

CITY COUNCIL MEETING

NO. 2010-09

MAY 3, 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 3rd day of May, 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, Chief of Police 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 Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, 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. 2010-08, April 19, 2010

The Minutes were approved as written and distributed.

- 2) Correspondence

The Council received a letter from Adrian Smith, Member of Congress, congratulating the City on the dedication of its new wastewater treatment facility. The Council also received a letter from Sheriff Karl Dailey with regard to the Law Enforcement Interlocal Agreement, that was approved by the Chadron City Council and the Crawford City Council. Sheriff Dailey stated in his letter that he does not support the Agreement as written, as he feels it allows too many avenues for abuse and confusion. Along with

his letter, Sheriff Dailey provided a copy of a different Agreement for everyone's consideration. It was noted that Sheriff Dailey, Chief Lordino, and Crawford Chief of Police Medeiros will be visiting with regard to this issue in the near future.

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/Repairs for Various Depts.	60.56	
AS Central	Long Distance/Network Service Charges	569.76	
Birnbaum, Jenette	School Bus License Reimbursement	7.50	
Black Hills Landscapes	Sod for Parks Dept.	155.00	
Bruns Laundry	Uniform Cleaning for Police Dept.	7.50	
Budd, Doug	Reimb. Office Supplies Expense for Airport		61. 9 7
California Contractors	Gear Wrench Set for Water Dept.	179.90	
Chadron, City of	FICA through 4/13/10	4,970.90	*F
Chadron, City of	5/10 Dental Side Fund	175.50	
Chadron, City of	5/10 Health Side Fund	27,947.67	
Chadron, City of	Payroll through 4/13/10	67,362.96	*C
Chadron, City of	Utility Deposit Refund	517.00	
Chadron Concrete	Cement for Parks Dept.	82.50	
Chadron Glass	Windows for Water Dept./Police Dept.	887.50	
Chadron Lumber Company	Kitchen Setup-WW Plant/Fuel Farm Sup.		
	2,241.26		
Chadron's 125th Celebration	Memorabilia for Dignitaries	80.00	
Chadron Rotary Club	Quarterly Dues/Powell	114.50	
Devoogd, Danielle	Applied Utility Deposit	4.83	
Enviro Service	Wastewater Sample Testing		62.00
Evans, Samantha	Utility Deposit Refund	55.58	
Ewald, Catherine	Utility Deposit Refund	5.48	
Farm Plan	Supplies/Parts for Various Depts.	302.96	
First National Bank NP	H.S.A. through 4/13/10	119.00	*
First National Bank Omaha	Supplies/Travel for Various Depts.	2,305. 5 6	
FP Mailing Solutions	Quarterly Postage Meter Rental	143.85	
Galls	Uniforms/Nametags for Police Dept.	118.83	
Hach	Supplies for Wastewater Dept.	756.35	

Hansen, Maruta	4/15-4/28/10 Janitorial Services	200.00	
Harper, Lynette	Utility Deposit Refund	57.81	
Hencey Plumbing	Repairs for Parks Dept.	4.50	
Henkens Equipment	Repairs/Parts for Various Depts.	45.19	
Hi-Tech Car Care	Tokens for Handi Bus Washing	27.00	
Hills Materials	Road Base/Cold Mix for Various Depts.	1,981.02	
Hourts Body Shop	Radiator for Police Dept.	200.00	
Hunter, Doud	Utility Deposit Refund	35.58	
Ideal Linen	Janitorial Supplies for Various Depts.	106.42	
Inland Potable Services	Water Tank Inspection for Water Dept.	3,825.00	
Mack, Jill	Utility Deposit Refund	23.72	
Madison National Life	5/10 Dental Premium	158.49	
Midwest Mailing Solutions	Postage for Postage Meter	500.00	*E
NE Dept. of Economic Dev.	Your Selling Team Payment	2,976.19	T
NE Law Enforcement Trng. Center	TABE Training/Eversull	10.00	
NE Public Health Laboratory	Water Sample Testing	100.00	
Nebraska Dept. of Revenue	03/10 Sales/Use Tax		
5,677.91	*E		
Nebraska Emergency Services	2010 Spring Conference/Serbousek	65.00	
Nebraska Machinery	Parts for Street Dept.	49.35	
Nebraska Public Power District	Electric Service for Various Depts.	545.34	
Nebraska Rural Water Assn.	Backflow Class Registration for Water Dept.		
200.00			
Nebraska Secretary of State	Financing Statements for Econ. Dev. Reuse		
20.00			
Northwest Rural Public Power	Rural Electric Service		11,384.89
Outlaw Printers	Receipts for City Hall/Clothing-Water Dept.	519.83	
Power House	Parts for Parks Dept.	238.20	
Qwest	Phone Service for Various Depts.	975.65	
Rapp Sales Co.	Supplies for Street Dept.	70.00	
Regional Care	5/10 Emp. Health Benefits/Select Flex	12,275.43	
Roberts Electric	Receptacles-Police/UPS Chrgs. for Water		185. 8 8
Sandhills Nursery	Tree for Parks Dept.	100.00	
Shell	3/12-4/11/10 Fuel Charges		3,785.71
Sirchie	Supplies for Police Dept.		53.75
Source Gas	Gas Service for Various Depts.	2,037.65	
US Postmaster	5/10 Utility Bills Postage	455.70	*
USA Blue Book	Lab Set-up for Wastewater Plant	234.24	
Vantage Point Trust 401 Employee	Pension through 4/13/10	2,553.41	*C
Vantage Point Trust 401 Police	Pension through 4/13/10	1,223.02	*C
Wal Mart	Supplies for Various Depts.		721.16

