

CITY COUNCIL MEETING

NO. 2010-12

JUNE 21, 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 21st day of June, 2010, at 5:00 o'clock P.M. The following City Councilmembers were present: Mayor Donny Grantham, Vice Mayor John Gamby, Councilmembers Rob Harvey, John Chizek and Steve Duncan. Others present were: City Manager Sandy Powell, City Clerk Donna Rust, City Attorney Adam Edmund, Police Chief Tim Lordino, Finance Officer Pam Strotheide, Public Works Director Milo Rust, 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: Duncan, Grantham, Gamby, Chizek, Harvey. The following voted Nay: None. Motion carried.

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

1) Minutes for City Council Meeting No. 2010-11, June 7, 2010

The Minutes were approved as amended, which amendment was to include a statement concerning the City Manager's performance evaluation and the decision she made to waive a salary increase for this evaluation period.

2) Correspondence

A letter was received from the Traffic Engineering Division of the NE Department of Roads concerning the request for a traffic study at the east junction of US Highway 20

and US Highway 385 and the projected schedule to complete said study.

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

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|---------------------------------|---|-----------|----|
| ABC Electric | Repairs for Water Dept./Library | 106.45 | |
| Ace Industrial Supply | Work Gloves for Waste Water Dept. | 155.80 | |
| Arkulari, Samantha | Utility Refund | 48.68 | |
| Arrow Building Center | Supplies/Repairs for Various Depts. | 521.69 | |
| AS Central Services | Network Service Charges | 448.00 | |
| Bagneschi, David | Utility Refund | 49.43 | |
| Baker & Taylor | Library Materials | 1,377.47 | |
| Bamford | Fire Sprinkler Inspection for Fire Dept. | 200.00 | |
| Barco | Sign Posts for Street Dept. | 352.83 | |
| Bauerkempers | Parts/Repairs for Various Depts. | 121.47 | |
| Bluffs Sanitary Supply | Chlorine/Reagent for Swimming Pool | 1,151.37 | |
| Brenntag | Supplies for Street Dept. | 1,740.22 | |
| California Contractors Supplies | Socket Set for Water Dept. | 129.99 | |
| Century Business Products | Library Copier Lease | 63.00 | |
| Chadron, City of | FICA through 6/08/10 | 5,745.46 | *F |
| Chadron, City of | Payroll through 6/08/10 | 77,720.57 | *C |
| Chadron, City of | Utility Deposits | 1,061.73 | |
| Chadron Concrete | Concrete for Water Dept. | 30.76 | |
| Chadron Glass | Screen for Library | 8.00 | |
| Chadron Home Center | Parts/Supplies for Various Depts. | 337.17 | |
| Chadron Lumber | Painting Supplies for Swimming Pool | 182.97 | |
| Chadron Rotary | Quarterly Dues/Lordino | 119.50 | |
| Chadron Wholesale | Supplies for Various Depts. | 311.68 | |
| Clarke, Jasmine | Utility Refund | 48.71 | |
| Coe Engineering | Professional Engineering Services | 1,250.00 | |
| Culligan | Repairs for Pool/ Water for Airport/WW | 283.25 | |
| Dawes County Court | Election Costs | 1,222.44 | |
| Dept. of Aeronautics | Fuel Loan and Monthly Beacon Maint. | 685.00 | *E |
| Eardley, Duke | Utility Refund | 29.30 | |
| Ebsco | Library Renewal Databases | 1,590.00 | |

