated that he thought the assessment was high for what the property owners receive. Mayor Grantham stated that this information would be passed along to the BID Board. There being no one else present wishing to be heard, the Mayor closed the hearing at 5:12 p.m.

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

RESOLUTION NO. 2007-76

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

1. The Mayor and Council find and determine that the Council has heretofore designated this time and place for considering and levying special assessments against the real estate located in Business Improvement District No. 1 of the City of Chadron; to the extent of special benefit to such real estate located within said Business Improvement District, for the purpose of paying all or any part of the cost of maintenance, repair and reconstruction including utility cost of any improvement or facility in the District that notice of the time and place of holding this meeting for said purpose has been duly given as provided by statute by publication in The Chadron Record, a legal newspaper published and of general circulation in this City, one time each week for three weeks, that the Mayor and Council have at this session heard all persons who desire to be heard in reference to such assessments, the total costs and the proposed allocation of such costs among the parcels of real estate in such District.

2. The Mayor and Council find and determine that at the hearing all assessments have been adjusted and equalized with reference to the extent of special benefit to such real estate for the purpose of paying all or any part of the cost of maintenance, repair and reconstruction, including utility cost of any improvement or facility in the District that the total cost assessment of \$4,172.33 to be imposed by assessments of benefits on a front footage basis which is in accordance with the proposed method of assessments determined by Ordinance No. 1058 creating said District, and the percentage to be assessed to each lot to equal \$1.00 per front foot, and that the benefits are equal and uniform and the assessments shown on the schedule hereinafter set out are according to front footage of the lots or real estate described therein within the District.

3. There is hereby levied and assessed upon the several lots and parcels of land hereinafter described in Business Improvement District No. 1, special assessments to pay all or any part of the cost of maintenance, repair and reconstruction, including utility cost of any improvement or facility in the District, in the amount in Dollars and cents set out in the schedule below in the column headed "Assessment".

**BUSINESS IMPROVEMENT DISTRICT NO. 1**

**MAINTENANCE ASSESSMENT ROLL 2007**

<u>LEGAL DESCRIPTION</u>	<u>OWNER</u>	<u>ASSESSMENT</u>
Lot 1        Block 5 Original Town	Lee Enterprises dba The Chadron Record P.O. Box 1141	\$20.00
Lot 2        Block 5 Original Town	Lee Enterprises dba The Chadron Record P.O. Box 1141	\$25.00
Lot 3        Block 5 Original Town	Lee Enterprises dba The Chadron Record P.O. Box 1141	\$25.00
Lot 4        Block 5 Original Town	Lee Enterprises dba The Chadron Record P.O. Box 1141	\$25.00
Lot 5        Block 5 Original Town	Lee Enterprises dba The Chadron Record P.O. Box 1141	\$25.00
Lot 6        Block 5 Original Town	Norman Martin 340 North Lake Street	\$25.00
Lot 7        Block 5 Original Town	Iva L. Martin 226 West Second Street	\$25.00
Lot 8        Block 5 Original Town	Jeff Kienitz 218 West Second Street	\$25.00
W. 0.67'Block 5 Lot 9        Original Town	Jeff Kienitz 218 West Second Street	\$ 0.67
E. 24.33'Block 5 Lot 9        Original Town	Jeff Kienitz 218 West Second Street	\$24.33
Lot 10       Block 5 Original Town	Jeff Kienitz 218 West Second Street	\$25.00
Lot 11       Block 5 Original Town	Walter Montague 550 West Sixth Street	\$25.00
Lot 12       Block 5 Original Town	Terry & Andrea Rising 202 West Second Street	\$25.00

Lot 13	Block 5 Original Town	Terry & Andrea Rising 202 West Second Street	\$25.00
Lot 1	Block 4 Original Town	Dennis Staal P.O. Box 1110	\$25.00
Lot 2	Block 4 Original Town	Dennis Staal P.O. Box 1110	\$25.00
Lot 3	Block 4 Original Town	Gerald C. and Alice Baker 803 King Street	\$25.00
Lot 4	Block 4 Original Town	Gerald C. and Alice Baker 803 King Street	\$25.00
Lot 5	Block 4 Original Town	Jerry McCance 620 Pine Crest Drive	\$25.00
Lot 6	Block 4 Original Town	Jerry McCance 620 Pine Crest Drive	\$25.00
Lot 15	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
Lot 16	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
Lot 17	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
Lot 18	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
Lot 19	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
Lot 20	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$25.00
N. 22.33' Lot 21	Block 4 Original Town	Jeanne Goetzing 115 Main Street	\$22.33
Lot 24	Block 4 Original Town	Chadron Glass & Windows Inc. 139 Main Street	\$25.00
Lot 25	Block 4 Original Town	Jamey & Karen Eisenbarth P.O. Box 9	\$25.00
Lot 26	Block 4 Original Town	Jamey & Karen Eisenbarth P.O. Box 9	\$25.00

