

CITY COUNCIL MEETING

NO. 2010-08

APRIL 19, 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 19th 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 Officer Jarvis Wallage, 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 Harvey. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. 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. 2010-07, April 5, 2010

The Minutes were approved as written and distributed.

- 2) Correspondence

The Council received a thank you note from Joan Yekel of Crossroads Resources, LLC, thanking the Council for signing the proclamation for Compulsive Gambling Awareness Month. Also included was a written report from Deb Cottier, Director for Nebraska Northwest Development Corporation. Ms. Cottier was out of town and was not able attend the meeting.

3) Claims

*Denotes Check Issued

R-Resolution, F-Federal Law, M-Motion
 N/A-No Authority, D-Discount
 T-Transfers/Pass Through
 E-Electronic Checks

ABC Electric	Traffic Light Repair/Library Light Repair	494.05	
Abdo Spotlight Magic Wagon	Library Materials	299.82	
Afternooners	Meals for Police Training/Melton	11.27	
Apria Healthcare	Oxygen Cylinders for Fire Dept.	97.00	
Arrow Building Center	Supplies/Repairs for Various Depts.	468.55	
AS Central	Long Distance/Network Service Charges	544.62	
Baker & Taylor	Library Materials	1,515.97	
Bauerkempers	Repairs/Parts for Various Depts.	79.38	
Best Books	Library Materials	128.23	
Carrolls Appliance & Vacuums	Library Vacuum Repair	74.15	
Century Business Products	Library Copier Lease	63.00	
CH Diagnostic & Consulting Service	Water Sample Testing	370.00	
Chadron, City of	3/30/10 Electronic Withdrawal for Payroll		*C/E
		32,431.89	
Chadron, City of	FICA through 3/30/10	4,956.14	*F
Chadron, City of	Payroll through 3/30/10	34,857.10	*C
Chadron Community Hospital	LB840 Quarterly Dist. Jan.-March 2010	66,809.01	
Chadron Concrete	Concrete for Water Dept.	29.43	
Chadron Home Center	Supplies/Parts for Various Depts.	250.67	
Chadron Wholesale	Supplies for Police Dept.	35.85	
Culligan	Bottled Water for Airport/WW Plant	130.75	
Downs Decorating	Repair Carpet Edging at City Hall	125.00	
DXP	Air Masks for Fire Department	317.98	
Eagle Chevrolet	Vehicle Repair for Police Dept.	108.67	
Edmund, Adam	03/10 Legal Services	4,045.00	
First National Bank NP	H.S.A. through 3/30/10	140.00	*
First National Merchant Solutions	Credit Card Machine Fees	50.24	*E
Gale	Library Materials	116.85	
Great Plains Communications	Internet Service for Various Depts.	99.90	
Great Plains One Call Service	Locate Requests	52.62	