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| Edmund. Adam | 5/10 Legal Services | 4,471.54 | |
| EMC Insurance | Deductible Reimbursement/J. Birnbaum | 75.50 | |
| Emory, Lauren | Utility Refund | 47.57 | |
| Enviro Service | Wastewater Testing | 62.00 | |
| Express Auto Salvage | Tailgate for Street Dept. | 250.00 | |
| Feld Equipment | Supplies for Fire Dept. | 979.00 | |
| Fire Rescue Magazine | Subscription | 41.95 | |
| First National Bank NP | H.S.A. through 6/10/10 | 119.00 | * |
| First National Merchant Solutions | Fees for Use of Credit Card Machine | 51.66 | *E |
| Follett | Library Printer Paper/Site License | 1,197.47 | |
| Fuscher, John | Utility Refund | 51.73 | |
| Gale | Library Materials | 296.87 | |
| Gene's Auto Shop | Parts for Water Dept. | 50.50 | |
| Gould, Pat | Quarterly Per Diem Fire Pay | 525.00 | |
| Great Plains One Call Service | Locate Requests | 94.21 | |
| Haag, Mark | Utility Refund | 21.85 | |
| Hansen, Maruta | 06/03-06/16/10 Janitorial Services | 200.00 | |
| Harriger, Jordan | Utility Refund | 44.13 | |
| Hawkins | Chlorine for Water Dept. | 2,441.68 | |
| Hickey, Katie | Utility Refund | 52.14 | |
| Hickman, Kyle | Utility Refund | 38.41 | |
| Hills Materials | Road Base for Street Dept. | 3,616.51 | |
| Hills Tire | Tire Repair for Street Dept. | 12.50 | |
| HR Direct | Employment Forms for City Hall | 88.50 | |
| Hudson, Samantha | Utility Refund | 6.27 | |
| Hutton, Mark | 06/10 Operations Contract | 3,501.00 | |
| Ideal Linen | Janitorial Supplies for Various Depts. | 435.06 | |
| Ingram | Library Materials | 472.00 | |
| Jones, Maggie | Utility Refund | 57.82 | |
| Knowbuddy | Library Materials | 76.60 | |
| LA Sign | Flags for Parks/Flag Plaza | 708.00 | |
| Lawson Products | Supplies for Street Dept. | 83.28 | |
| Llitas, Joe | Utility Refund | 51.15 | |
| MES-MIDAM | Fire Department Supplies | 369.46 | |
| Metal Products | Repairs/Supplies for Various Depts. | 831.92 | |
| Midwest Mailing | Labels for Postage Machine | 110.00 | |
| Midwest Mailing | Postage for Postage Machine | 500.00 | *E |
| Mintzmeyer, John | Utility Refund | 2.83 | |
| Municipal Supply | Repairs for Water Dept. | 2,642.78 | |
| Museum of the Fur Trade | Library Materials | 287.40 | |

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| NADA Used Car Guide | Library Subscription Renewal | 90.00 | |
| NE Law Enforcement Trng. Center | Training for Police Dept. | 70.00 | |
| NE Public Health Laboratory | Water Testing for Treatment Plant/Airport | 425.00 | |
| Nebraska Crime Commission | Directories for Police Dept. | 15.00 | |
| Nebraska Library Commission | Training/Roberts | 35.00 | |
| Nebraska Public Power | Electric Service for Various Depts. | 1,220.25 | |
| Nebraska Rural Water Assn. | 2010 Membership Renewal | 275.00 | |
| Nelson, Trent | Tools for Street Shop | 20.80 | |
| Northwest Rural Public Power | Rural Electric Service | 11,340.75 | |
| NSVFA | Fire Department Enrollment | 615.00 | |
| Panhandle Veterinary Clinic | 05/10 Animal Boarding | 300.00 | |
| Penworthy | Library Materials | 105.08 | |
| Petersen Drug | Supplies for Police Dept./Hepatitis Shots | 1,098.57 | |
| Petersen Locksmith | Library Book Drop Repair | 80.00 | |
| Porch, Kelli | Utility Refund | 2.66 | |
| Pumpkin Books | Library Materials | 179.52 | |
| Quill | Supplies for City Hall | 48.58 | |
| Qwest | Phone Service for Various Depts. | 365.98 | |
| Raaphorst, Kimberly | Utility Refund | 5.12 | |
| Rapid City Journal | 05/10 Ads/Library Advertisement | 639.47 | |
| RDJ Specialties | Library Summer Reading Incentives | 184.09 | |
| Rhembrandt, Jack | Quarterly Per Diem Fire Pay | 450.00 | |
| Sandhills Computer | Street Internet | 29.00 | |
| Schremmer, Scott | Quarterly Per Diem Fire Pay | 450.00 | |
| Schremmer, Scott | Clothing Reimbursement | 36.98 | |
| Shafer, George | Utility Refund | 48.29 | |
| Star Herald | Finance Officer Ad | 395.97 | |
| Sturdevants | Parts/Repairs for Various Depts. | 225.19 | |
| Subway | Lunch for Police Officer Interviews | 32.00 | |
| Unnasch, Trisha | Utility Refund | 52.92 | |
| US Postmaster | PO Box Rent | 110.00 | |
| USA Bluebook | Lab Supplies for Wastewater Plant | 44.06 | |
| Vanis, Emily | Utility Refund | 37.26 | |
| Vantage Point Trust 401 Employee | Pension through 6/08/10 | 2,598.87 | *C |
| Vantage Point Trust 401 Police | Pension through 6/08/10 | 1,367.94 | * |
| Verizon | Cell Phone Service for Various Depts. | 364.60 | |
| Vrbicky, Shawn | Utility Refund | 42.00 | |
| Wahlstrom Ford | Vehicle Repair for Fire/Parks Depts. | 394.57 | |
| Westco | Oil/Gas for Various Depts. | 1,388.93 | |