N. 10.17'	Block 4	Jamey & Karen Eisenbarth	
Lot 27	Original Town	P.O. Box 9	\$10.17
S. 14.83'	Block 4	K. C. Chasek	
Lot 27	Original Town	155 Main Street	\$14.83
Lot 28	Block 4 Original Town	K. C. Chasek 155 Main Street	\$25.00
Lot 29	Block 4 Original Town	Wess Partnership dba Sinister Grin 163 Main Street P.O. Box 1159	\$25.00
Lot 30	Block 4 Original Town	Wess Partnership dba Sinister Grin 163 Main Street P.O. Box 1159	\$25.00
Lot 31	Block 4 Original Town	Wess Partnership dba Sinister Grin 163 Main Street P.O. Box 1159	\$25.00
Lot 32	Block 4 Original Town	Wess Partnership dba Sinister Grin 163 Main Street P.O. Box 1159	\$25.00
Lot 33	Block 4 Original Town	John A. Sims 173 Main Street %645 Main Street	\$25.00
E. 75'	Block 4	Bob Zahm	
Lot 34	Original Town	P.O. Box 1000	\$100.00
W. 25'	Block 4	John A. Sims	
Lot 34	Original Town	173 Main Street %645 Main Street	\$25.00
Lot 1	Block 3 Original Town	First National Bank P.O. Box 1351	\$125.00
Lot 2	Block 3 Original Town	First National Bank P.O. Box 1351	\$25.00
Lot 3	Block 3 Original Town	Darin & Temple Garman 164 Main	\$25.00
Lot 4	Block 3	Darin & Temple Garman	

	Original Town	164 Main Street	\$25.00
Lot 5	Block 3 Original Town	Darin & Temple Garman 164 Main Street	\$25.00
Lot 6	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 7	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 8	Block 3 Original Town	Bill Margrave 521 North Chadron Avenue	\$25.00
Lot 9	Block 3 Original Town	Bill Margrave 521 North Chadron Avenue	\$25.00
Lot 10	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 11	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 12	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 13	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 14	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 15	Block 3 Original Town	Paris Fisher P.O. Box 904	\$25.00
Lot 16	Block 3 Original Town	Robert Harvey 718 East Sixth Street	\$25.00
Lot 17	Block 3 Original Town	Robert Harvey 718 East Sixth Street	\$25.00
Lot 18	Block 3 Original Town	Robert Harvey 718 East Sixth Street	\$25.00
Lot 19	Block 3 Original Town	Robert Harvey 718 East Sixth Street	\$25.00
Lot 20	Block 3 Original Town	Robert Harvey 718 East Sixth Street	\$25.00

Lot 39	Block 3 Original Town	Blaine Enterprises c/o Morgan Muller 159 Bordeaux Street	\$100.00
Lot 1	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 2	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 3	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 4	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 5	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 6	Block 12 Original Town	U.S. Post Office 278 Main Street	\$25.00
Lot 7	Block 12 Original Town	Dawes County Commissioners 451 Main Street	\$25.00
Lot 8	Block 12 Original Town	Dawes County Commissioners 451 Main Street	\$25.00
Lot 9	Block 12 Original Town	Gerald and Judy Bullard P.O. Box 1227	\$25.00
Lot 10	Block 12 Original Town	Gerald and Judy Bullard P.O. Box 1227	\$25.00
Lot 11	Block 12 Original Town	Gerald and Judy Bullard P.O. Box 1227	\$25.00
Lot 14	Block 12 Original Town	Karleen Gramberg 760 West Third Street	\$25.00
Lot 15	Block 12 Original Town	Bruce Dye 218 Main Street	\$25.00
Lot 16	Block 12 Original Town	Bruce Dye 218 Main Street	\$25.00
Lot 17	Block 12 Original Town	Jim & Roxie Puchner 214 Main Street	\$25.00
Lot 18	Block 12	Jim & Roxie Puchner	

