

CITY COUNCIL MEETING

NO. 2010-04

FEBRUARY 15, 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 15th day of February, 2010, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers Rob Harvey and Steve Duncan, City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Adam Edmund, Police Chief Tim Lordino, Finance Officer Melany Hughes, and Zoning/Building Official Janet Johnson. Absent: Councilmember John Chizek and Public Works Director Milo Rust.

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

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

1) Minutes for City Council Meeting No. 2010-03, February 1, 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 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 for 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		*C
		2,734.40	
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

The minutes for the Planning Commission meeting held February 8, 2010, were distributed.

5) Monthly Reports

Copies of the monthly Treasurer's Report and the Water Report for January 2010 were accepted as presented.

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

Emily Klein and Con Marshall were in attendance and updated the Council on 2010 celebration activities, including a tentative schedule and information on the history book.

Mark Hutton, Airport FBO/Operations Supervisor, was scheduled to give a report on Airport activities, but was not able to attend the meeting.

Colette Fernandez, Executive Director, Chamber of Commerce, was present and gave a report

and update of Chamber activities.

Deb Cottier, Executive Director, Nebraska Northwest Development Corporation, was also scheduled to present a report, but was not able to attend the meeting.

The Council considered the preliminary plat for Kominek Addition to the City of Chadron, Dawes County, Nebraska. Jim Kominek was present to discuss the plat with the Council. Zoning/Building Official Johnson reported that the Planning Commission had reviewed the plat at its regular meeting held February 8, 2010 and after discussion recommended approval of the plat as presented. Considerable discussion was held as to the existing platted alley right of way and dedicated utility easements. The Council was of the consensus that there should be provisions made to dedicate right of way in the event of future development of an alley through the property. Mr. Kominek stated that he was against dedicating any property for an alley, as he felt it would reduce the size of the lots and make the lots harder to sell.

Councilmember Gamby moved to approve the preliminary plat for Kominek Addition to the City of Chadron, Dawes County Nebraska (Tract of Land Located in the 400 Block between North Maple and North Pine Streets—Jim and Joelle Kominek) subject to a dedicated 20' of right of way for a future alley from the existing right of way south, being shown on the plat. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Grantham, Gamby, Harvey, Duncan. Voting Nay: None. Absent: Chizek. Motion carried.

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

RESOLUTION NO. 2010-12

WHEREAS, the Planning Commission of the City of Chadron has reviewed the Final Plat for Lot 1 and Lot 2, Replat of Landreth Addition to the City of Chadron, in the SE 1/4 of Section 17, T33N, R48W of the 6th P.M., Dawes County, Nebraska, (Larry Landreth), (First and Cedar Streets), at their meeting held on February 8, 2010, and has recommended approval of the same, and

WHEREAS, the City Council finds that the Final Plat for Lot 1 and Lot 2, Replat of Landreth Addition to the City of Chadron, in the SE 1/4 of Section 17, T33N, R48W of the 6th P.M., Dawes County, Nebraska, (Larry Landreth), (First and Cedar Streets), should be approved and accepted by the City Council of the City of Chadron, Dawes County, Nebraska, as presented and recommended by the Planning Commission.

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

That the Final Plat for Lot 1 and Lot 2, Replat of Landreth Addition to the City of Chadron, in the SE 1/4 of Section 17, T33N, R48W of the 6th P.M., Dawes County, Nebraska, (Larry Landreth), (First and Cedar Streets) surveyed, staked and platted by Philip R. Curd, LS-664, and executed by

Larry Landreth and Teresa J. Landreth, owners, is hereby approved and accepted by the City of Chadron, and the Mayor and City Clerk are hereby authorized and directed to execute the same on behalf of the City of Chadron.

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 Councilmembers voted Aye: None. The following voted Nay: Grantham, Gamby, Harvey, Duncan. Absent: Chizek. The passage of the Resolution having been opposed by more than a majority of the members elected to the Council was declared defeated this 15th day of February, 2010.

CITY OF CHADRON

DO NOT SIGN – DID NOT PASS

Mayor

ATTEST:

DO NOT SIGN – DID NOT PASS

City Clerk

(S E A L)

Councilmember Harvey moved to appoint Amy Halverson and Darrell Lang to the Planning Commission with Ms. Halverson's term expiring in 2012 and Mr. Lang's in 2013. Seconded by Councilmember Gamby with the following Councilmembers voting Aye: Grantham, Gamby, Harvey, Duncan. Voting Nay: None. Absent: Chizek. Motion carried.

Chief of Police Tim Lordino reported that the Police Department is continuing to work on citing abandoned vehicles. Owners who have not responded by March 1, 2010, will be contacted again.

City Manager Sandy Powell reported that the revised Municipal Code will be on the agenda for the March 1, 2010 Council Meeting. She stated that the current Municipal Code, the proposed Code, and additional proposed revisions to the Code are all available on the City's web-site.

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

RESOLUTION NO. 2010-13

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

That the absence of Councilmember John Chizek from the Regular Council Meeting held February 15, 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 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: Grantham, Gamby, Harvey, Duncan. 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 15th day of February, 2010.

CITY OF CHADRON

Mayor _____

ATTEST:

City Clerk

(S E A L)

Vice Mayor Gamby informed the Council that he does not intend to run for re-election for City Council. He stated that he has served 20 years and has other personal activities that he would like to pursue. Vice Mayor Gamby also added that he feels he no longer has influence on the Council. He cited the example of requesting that the City Manager and Chief of Police have landline telephones installed at their residences so they are accessible to the public after business hours and he has not been able to get this accomplished. He said maybe someone else can get this done.

Mayor Grantham congratulated the Chadron High School wrestlers on their success at the District tournament.

Councilmember Harvey moved to adjourn at 5:52 o'clock P.M. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Grantham, Gamby, Harvey, Duncan. 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 15, 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)