Hansen, Maruta	4/1-4/14/10 Janitorial Services	200.00	
Hawkins	Chlorine for Water Dept.	939.46	
Hencey Plumbing	Library Plumbing Repairs	103.40	
Henkens Equipment	15 Foot Mower for Airport	10,300.00	
Hills Materials	Cold Mix for Street Dept.	1,019.44	
Hutton, Mark	04/10 Operations Contract	3,501.00	
Ideal Linen	Janitorial Supplies for Various Depts.	349.81	
Ingram	Library Materials	489.38	
Linweld	Argon Cylinders for Street Dept.	15.40	
MES-MIDAM	Fire Department Supplies	127.37	
Micromarketing	Library Materials	185.93	
Mid America	Library Materials	39.85	
Midland Telecom	Pager Testing/Repair for Fire Department	279.20	
Midwest Mailing Solutions	Postage for Postage Meter	400.00	*E
Mobius	Internet Service for Airport	18.99	
Municipal Supply	Hydrant for Water Dept.	1,680.53	
NE Dept. of Aeronautics	Fuel Loan/Monthly Beacon Maint./Airport		*E
		685.00	
NE Dept. of Health & Human Serv.	Water Operator's License/Thewke		
		94.00	
NE Municipal Power Pool	Membership Dues	1,505.95	
NE Public Health Laboratory	Water Sample Testing	167.00	
Nebraska Public Power District	Electric Service for Various Depts.	2,728.86	
Nebraska Safety Center	STOP Class for Jake Janssen	75.00	
Nebraska Workforce Development	Unemployment Insurance/Lliteras		
		3,302.00	
Nebraskaland Tire	Tire Repair for Fire Dept.	14.04	
Norms Carquest	Parts/Repairs for Various Depts.	928.88	
Northwest Rural Public Power	Rural Electric Service	200.51	
Nuco Industries	Fire Department Supplies	494.40	
Panhandle Veterinary Clinic	03/10 Animal Boarding	300.00	
Penworthy	Library Materials	95.50	
Petersen Drug	Supplies for Police Dept.	28.98	
Pumpkin Books	Library Materials	191.02	
Quality Tire	Tires/Tire Repair for Various Depts.	316.00	
Quill	Library Office Supplies	258.99	
Rapid City Journal	03/10 Ads	720.05	
Rapp Sales Co.	Supplies for Street Dept.	34.94	
Regional Care	2010 RCI Forum Registration/Powell	50.00	
Roberts, Alva	Travel Reimbursement	9.95	
Rockhurst University	Payroll Law Class/Mathis	199.00	

Rust, Milo	Travel Reimbursement	6.40	
Sandhills Computer	Internet for Street Dept.	29.00	
Sears	Vacuum Cleaner for Library	494.99	
Sturdevants	Supplies/Repairs for Various Depts.	609.51	
United States Treasury	1st Quarter Federal Excise Tax	95.65	
Upstart	Library Summer Reading Program	217.30	
Vantage Point Trust 401 Employee	Pension through 3/30/10		*C
		2,562.48	
Vantage Point Trust 401 Police	Pension through 3/30/10	1,246.86	*C
Westco	Propane/Fuel for Various Depts.	3,438.97	
Western Communications	Siren Maint/Police-Batteries/Fire Dept.	610.00	
WPCI	Random Drug Testing	99.00	
Xerox	Copier Lease/Copies for City Hall	701.90	
	TOTAL	190,865.03	

4) Minutes for Boards and Commissions

There were no minutes to include.

5) Monthly Reports

Copies of the monthly Treasurer's Report and Water Report for March 2010 were included.

6) Resignation from Chuck Jividen from the Citizen Advisory Review Committee

The City is in receipt of a letter of resignation from Chuck Jividen from the Citizen Advisory Review Committee effective immediately. Mr. Jividen is moving from Chadron.

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

Mayor Grantham proclaimed April 30, 2010, as Arbor Day. Parks Superintendent Scott Schremmer was in attendance and informed the Council of the annual Arbor Day program to be held on April 22, 2010.

Mayor Grantham proclaimed the week of May 2-8, 2010, as Drinking Water Week. Public Works Director Milo Rust, representing the Nebraska chapter of AWWA, commented on the designation.

An ACE Rewards check in the amount of \$400.00 was presented to the Washington, D.C. Committee for their efforts in placing door hangers throughout the community to promote the Choice Gas Program. Melissa Menke was in attendance to accept the check.

Don Huls, representing the 2010 Celebration Committee, was in attendance and updated the Council on the cattle drive and other scheduled activities and promotions.

Susan Hucke, Executive Director, Keep Chadron Beautiful, gave a report and update on the Sweep Chadron Clean Community-Wide Cleanup and the Recycle Your Electronics Event, which are both scheduled for April 24, 2010.

Doug Budd, Airport Operations Supervisor, gave a report and update with regard to the Chadron Municipal Airport.

Colette Fernandez, Executive Director, Chamber of Commerce, updated the Council on Chamber activities.