West Second Appliance	Refrigerator for Wastewater Plant	429.99
Western Communications	Radio Maintenance for Police Dept.	222.00
Zuver, Don	Door Repair at Library	280.00
TOTAL		163,851.45

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 held April 12, 2010 were distributed to the Council.

5) Fire Department Membership List

The Council received a letter from the Chadron Volunteer Fire Department, advising of changes in its membership as of their April 2010 meeting. It was noted that Justin Bates and Nevin Price have joined as new members. The Fire Department currently has 40 active members.

6) Proclamation for Chadron Poppy Day

It was reported that Mayor Grantham had signed a proclamation earlier on this date, to declare Saturday, May 22, 2010 as Chadron Poppy Day.

Chief of Police Tim Lordino requested that the Council declare the week of May 9 - 15, 2010 as Police Week. Chief Lordino read the proclamation and Mayor Grantham signed the same.

Mayor Grantham reported that the agenda item to designate two handicapped parking stalls at 340 North Mears per the request of the members of Kenwood Chapel, will not be addressed at this meeting. Pastor Daniels had called and requested that this issue be postponed for one to two months, after there is additional discussion at the church.

Jack Baker, Barry Swanson, and John Baker of Baker & Associates were all in attendance with regard to the proposed amendment to the contract for engineering services for the Wastewater Treatment Facility project. Jack Baker explained the request for additional dollars that the firm would like to be compensated for by the City, due to additional work required of the project.

The provisions of the contract include the following:

(1) The original agreement was prepared in November 2007. The Agreement provides for an adjustment if the engineering service extends beyond December 2008. The engineering firm stated that the rates have increased annually by approximately 4%, resulting in an increase of \$3,752.00.

(2) Due to the initial bids exceeding the budgeted amount, the project was re-designed at the request of the City in order to reduce the scope of work and rebid the project at a lower cost to the City. This resulted in an increase of \$23,113.00.

(3) Additional services involving the Buy American stipulations and the ARRA funding packet resulted in an increase of \$5,629.

(4) Additional services involving soils reports and testing resulted in an increase of \$16,970.

Mr. Baker stated that the company is requesting a not-to-exceed contract extension of \$40,000.00. Considerable discussion followed. Mr. Baker answered questions from City Manager Powell and the City Council.

After discussion, Councilmember Gamby moved to postpone this agenda item to allow additional time to give the Council an opportunity to review the original engineering contract with Baker & Associates for the wastewater treatment project and to allow the public an opportunity to comment and /or review the contract as well. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following Councilmembers voted Nay: None. Motion carried.

The Council considered four (4) applications for Special Designated Licenses for golf tournaments that are being held on four (4) different Sundays. It was noted that the Country Club has a current liquor license, but would like exception to the Sunday liquor sales. The Municipal Code currently provides for the sale of beer on Sundays, between the hours of 12:00 Noon and 8:00 o'clock p.m. The Country Club would like to be able to sell and serve beer and wine only between the hours of 8:00 o'clock a.m. and 12:00 Noon, as allowed by State law with Council approval. They are also requesting permission to sell and serve all alcoholic liquors between the hours of 12:00 Noon and 10:00 p.m. Chief of Police Lordino stated that he had no objections concerning these four (4) applications and would recommend approval.