	Original Town	214 Main Street	\$25.00
Lot 19	Block 12 Original Town	First National Bank P.O. Box 1351	\$25.00
Lot 20	Block 12 Original Town	First National Bank P.O. Box 1351	\$125.00
Lot 21	Block 12 Original Town	First National Bank P.O. Box 1351	\$100.00
W. 50' Lot 1	Block 11 Original Town	Morse & Margo Carnahan P.O. Box 838	\$50.00
W. 50' Lot 2	Block 11 Original Town	Morse & Margo Carnahan P.O. Box 838	\$50.00
N. 25' Lot 7	Block 11 Original Town	E. E. L. Enterprises 3355 North 10 <sup>th</sup> Street Gering NE 69341	\$25.00
Lot 8	Block 11 Original Town	E. E. L. Enterprises 3355 North 10 <sup>th</sup> Street Gering NE 69341	\$30.00
Lot 9	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$125.00
Lot 10	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$25.00
Lot 11	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$25.00
Lot 12	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$25.00
Lot 13	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$25.00
Lot 14	Block 11 Original Town	Jim & Wendy Dickey %139 West Third	\$25.00
Lot 15	Block 11 Original Town	Falco II LLC P.O. Box 447	\$125.00
E. 56' Lot 16	Block 11 Original Town	John Thompson P.O. Box 89	\$25.00
E. 56'	Block 11	John Thompson	

Lot 17	Original Town	P.O. Box 89	\$25.00
Lot 18	Block 11 Original Town	Cleo Koerber 219 Main Street	\$25.00
Lot 19	Block 11 Original Town	Cleo Koerber 219 Main Street	\$25.00
Lot 20	Block 11 Original Town	Pioneer Beef 223 Main Street %502 Ann Street	\$25.00
Lot 21	Block 11 Original Town	Drew Petersen c/o 302 Main Street	\$25.00
Lot 22	Block 11 Original Town	Darrell & Cora Sue Haberman P.O. Box 147 Hay Springs NE 69347	\$25.00
Lot 23	Block 11 Original Town	Darrell & Cora Sue Haberman P.O. Box 147 Hay Springs NE 69347	\$25.00
Lot 24	Block 11 Original Town	Jeremy Patterson 239 Main Street	\$25.00
N. 22' Lot 25	Block 11 Original Town	Candy Nollette 241 Main Street	\$22.00
S. 3' Lot 25	Block 11 Original Town	Timothy D. Gaswick 245 Main Street	\$ 3.00
Lot 26	Block 11 Original Town	Timothy D. Gaswick 245 Main Street	\$25.00
Lot 27	Block 11 Original Town	John Honerkamp Kate Merriman 114 Broken Plow Road	\$25.00
Lot 28	Block 11 Original Town	Mike and Angela Harris P.O. Box 146	\$25.00
Lot 29	Block 11 Original Town	Mike and Angela Harris P.O. Box 146	\$25.00
Lot 30	Block 11 Original Town	Blaine A., Patsy A. and Kelli M. Benson 559 North Green Street Valentine NE 69201	\$25.00

Lot 31	Block 11 Original Town	Service Rentals Attn: Roger Dotson 263 Main Street	\$25.00
Lot 32	Block 11 Original Town	Service Rentals 263 Main Street	\$25.00
Pt. N. 17' Lot 33	Block 11 Original Town	Raymond Grantham 74 Grantham Road	\$17.00
Pt. S. 8' Lot 33	Block 11 Original Town	Chadron Chiropractic Clinic 279 Main Street	\$8.00
Lot 34	Block 11 Original Town	Chadron Chiropractic Clinic 279 Main Street	\$25.00
Lot 9	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$20.00
Lot 10	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 11	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 12	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 13	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 14	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 15	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 16	Block 10 Original Town	W.W.W.S., a NE Limited Partnership 2904 South Spruce Street Wichita KS 67216	\$25.00
Lot 17	Block 10 Original Town	Metal Products 211 West Second Street	\$25.00

%200 Belle Fourche

Pt. Lot 18	Block 10 Original Town	Metal Products 211 West Second Street %200 Belle Fourche	\$25.00
Lot 19	Block 10 Original Town	Metal Products 211 West Second Street %200 Belle Fourche	\$25.00
Lot 20	Block 10 Original Town	Brad & Ann Hency 205 West Second Street	\$25.00
Lot 21	Block 10 Original Town	Carol Black-Brown & KBSM Enterprises, LLC % 312 Annin Street Crawford NE 69339	\$125.00
Pt. Lot 22	Block 10 Original Town	Twila Fickel 219 Chadron Avenue	\$30.00
Lot 23	Block 10 Original Town	Safeway Stores, Inc. P.O. Box 29096, Tax Dept. Phoenix AZ 85038-9096	\$50.00
Lot 24	Block 10 Original Town	Safeway Stores, Inc. P.O. Box 29096, Tax Dept. Phoenix AZ 85038-9096	\$50.00
Lot 25	Block 10 Original Town	Safeway Stores, Inc. P.O. Box 29096, Tax Dept. Phoenix AZ 85038-9096	\$50.00
Lot 26	Block 10 Original Town	Safeway Stores, Inc. P.O. Box 29096, Tax Dept. Phoenix AZ 85038-9096	\$50.00
Lot 27	Block 10 Original Town	Northwest Community Action 270 Pine Street	\$50.00
Lot 28	Block 10 Original Town	Bank of the West P.O. Box 1001	\$50.00
Lot 29	Block 10 Original Town	Bank of the West P.O. Box 1001	\$50.00