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| Wheeler, Neil | Utility Refund | 3.28 |
| WNCC | EMT Training for Fire Dept. | 450.00 |
| WPCI | Random Drug Testing | 49.50 |
| TOTAL | | \$147,745.46 |

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 Airport Advisory Committee meeting held May 18, 2010, and the Planning Commission Meeting held May 10, 2010, were distributed.

5) Monthly Reports

The Monthly Reports distributed included the Airport Report, Treasurer's Report, Water Report and the written report from the Nebraska Northwest Development Corporation.

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

City Manager Sandy Powell introduced Pam Strotheide, the new Finance Officer, who started work for the City on this date. Ms. Strotheide was hired to replace Melany Hughes, who took a position at Chadron State College.

Attorneys Marty Connealy and Amy Patras appeared before the City Council on behalf of the Chadron Community Hospital Corporation. Mr. Connealy explained that USDA, the lending institution, was requiring an amendment to the original Quitclaim Deed dated February 5, 2003. The proposed language was reviewed with the Council and the Council stated no objections to the amendment.

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

RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY OF CHADRON, DAWES COUNTY, NEBRASKA, TO AMEND THE USE RESTRICTIONS CONTAINED WITHIN THE QUITCLAIM DEED OF FEBRUARY 5, 2003, BY AND BETWEEN THE CITY OF CHADRON AND CHADRON COMMUNITY HOSPITAL CORPORATION, A NEBRASKA NON-PROFIT CORPORATION.

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

WHEREAS, the City of Chadron conveyed to the Chadron Community Hospital Corporation, a Nebraska Non-Profit Corporation, the following described real estate:

Lots 2, 3, 4, 5, and 6 in Block 1, West Hills Sixth Addition to the City of Chadron, Dawes County, Nebraska, and

Block 1, Block 2, and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 in Block 3, West Hills 8th Addition to the City of Chadron, Dawes County, Nebraska.

WHEREAS, the conveyance was subject to the following Use Restriction:

“to use and develop such property to construct a central medical complex to include a new hospital thereon, together with any other structures for out patient services, medical clinics and office buildings and health/community related services, it being understood that any remaining area not used for such may be developed for residential use; and further SUBJECT to the dedicated streets and easements for utilities contained in the Plat of said Addition.”

WHEREAS, in order to satisfy its Lender, the Chadron Community Hospital Corporation, a Nebraska Non-Profit Corporation, requests that the use Restriction contained within the Quitclaim Deed be amended, to which the Council has no objection.