The Council continued its second reading of Ordinance No. 1334, which ordinance is for the adoption of the revised Municipal Code. Scott Schremmer was in attendance and spoke on behalf of the Fire Department. Library Director Rossella Tesch was also in attendance and reviewed the chapter dealing with the Library with the Council. Levi Grant spoke with regard to abandoned trailer houses and car bodies.

It was reported that pursuant to the terms of the Notice to Bidders, a bid opening had been held at 2:30 o'clock P.M. on April 12, 2010, for the construction of the Armor Coating Project 2010. 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:

ARMOR COATING PROJECT 2010

NAME OF BIDDER	AMOUNT
Topkote Inc. Yankton SD	\$142,329.80
Hills Materials Company Rapid City SD	\$159,820.00

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

RESOLUTION NO. 2010-35

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 bid of Topkote, Inc., Yankton, SD, in the amount of \$142,329.80 for the construction of the Armor Coating Project 2010 as filed with the City Clerk is in accordance with the terms of the published notice calling for proposals of the above-mentioned improvements, and that the same should be and hereby is accepted.

2. The Contract Documents as heretofore prepared and presented to the Council for said improvements are hereby approved, and the Mayor and Clerk are authorized and directed to execute said contract on behalf of the City. The Council waives all formalities or irregularities in opening, submitting and awarding of bids; all other bids for the improvements are hereby rejected. The Clerk is instructed to return all bid bonds for checks accompanying such bids of all other bidders except the next lowest bidder on said project which shall be held until the successful bidder has signed the contract and filed the performance bond.

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. The following voted Nay: Chizek, Duncan. 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 April, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-36

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

1. The City Council having reviewed an Application for Federal Assistance for the Wildlife Hazard Assessment project for the Chadron Municipal Airport, with the federal share for the total project to be an estimated \$28,500.00 and the City's total estimated share to be \$1,500.00, for a total estimated project cost of \$30,000.00, does hereby adopt and approve such application.

2. The Mayor is hereby authorized and directed to execute the Application for Federal Assistance on behalf of the City of Chadron.

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: Grantham, Gamby, Chizek, Duncan. The following voted Nay: Harvey. 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 April, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Janet Johnson gave a report on the 2010 swimming pool schedule. Councilmember Harvey moved to approve the 2010 swimming pool hours and fees as presented. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Rossella Tesch, Library Director, presented the annual library report.

Milo Rust, Public Works Director, gave a report on a letter from Special Engineer Dave Coe regarding the status of the City Dam Infiltration Gallery Retaining Wall Project. He also reminded everyone of the Open House for the new Wastewater Treatment Facility scheduled for April 20, 2010.

Terry Birnbaum, Street Superintendent, gave a report on the asphalt zipper.

Sandy Powell, City Manager, reported on liquor-related legislation which would allow communities to extend closing hours of liquor establishments until 2:00 a.m.

The City Manager also reported that Linda Teahon had complimented the Police Department on their handling of an incident involving her broken leg.

Councilmember Chizek expressed concerns with the stop light at 6th and Main Streets.

Councilmember Gamby reported on the SWANN meeting which he attended. At the present time, it does not appear that there will need to be an increase in rates.

Councilmember Harvey moved to enter into executive session at 6:48 p.m. for the purpose of conducting the City Manager evaluation. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Harvey moved to adjourn the first executive session and reconvene in open session at 7:20 p.m. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Harvey moved to continue the City Manager evaluation at the May 3, 2010, regular Council Meeting. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Harvey moved to enter into a second executive session at 7:21 p.m. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to adjourn the second executive session and reconvene in open session at 8:51 p.m. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Gamby moved to approve the job descriptions for the City Manager and City Clerk as presented. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, Harvey, Duncan. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to adjourn at 8:52 o'clock P.M. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Grantham, Gamby, Chizek, 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 April 19, 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)