Said special assessments shall be a lien on the property on which levied from date of levy and shall be due and payable to the City Treasurer thirty (30) days after such levy, and at the time of the next certification for general revenue purposes to the County Clerk, if not previously paid, shall be certified to the County Clerk and placed on the tax list to be collected as other real estate taxes are collected and be paid over to the City Treasurer.

The foregoing Resolution having been read, Councilmember Harvey 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, Grantham. The following voted Nay: Harvey. Absent: Gamby, Douglas. The Resolution failed to pass this 2<sup>nd</sup> day of July, 2007.

CITY OF CHADRON

DO NOT SIGN -DID NOT PASS

Mayor

ATTEST:

DO NOT SIGN - DID NOT PASS

City Clerk

(S E A L)

The City Manager stated that pursuant to the Notice to Bidders, a bid opening was held at 11:00 o'clock A.M., on Monday, June 25, 2007. The Clerk further reported that the bids had been opened and tabulated as required by law and in accordance with the advertisement for bids. The tabulation was reported as follows:

**OPTION A:**

<u>NAME OF BIDDER</u>	<u>EQUIPMENT</u>	<u>BID AMOUNT</u>
Wahlstrom Ford, Inc. Chadron, NE 69337	2008 Ford Fusion SE	\$18,875.00
John Miskimins Motor Co., Inc. Chadron, NE 69337	2008 Chevrolet Impala	\$17,835.00

**OPTION B:**

<u>NAME OF BIDDER</u>	<u>EQUIPMENT</u>	<u>FEATURE RATING</u>
Wahlstrom Ford, Inc. Chadron, NE 69337	2006 Mercury Montego	47
	2006 Mercury Grand Marquis	49

John Miskimins Motor Co., Inc.	2007 Pontiac Grand Prix	45
Chadron, NE 69337	2007 Chevrolet Impala	53

After considering the bids, Councilmember Chizek introduced the following Resolution and moved for its adoption:

RESOLUTION NO. 2007-77

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

1. The Mayor and Council find and determine that the bid of John Miskimins Motor Co., Inc. of Chadron, Nebraska for the purchase of one (1) New 2008 Chevrolet Impala Four Door Sedan in the sum of \$17,835.00 as filed with the City Clerk in accordance with the terms of the published notice calling for proposals on the above mentioned equipment should be and the same hereby is accepted.

2. The Contract Documents as heretofore prepared and presented to the Council are hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute said Contract Documents on behalf of the City. The Council waives all formalities or irregularities in opening, submitting and awarding of bids.

3. The City Manager is hereby authorized to expend \$17,835.00 from line item 5910.13, Motorized Equipment, in the Qualified Sinking Fund, for the purchase of said equipment.

The foregoing Resolution having been read, Councilmember Harvey 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 Chizek, Harvey, Grantham. Voting Nay: None. Absent: Gamby, Douglas. 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 2<sup>nd</sup> day of July, 2007.

CITY OF CHADRON

\_\_\_\_\_  
Mayor

ATTEST:

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

(S E A L)

The time being 5:17 p.m., Mayor Grantham opened the public hearing to consider a request to rezone Lots 1-7, and Lots A and B, a replat of Lots 8, 9 and 10, South Park Addition to the City of Chadron. Janet Johnson addressed the Council. Mayor Grantham closed the hearing at 5:23 p.m.