NOW THEREFORE BE IT RESOLVED by the Chadron City Council that the Use Restrictions contained within the aforementioned Quitclaim Deed “shall not be applicable to, or enforceable against, a secured lien holder, its successors and/or assigns of Chadron Community Hospital Corporation in the event that such secured lien holder either through voluntary foreclosure or involuntary foreclosure or similar methods or procedures obtains title to the real estate.”

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: 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Chizek moved to authorize the Mayor to execute a Corrective Quitclaim Deed for the Chadron Community Hospital Corporation on behalf of the City of Chadron, Nebraska. Seconded by Councilmember Duncan. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following Councilmembers voted Nay: None. Motion carried.

Imogene Horse appeared before the Council to request authorization to discharge permissible fireworks on Saturday, July 10, 2010 from approximately 8:30 p.m. to 10:30 p.m. at 483 West Eighth Street. In a letter submitted to the Council, Ms. Horse states that the family has received a fireworks permit the past two years. The family has traditionally discharged their fireworks during Fur Trade Days and they would like to be able to do this again this year.

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

RESOLUTION NO. 2010-56

WHEREAS, Imogene Horse has submitted a letter of application to apply for a Special Permit to discharge fireworks on Saturday, July 10, 2010 from approximately 8:30 P.M. to 10:30 P.M., at 483 West Eighth Street, in accordance with Ordinance No. 1312.

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 approve issuance of a Special Permit to Imogene Horse to allow the discharge of permissible fireworks on Saturday, July 10, 2010 from approximately 8:30 p.m. to 10:30 p.m. at 483 West Eighth Street, Chadron, Nebraska.

2. The City Clerk is hereby directed to provide the applicant with a fully executed copy of this Resolution to serve as the Special Permit, allowing the discharge of permissible fireworks as set out in the application.

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 21st day of June, 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. 2010-49

WHEREAS, the Olde Main Street Inn, Inc., License #CK19747, 115 Main Street, 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 as 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 8:00 o'clock a.m. and 1:00 o'clock a.m. the following morning on Friday, July 9, 2010 and Saturday, July 10, 2010, in an outdoor area adjacent to the Olde Main Street Inn, which is 95 feet in length and 60 feet in width, located at 115 Main Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to the Olde Main Street Inn, Inc., 115 Main Street, Chadron, Nebraska, between the hours of 8:00 o'clock a.m. and 1:00 o'clock a.m. the following morning on Friday, July 9, 2010 and Saturday, July 10, 2010, in an outdoor area adjacent to the Olde Main Street Inn, which is 95 feet in length and 60 feet in width, located at 115 Main Street, Chadron, Nebraska, for an outdoor beer garden, 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 Chizek seconded the motion for its passage and adoption.

Chief of Police Lordino reported that the Nebraska Liquor Control Commission has advised that the request submitted by Olde Main Street Inn for multiple Special Designated Licenses for the period of June through August, 2010 was not approved by the Commission. Pursuant to 013.06 of the Liquor Rules and Regulations regarding twelve (12) Special Designated Licenses, the Commission determined that there was not enough evidence submitted to justify why the area could not be permanently enclosed.

Chief Lordino also stated that the Commission advised the owner, Jeanne Goetzinger, that if she wished to select the 12 days to be licensed, there would not be any further action required by the City Council, if the 12 days are included in those previously approved by the Council. The Council had previously approved July 9 and 10, 2010 for Fur Trade Days, so it was determined that the Council did not need to vote on Resolution No. 2010-49, and therefore a roll call vote was not taken.

The Council then considered the application for Special Designated Licenses submitted by Feik's 120. Mr. Feik had previously submitted an application for an outdoor beer garden to be located in the vacant lot to the west of his business. Mr. Feik was not able to work out arrangements for use of the vacant lot, so he was looking for an alternate space to use. Chief Lordino reported that he had met with Mr. Feik and they worked out a plan which would allow Mr. Feik to use the sidewalk and the north half of East Second Street for an outdoor beer garden, subject to Council approval.

Chief Lordino informed the Council of several violations that have occurred involving Feik's 120. Considerable discussion was held concerning the violations and the impact of such violations on granting a Special Designated License for the establishment.