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

RESOLUTION NO. 2010-38

WHEREAS, Ridgeview Country Club, Chadron, NE 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 beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, May 30, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00

p.m. on Sunday, May 30, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Ridgeview Country Club, Chadron, NE 69337, to authorize the consumption of beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, May 30, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, May 30, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska, 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 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 Council members voted Aye: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-39

WHEREAS, Ridgeview Country Club, Chadron, NE 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 beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, June 6, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, June 6, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Ridgeview Country Club, Chadron, NE 69337, to authorize the consumption of beer and wine by adults between the hours of 8:00 o'clock A.M. and 12:00 Noon on Sunday, June 6, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, June 6, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska, 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 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 Council members voted Aye: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-40

WHEREAS, Ridgeview Country Club, Chadron, NE 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 beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, July 18, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, July 18, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Ridgeview Country Club, Chadron, NE 69337, to authorize the consumption of beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, July 18, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, July 18, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska, 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 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 Council members voted Aye: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-41

WHEREAS, Ridgeview Country Club, Chadron, NE 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 beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, August 22, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, August 22, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Ridgeview Country Club, Chadron, NE, to authorize the consumption of beer and wine by adults between the hours of 8:00 o'clock a.m. and 12:00 Noon on Sunday, August 22, 2010, and all alcoholic liquors by adults between the hours of 12:01 p.m. and 10:00 p.m. on Sunday, August 22, 2010, at the Ridgeview Country Club Clubhouse, in an area which is 44' x 76', and an outdoor area consisting of 102.5 acres, and located at 16611 Hwy. 385, Chadron, Nebraska, 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 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 Council members voted Aye: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Chief of Police Lordino stated that he had no objections concerning the Special Designated License application of the Knights of Columbus and that he would recommend approval.

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

RESOLUTION NO. 2010-42

WHEREAS, Chadron Knights of Columbus Council #1128, 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 4:00 o'clock P.M. and 12:00 midnight on May 29, 2010, at the Assumption Arena, in an area which is 150' x 100' and located at 355 Spruce St. Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Chadron Knights of Columbus Council #1128, Chadron, NE 69337, between the hours of 4:00 o'clock P.M. and

12:00 midnight on May 29, 2010, at the Assumption Arena, in an area which is 150' x 100' and located at 355 Spruce St., Chadron, Nebraska, for the CSC golf tournament dinner and social, 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: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Chief of Police Lordino reported that the bid opening was held for the purchase of one (1) new 2010 Full Size Police Package Sedan. One bid was received from Wahlstrom Ford in the amount of \$22,590.40. Chief Lordino also reported that checking on the State bid as of November 2009, the price for a Crown Victoria without add-on's was \$21,163.00, plus \$550.00 for delivery. This would result in a difference in cost of approximately \$1,000.00. Chief Lordino recommended acceptance of the bid from Wahlstrom Ford.

It was reported that pursuant to the terms of the Notice to Bidders, a bid opening had been held at 2:00 o'clock P.M. on April 26, 2010, for the purchase of one (1) new 2010 Full Size Police Package Sedan. 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:

2010 FULL SIZE POLICE PACKAGE SEDAN

NAME OF BIDDER

AMOUNT

Wahlstrom Ford, Inc.
Chadron, NE

\$22,590.40

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

RESOLUTION NO. 2010-43

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 quote of Wahlstrom Ford, Inc. Chadron, Nebraska for the purchase of one (1) new 2010 Ford Crown Victoria, in the sum of \$22,590.40 for the Police Department, as filed with the City Clerk, should be and the same hereby is accepted.

2. An expenditure of \$22,590.40 from line item 5910.21, Motorized Equipment in the Police Department budget, is hereby authorized for the purchase of said equipment.

The foregoing Resolution having been read, Councilmember Gamby 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: Gamby, Chizek, Duncan, Grantham. The following voted Nay: Harvey. 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

The Council considered Ordinance No. 1335 on its first reading:

AN ORDINANCE to provide for the sale at retail of beer and wine on Sunday, July 4, 2010 between the hours of 8:00 a.m. and 12:00 noon, and the sale of alcoholic liquors, including beer,

between the hours of 12:00 noon on Sunday, July 4, 2010 and 1:00 a.m. on Monday, July 5, 2010 for the 4th of July holiday; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

The second reading of Ordinance No. 1335 will be on May 17, 2010.