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

RESOLUTION NO. 2007-78

WHEREAS, Drew Petersen and G&B Investments have requested the rezoning of a tract of property hereinafter described from existing RR Rural Residential District to R-2 Urban Family Residential District, and the matter was referred to the City Planning Commission for its advice and recommendation, and the City Planning Commission, after public hearing on June 11, 2007, has reported that Commissioner Young moved to recommend to the City Council the approval of rezoning this portion from RR to R-2, whereupon it was seconded by Commissioner Vey-Miller and was approved by the Commission. Therefore, the Planning Commission sent its recommendation to the City Council that the property should be rezoned from RR Rural Residential to R-2 Urban Family Residential, and

WHEREAS, a public hearing before the City Council was set for July 2, 2007 at 5:15 o'clock P.M., and notice of said hearing was given by publication thereof in The Chadron Record on June 20 and June 27, 2007, and the described property was posted in accordance with Section 19-905 R. R. S., 1943, as amended, now therefore:

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

1. The City Council finds and determines that a public hearing has been held on the application of Drew Petersen and G&B Investments to change and rezone the property hereinafter described from RR Rural Residential to R-2 Urban Family Residential District; that due notice of said hearing was given in accordance with law; that all parties in interest and citizens which have appeared have had an opportunity to be heard, and that no written protests were filed against such change pursuant to Section 19-905 R. R. S. 1943.

2. The City Council finds and determines that the following described property:

Lots 1 through 7, and Lots A and B, a replat of Lots 8, 9, and 10, South Park Addition to the City of Chadron, Dawes County, Nebraska, should be rezoned and it is hereby designated as R-2 Urban Family Residential, and the City Zoning Map approved and adopted by the City Council on February 1, 1971, be and hereby is amended to show such zoning change.

3. The City Zoning/Building Official and the City Clerk are hereby authorized and directed to show upon said City Zoning Map such change.

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, Harvey, Grantham. Voting Nay: None. Absent: Gamby, Douglas. 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 2<sup>nd</sup> day of July, 2007.

CITY OF CHADRON

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Mayor

ATTEST:

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City Clerk

(S E A L)

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

RESOLUTION NO. 2007-79

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

1. The City Council has been advised by the Nebraska Department of Economic Development that it has been requested by Couger Systems, Inc. to revise the terms and conditions of the Community Development Block Grant Project No. 98-ED-021; and the City Attorney has prepared a Security Agreement and Promissory Note, dated and signed June 15, 2007 by Couger Systems, Inc. and a UCC Financing Statement, to be approved by the City Council that further, such Promissory Note is in the principal amount of \$75,109.47.

2. The City Council further understands that said Promissory Note provides for monthly payments of \$894.16 per month payable on the 1<sup>st</sup> day of each month, commencing on July 1, 2007; that the remaining balance shall be paid in full on June 1, 2014; that the balance due pursuant to this Note may be prepaid at any time without penalty; that this Note be secured by a Financing Statement and Security Agreement; and that upon any default in the payment of the principal for a period of 30 days, or upon any default in the performance of the terms and conditions of the Financing Statement and Security Agreement securing payment of this Note which default shall continue for a period of 30 days after notice to the undersigned, the balance of principal shall become due and payable at once at the election of the holder, without further notice.

3. The City Council being fully advised in the premises does hereby approve said Security Agreement; Promissory Note, and UCC Financing Statement and does hereby authorize and direct the Mayor to execute said documents on behalf of the City of Chadron.

The foregoing Resolution having been read, Councilmember Harvey 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 Chizek, Harvey, Grantham. Voting Nay: None. Absent: Gamby, Douglas. 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 2<sup>nd</sup> day of July, 2007.

City Manager Powell explained the revised employee performance evaluation forms and the changes to the Personnel Evaluation Ratings.

Public Works Director Milo Rust reported that there was a meeting held with representatives of Kirkham Michael & Associates last week to address the cracks in the runway and the timeline for repairs.

Interim Police Chief Margaret Keiper reminded everyone of fireworks regulations and to encourage safety during the Fourth of July holiday.

City Clerk Donna Rust reported on the Finance Conference that Finance Officer Melany Hughes and she recently attended in Kearney.

Library Director Scott Kinney informed the Council of summer programs available at the library and other items of interest.

City Manager Sandy Powell informed the Council of several items including the proposed budget calendar, and Civil Service progress on the Police Chief position.

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

RESOLUTION NO. 2007-80

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

That the absence of Councilmember Rob Harvey from the Special Council Meetings held June 28, 2007 and the absences of Councilmember Mark Douglas and John Gamby from the Council Meeting held July 2, 2007, are 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 Harvey 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, 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 2<sup>nd</sup> day of July, 2007.

CITY OF CHADRON

ATTEST:

\_\_\_\_\_  
Mayor

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

(S E A L)

Councilmember Harvey moved to adjourn the meeting at 5:44 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Chizek, Harvey, Grantham. The following voted Nay: None. Motion carried.

CITY OF CHADRON

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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 2, 2007 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)