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

RESOLUTION NO. 2010-50

WHEREAS, Feik's 120, 120 West 2nd Street, License # C71779, Chadron, NE, has applied for Special Designated Licenses from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated License should be approved as 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 Friday, July 9, 2010, and Saturday, July 10, 2010, between the hours of 8:00 o'clock a.m. and 1:00 a.m. the following mornings adjacent to 120 West 2nd Street, which area is 110 feet in length and 50 feet in width, Chadron, Nebraska.

2. It is recommended that approval be granted for Special Designated Licenses to Feik's 120, 120 West 2nd Street, License # C71779, Chadron, Nebraska, on Friday, July 9, 2010, and Saturday, July 10, 2010, between the hours of 8:00 o'clock a.m. and 1:00 a.m. the following mornings, in an outdoor area adjacent to 120 West 2nd Street, Chadron, Nebraska, for an outdoor beer garden for Fur Trade Days, 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 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 Council members voted Aye: Grantham, Gamby, Harvey. The following voted Nay: Chizek. Abstaining: 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Jeff Kienitz was present to speak in support of his application for a Special Designated License for Fur Trade Days. Mr. Kienitz explained that the request is for an outdoor beer garden for the sidewalk area directly in front of the OverDraft Lounge to the edge of ABC Electric on the east and the west edge of the garage area of the former B&B Printing building. The area will be fenced off with cattle panels from the curb to the building. The application also includes an indoor area in the garage for a small bar set up for beer and water. Chief Lordino stated that he had reviewed this area with Mr. Kienitz and Public Works Director Milo Rust. Discussion followed as to the proposed location of the outdoor beer garden.

Chief Lordino also reported on violations that have occurred in connection with the liquor license for the OverDraft Lounge. Discussion followed as to the impact on this application for a Special Designated License.

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

RESOLUTION NO. 2010-57

WHEREAS, Jedi Enterprises DBA OverDraft Lounge, License # C66994, Chadron, NE, has applied for Special Designated Licenses from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated Licenses should be approved as 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 Friday, July 9, 2010, between the hours of 4:00 o'clock p.m. and 1:00 a.m. the following morning and Saturday, July 10, 2010, between the hours of 11:00 o'clock a.m. and 1:00 a.m. the following morning, in a building which area is 12 feet in length and 23 feet in width, and an outdoor area adjacent to 216 West 2nd Street, which area is 60 feet in length and 16 feet in width, Chadron, Nebraska.

2. It is recommended that approval be granted for Special Designated Licenses to Jedi Enterprises DBA OverDraft Lounge, License # C66994, Chadron, Nebraska, on Friday, July 9, 2010, between the hours of 4:00 o'clock p.m. and 1:00 a.m. the following morning, in a building which area is 12 feet in length and 23 feet in width, and an outdoor area adjacent to 216 West 2nd Street, which area is 60 feet in length and 16 feet in width, Chadron, Nebraska, for an outdoor beer garden for Fur Trade Days, 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 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 Council members voted Aye: Grantham, Gamby, Harvey. The following voted Nay: Chizek. Abstaining: 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-58

WHEREAS, CK of Chadron, Inc, 1250 West 10th Street, License # C44150, 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 as 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 July 9, 2010, in the Wilson Park Shelter, a structure which is 125 feet in length and 75 feet in width, located at 8th and Morehead Streets (Opal Musser Drive), Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to CK of Chadron, Inc., 1250 West 10th Street, License # C44150, Chadron, Nebraska, between the hours of 8:00 o'clock a.m. and 12:00 p.m. midnight, on July 9, 2010, in the Wilson Park Shelter, a structure which is 125 feet in length and 75 feet in width, located at 8th and Morehead Streets (Opal Musser Drive), Chadron, Nebraska, for an 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: Duncan, Gamby, Chizek, Harvey. The following voted Nay: None. Abstaining: Grantham. 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Gamby moved to combine Resolution No. 2010-59 through Resolution No. 2010-61 in one motion and roll call vote. Seconded by Councilmember Grantham. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following Councilmembers voted Nay: None. Motion carried.

