

CITY COUNCIL MEETING

NO. 2010-07

APRIL 5, 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 5th day of April, 2010, at 5:00 o'clock P.M. The following individuals were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers Rob Harvey, John Chizek and Steve Duncan, City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Adam Edmund, Public Works Director Milo Rust, Police Chief Tim Lordino, Finance Officer Melany Hughes and Zoning/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 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 Duncan. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. Motion carried.

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

- 1) Minutes for City Council Meeting No. 2010-06, March 15, 2010

The Minutes were approved as written and distributed.

- 2) Correspondence

There was no correspondence to report.

3) Claims

4) Minutes for Boards and Commissions

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

5) Copies of the monthly Treasurer's Report and Water Report were included.

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

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

RESOLUTION NO. 2010-28

WHEREAS, DRW Enterprises dba Charley's Liquor, Chadron, NE, 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 to conduct a reception for the Chadron State College Golf Tournament, between the hours of 4:00 o'clock p.m. and 12:00 o'clock midnight on Friday, May 28, 2010, inside the Assumption Arena building located at 355 Spruce Street, Chadron, NE 69337, in an area which is 100 feet in length and 50 feet in width.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, Chadron, NE, to conduct a reception for the Chadron State College Golf Tournament between the hours of 4:00 o'clock p.m. and 12:00 o'clock midnight on Friday, May 28, 2010, inside the Assumption Arena building located at 355 Spruce Street, Chadron, Nebraska, in an area which is 100 feet in length by 50 feet in width, 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 Control Commission.

The foregoing Resolution having been read, Councilmember _____ 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: _____. The following voted Nay: _____. 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 5th day of April, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2008-55

WHEREAS, Angela's Eatery, 251 Main Street, 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 on Saturday, June 28, 2008 between the hours of 5:00 o'clock P.M. and 12:00 o'clock Midnight, inside the Chadron Arts Center building, which total area is 100 feet in length and 44 feet in width, and located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Angela's Eatery, 251 Main Street, on Saturday, June 28, 2008 between the hours of 5:00 o'clock P.M. and 12:00 o'clock Midnight inside the Chadron Arts Center building, which total area is 100 feet in length and 44 feet in width, and located at 371 King Street, Chadron, Nebraska, for a dance and 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 Control Commission.

The foregoing Resolution having been read, Councilmember _____ 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: _____. The following voted Nay: _____. 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 19th day of May, 2008.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-30

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

The Financial Report of the City of Chadron, as prepared by George W. Klein, CPA, for the fiscal year ending September 30, 2009 is hereby accepted and filed with the City Clerk.

The foregoing Resolution having been read, Councilmember _____ 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: _____. The following voted Nay: _____. 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 5th day of April, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-33

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

The Specifications for One (1) New 2010 Full Size Police Package Sedan, having been prepared by the order of the Mayor and City Council and 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 _____ seconded the motion for the passage of the Resolution, and after consideration, the roll was called on the passage of said Resolution and the following Councilmembers voted Aye: _____. The following voted Nay: _____. 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 5th day of April, 2010.

CITY OF CHADRON

ATTEST:

Mayor

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-34

WHEREAS, the City of Chadron has in the past participated in the Federal Transportation Administration Chadron Public Transportation System by receiving Federal Financial Assistance through a grant for the same; and

WHEREAS, the City finds that said program is beneficial to the citizens of the City with special emphasis on meeting the needs of the elderly and handicapped and desires to apply for a new grant.

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

1. The Grant Application, as prepared and presented for Federal Financial Assistance, to continue the Chadron Public Transportation System program for the fiscal year July 2010 - June 2011, is hereby approved and adopted.

2. The City Manager is hereby authorized and directed to execute an Application for Public Transportation Assistance and the Mayor is hereby authorized and directed to execute a certain agreement providing for partial funding of the Chadron Public Transportation System, Project No. RPT-M232(209) for Fiscal Year 2010-11 (July 1, 2010 – June 30, 2011).

The foregoing Resolution having been read, Councilmember Gamby 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: Duncan, Grantham, Gamby, Chizek, Harvey. 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 5th day of April, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Duncan moved to enter into executive session at 6:50 p.m. for the purpose of discussing personnel matters. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. Motion carried.

Councilmember Chizek moved to adjourn the executive session at 8:32 p.m. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. Motion carried.

Councilmember Chizek moved to adjourn at 8:33 o'clock P.M. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Chizek, Duncan, Grantham, Gamby. The following voted Nay: None. Absent: Harvey. 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 April 5, 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)