The Council continued its consideration of Ordinance No. 1334 on its second reading:

A GENERAL REVISION ORDINANCE amending the document known as the Municipal Code of the City of Chadron, Nebraska; to repeal all ordinances and parts of ordinances in conflict herewith; directing the publication of this Ordinance in book form and prescribing the time when this Ordinance shall be in full force and effect.

Chapters 10, 11, and 12 were reviewed in detail with the City Council.

City Manager Powell noted that there were questions with regard to Section 6-502(1) of the Municipal Code at the last Council Meeting and staff wished to discuss this further with the Council. The City Manager further stated that Chief of Police Lordino and Vice Mayor Gamby were going to have discussion prior to bringing this back to the Council. Since these two individuals had not had an opportunity to meet with each other, this discussion will be postponed until the next regular Council meeting.

Zoning/Building Official Janet Johnson reviewed Chapter 10 Manufactured Homes with the Council. Chief of Police Tim Lordino reviewed Chapter 11 Police Regulations with the Council. Utilities Director Tom Menke reviewed Chapter 12 Sewers with the Council.

There was considerable discussion regarding the issue of firearms and carrying concealed weapons within the community. There was also discussion of allowing concealed weapons in City owned buildings and properties, if designated by the Council. City Manager Powell suggested bringing a separate ordinance to the Council for consideration at a later date to address the issue of firearms in the City limits.

The second reading of Ordinance No. 1334 will continue on May 17, 2010 with Chapters 13, 14, and 15 being reviewed.

Councilmember Gamby moved to appoint Annie Loutzenhiser to the Citizen Advisory Review Committee to fill a vacancy, which term will be effective immediately and expire January 2012. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

It was reported that lists of various items that have accumulated in each of the Departments were compiled for the annual surplus auction. The lists were distributed to the Council for review. City Manager Powell reported that the list for the Police Department includes a van that was used by the City in conjunction with the DARE program. The City Manager recommended donating the van to Chadron State College for their use. The list also includes two (2) Honda motorcycles. Rather than sell these motorcycles at the City auction, there was suggestion that the motorcycles could generate more money

if advertised and sold to another law enforcement agency or possibly sold on e-bay. It was further noted that the resolution gives the City Manager the authority to dispose of the items as is determined to be in the best interest of the City.

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

RESOLUTION NO. 2010-44

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

1) That the Surplus Personal property of the City of Chadron as shown on Exhibit "A" filed in the City Clerk's office be sold at Public Auction, after due notice of time and place of said auction as required by law, and that said property be sold to the highest bidder upon acceptance by the City Manager. Any and all bids may be accepted or rejected by the City Manager.

2) The City Council further authorizes the City Manager to discard any of the surplus personal property as she deems to be in the best interest of the City to do so.

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: Gamby, Chizek, Harvey, Duncan, 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 3rd day of May, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Lynn Mathis was present and reported that the City received a check from Employers Mutual Insurance Company in the amount of \$9,196.53. This check is the City's share of the dividend from the Municipality Safety Dividend Program.

Public Works Director Milo Rust reported on the costs relating to the flashing red light at 6th & Main Streets. Mr. Rust reported that this issue will be discussed in further depth at budget time.

Milo Rust also reported that this is the 20th year that the City of Chadron has received the Tree City USA designation. In celebration of the achievement, the City received a plaque in recognition of 20 years. The plaque was shown to the Council.

Chief of Police Tim Lordino distributed statistical information that had been gathered with regard to the speed trailer that has been placed in two different locations to date.

Chief Lordino also spoke in support of the WING task force program.

Councilmember Harvey moved to enter into executive session at 6:25 p.m. for the purpose of personnel matters. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to adjourn the first executive session and reconvene in open session at 6:51 p.m. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to enter into a second executive session at 6:52 p.m. for the purpose of conducting the performance evaluation of City Manager Sandy Powell. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to adjourn the second executive session and reconvene in open session at 7:47 p.m. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

Councilmember Chizek moved to continue the performance evaluation for City Manager Sandy Powell until the next regular Council meeting, scheduled for May 17, 2010. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. The following voted Nay: None. Motion carried.

Councilmember Duncan moved to adjourn at 7:48 o'clock P.M. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Gamby, Chizek, Harvey, Duncan, Grantham. 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 May 3, 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)