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

RESOLUTION NO. 2010-59

WHEREAS, DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, License # CK 61780, 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 as 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 July 8, 2010, in the Assumption Arena, a building which is 200 feet in length and 100 feet in width, located at 355 Spruce Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, Chadron, Nebraska, between the hours of 4:00 o'clock p.m. and 12:00 p.m. midnight, in the Assumption Arena, a building which is 200 feet in length and 100 feet in width, located at 355 Spruce Street, Chadron, Nebraska, for a reunion, 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 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 Council members 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-60

WHEREAS, DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, License # CK 61780, 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 as 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 July 31, 2010, in the Chadron Arts Center, a building which is 50 feet in length and 100 feet in width, located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, Chadron, Nebraska, between the hours of 4:00 o'clock p.m. and 12:00 p.m. midnight, on July 31, 2010, in the Chadron Arts Center, a building which is 50 feet in length and 100 feet in width, located at 371 King Street, Chadron, Nebraska, for a 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 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 Council members 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-61

WHEREAS, DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, License # CK 61780, 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 as 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 August 14, 2010, in the Chadron Arts Center, a building which is 50 feet in length and 100 feet in width, located at 371 King Street, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to DRW Enterprises dba Charley's Liquor, 802 West 3rd Street, Chadron, Nebraska, between the hours of 4:00 o'clock p.m. and 12:00 p.m. midnight, on August 14, 2010, in the Chadron Arts Center, a building which is 50 feet in length and 100 feet in width, located at 371 King Street, Chadron, Nebraska, for a 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 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 Council members 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Councilmember Gamby moved to combine Resolution No. 2010-62 and Resolution No. 2010-63 in one motion and roll call vote. Seconded by Councilmember Harvey. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following Councilmembers voted Nay: None. Motion carried.

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

RESOLUTION NO. 2010-62

WHEREAS, Maria Wheeler-Groves, dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License # 40364I/K, Chadron, NE, has applied for Special Designated Licenses from the Nebraska Liquor Control Commission, and the City Council finds that the Special Designated Licenses should be approved as 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. on July 8, 2010, and 1:00 o'clock a.m. the following morning; between the hours of 4:00 o'clock p.m. on July 9, 2010, and 1:00 o'clock a.m. the following morning; and between the hours of 4:00 o'clock p.m. on July 10, 2010, and 1:00 o'clock a.m. the following morning in an outdoor area which is 15 feet in length and 20 feet in width, located at 950 West Highway 20, Chadron, Nebraska.

2. It is recommended that approval be granted for Special Designated Licenses to Maria Wheeler-Groves, dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License # 40364I/K, Chadron, Nebraska, between the hours of 4:00 o'clock p.m. on July 8, 2010, and 1:00 o'clock a.m. the following morning; between the hours of 4:00 o'clock p.m. on July 9, 2010, and 1:00 o'clock a.m. the following morning; and between the hours of 4:00 o'clock p.m. on July 10, 2010, and 1:00 o'clock a.m. the following morning in an outdoor area which is 15 feet in length and 20 feet in width, located at 950 West Highway 20, Chadron, Nebraska, for a Fur Trade Days beer garden, 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: 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

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

RESOLUTION NO. 2010-63

WHEREAS, Maria Wheeler-Groves, dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License # 40364I/K, 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 as 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 1:00 a.m. the following morning, on October 23, 2010, in the Motel 6, two rooms which total 94 feet in length and 89 feet in width, and an outdoor area which is 20 feet in length and 11 feet in width, located at 755 Microtel Drive, Chadron, Nebraska.

2. It is recommended that approval be granted for a Special Designated License to Maria Wheeler-Groves, dba Helen's Restaurant/Added Touches Catering, 950 West Highway 20, License # 40364I/K, Chadron, Nebraska, between the hours of 4:00 o'clock p.m. and 1:00 a.m. the following morning, on October 23, 2010, in the Motel 6, two rooms which total 94 feet in length and 89 feet in width, and an outdoor area which is 20 feet in length and 11 feet in width, located at 755 Microtel Drive, Chadron, Nebraska, for a 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: 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 21st day of June, 2010.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)

Merle Morford and Don Huls, representing the 2010 Quasquicentennial Committee, gave an update on the upcoming events, which will be taking place July 6-11, 2010.

City Attorney Adam Edmund reported on the Nebraska Department of Roads permit requirements regarding events which involve crossing state highways. Of immediate concern is the longhorn cattle drive and the Fur Trade Days parade, which are scheduled in conjunction with the 2010 activities. A solution has been reached for these activities, but there will be other situations in the future which will need addressed.

Vicki Elder, Executive Director, Chadron Housing Authority, gave a report and update of activities. She informed the Council that Section 8 vouchers for rental assistance are again available. She also thanked the Council for their support of the program.

Colette Fernandez, Executive Director, Chamber of Commerce, gave an update of Chamber activities and the upcoming events during Fur Trade Days.

Public Works Director Milo Rust reported that a letter was received from Darren Willett, Pastor of Grace Baptist Fellowship. The letter was to serve as a request for a sewer district for the land that has been donated for a church located on 16th Street.

Councilmember Chizek moved to approve the request for a sewer district for the Grace Baptist Fellowship for 16th Street and to authorize the preparation of plans and specifications. Seconded by Councilmember Grantham. The following voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following voted Nay: None. Motion carried.

John Axtell appeared before the Council to request that the flashing red light at 6th and Main Streets not be removed. Mr. Axtell stated that he is of the opinion that the flashing red light helps bring attention for the four-way stop at this intersection. There was concern that by removing the flashing red light, there may be greater chance of an accident, even though four-way stop signs are in place.

Councilmembers stated that they were in agreement with Mr. Axtell. Councilmember Harvey moved to keep the flashing red light in place at 6th and Main Streets and to allow the light to run 24 hours, 7 days a week. Seconded by Councilmember Chizek. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following voted Nay: None. Motion carried.

The Council considered the third and final reading of Ordinance No. 1334, which ordinance is for the adoption of the revised Municipal Code.

Councilmember Chizek moved that Ordinance No. 1334 be approved on its third and final reading. Seconded by Councilmember Harvey. The following voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. The following voted Nay: None. Ordinance No. 1334 was passed and adopted.

There was considerable discussion held with regard to Resolution No. 2010-65 to repeal Resolution No. 1975-76, designating livestock truck routes within the corporate limits of the City. The Councilmembers were of the consensus to leave the resolution on the books, as the designated routes serve as a guide for truck drivers that are not familiar with the City. The designated truck routes are more favorable for the larger semi-trucks traveling through.

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

RESOLUTION NO. 2010-65

WHEREAS, the City of Chadron no longer sees a need to limit livestock truck travel to designate certain streets;

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

1. Resolution 1975-76 relating to regulation of livestock truck travel within the city limits is hereby repealed in its entirety.

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: Harvey. The following voted Nay: Duncan, Grantham, Gamby, Chizek. The passage of the Resolution having not been consented to by more than a majority of the members elected to the Council was declared failed this 21st day of June, 2010.

CITY OF CHADRON

DID NOT PASS/DO NOT SIGN
Mayor

ATTEST:

DID NOT PASS/DO NOT SIGN
City Clerk

(S E A L)

City Clerk Donna Rust reminded everyone of the City auction which is scheduled for 9:30 a.m. on Saturday, June 26, 2010 at the City Street Shop on East Niobrara Avenue.

City Manager Sandy Powell reported on the past weekend's Ride the Ridge and the recent Nebraska City/County Management Association (NCMA) Conference which was recently held in Chadron.

Councilmember Chizek moved to adjourn at 6:20 o'clock P.M. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Duncan, Grantham, Gamby, Chizek, Harvey. 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 June 21, 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)