

## CITY COUNCIL MEETING

NO. 2010-16

AUGUST 2, 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 2<sup>nd</sup> day of August, 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, Police Chief Tim Lordino, City Attorney Adam Edmund, Public Works Director Milo Rust and Zoning/Building Official Janet Johnson. Absent: Finance Officer Pam Strotheide.

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 Chizek. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. 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. 2010-14, July 19, 2010, and Special City Council Meeting No. 2010-15, July 26, 2010

The Minutes were approved as written and distributed.

- 2) Correspondence

There was no correspondence to report.

- 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

Arrow Building Center	Supplies/Parts for Various Depts.	367.72	
AS Central Services	Long Dist./Network Chrgs.-Various Depts.	560.10	
AT Conference	Phone Conference Charges for Police Dept.	4.22	
Berger, Theresa & Trae	Utility Refund	44.09	
Chadron, City of	Annual Water Bill for Various Depts.	8,907.00	
Chadron, City of	FICA through 07/20/10	5,778.17	*F
Chadron, City of	8/10 Dental Side Fund	169.00	
Chadron, City of	8/10 Health Side Fund	27,564.08	
Chadron, City of	Payroll through 07/20/10	77,998.74	*C
Chadron, City of	Utility Refunds	697.63	
Chadron Community Hospital	LB840 Funds Dist. April - June 2010	60,753.93	
Chadron Concrete	Concrete for Parks/Street Depts.	271.45	
Chadron Lumber	Corkboard/Adhesive for Waste Water Plant	32.35	
Chadron Medical Clinic	Exams for Police Dept./Linegar-Sanders	187.00	
Chadron's 125th Anniversary	2 History Books for the Library	30.00	
Chadron Wholesale	Supplies for Police Dept.	78.12	
Chambers, Sheryl	Reimbursement for Bus Permit	7.50	
Cornhusker State Industries	Desk/Bookcase for Police Dept.	2,335.00	
Credit Information Systems	Credit Reports	9.50	
Eagle Chevrolet	Vehicle Repair for Police Dept/Street Dept.	174.93	
Farm Plan	Supplies for Various Depts.	349.95	
Feld Fire	Fire Department Supplies	880.12	
Fire Apparatus Magazine	2 Year Subscription	45.00	
First National Bank NP	H.S.A. Through 7/20/10	119.00	*
First National Bank Omaha	Supplies/Travel Expense for Various Depts.	918.59	
Galls	Uniforms/Supplies for Police Dept.	262.64	
Golightly, Colleen	Utility Refund	30.55	
Hansen, Maruta	Janitorial Services	180.00	
Henkens Equipment	Parts for Street Dept.	32.41	
Hills Tire & Supply	Tire Repair for Street Dept.	7.50	
Hoffman, Bruce	Utility Refund	36.73	
Ideal Linen	Janitorial Supplies for Various Depts.	71.53	
Kelly-Creswell	Supplies for Street Dept.	228.74	

LA Sign	City Dams Sign for Water Dept.	350.00	
League of NE Municipalities	2010 Wastewater Workshop Registration Fees	160.00	
Madison National Life	8/10 Dental Premium	152.62	
Midwest Mailing	Postage for Postage Machine	500.00	*E
Municipal Supply	Hand Held Reader for Water Dept.	791.72	
NE Dept. of Economic Dev.	Your Selling Team Payment	2,976.19	T
NE Dept. of Revenue	2nd Quarter Sales/Use Tax	527.79	*E
NE Dept. of Revenue	6/10 Sales/Use Tax	5,995.35	*E
NE Public Health Laboratory	Water Sample Testing	190.00	
Nebraska Public Power	Electric Service for Various Depts.	1,367.46	
Northwest Pipe	Repairs for Water Dept.	135.88	
Northwest Rural Public Power	Rural Electric Service	12,449.70	
Olsson Associates	Progress Estimate #4 Contractor's Fees	21,633.00	
Olsson Associates	Progress Estimate #5 Contractor's Fees	9,676.00	
Outlaw Printers	Shirts for Parks Dept.	104.61	
Peterson Locksmith	Repair Lock for Police Dept.	30.00	
Petty Cash	Reimburse Petty Cash	48.21	
Quality Tire	Tire Repair/Tires for Various Depts.	415.00	
Quill	Office Supplies for Police Dept.	109.70	
Qwest	Phone Service for Various Depts.	891.03	
Radiology Imaging of NE	Exam for Police Dept./Wickman	43.00	
Rapid City Journal	6/10 Ads	1,045.25	
Regional Care	8/10 Emp. Health Benefits/Select Flex	12,096.42	
Roberts Electric	Elec. Repairs-Police Dept./UPS Chrgs-Water	106.19	
Shell	6/11-7/12/10 Fuel Charges	4,520.35	
Source Gas	Gas Service for Various Depts.	2,004.64	
Source Gas	Swimming Pool Gas Service	2,354.50	*
Stewart, Brooke	Utility Refund	51.00	
TTG Enterprises	Repairs for Water Dept.	540.00	
US Postmaster	8/10 Utility Bills Postage	460.60	*
Vantage Point Trust Employee	Pension through 07/20/10	2,598.39	*C
Vantage Point Trust Police	Pension through 07/20/10	1,238.70	*C
Wahlstrom Ford	2010 Crown Victoria Police Sedan	22,590.40	
Wahlstrom Ford	Police Vehicle Repair	22.26	
Wal Mart	Supplies for Various Depts.	788.97	
Western Communications	Siren Maintenance for Police Dept.	222.00	
<b>TOTAL</b>		<b>\$298,320.22</b>	

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 Problem Resolution Team meeting held June 23, 2010, as approved by the PRT, were distributed.

#### 5) Monthly Reports

The June 2010 Treasurer's Report was accepted as presented.

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

Police Chief Tim Lordino introduced Shellie Lewis, the new police secretary, and Nate Massa, the new animal control/code enforcement officer.

Police Chief Tim Lordino administered the Oath of Service to Chadron newest Police Officer, Erick Wickman.

Mayor Grantham proclaimed Wednesday, August 25, 2010, as Up-Town on Campus Day. Laure Sinn from Chadron State College was in attendance and read the proclamation.

The Council considered Ordinance No. 1336 on its second reading:

AN ORDINANCE to Vacate a Portion of the Southwest 18<sup>th</sup> Subdivision to the City of Chadron (Goffena Road); directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Pat Moore and Les Tlustos were present at the meeting to speak with regard to the proposed ordinance.

The third and final reading of Ordinance No. 1336 will be on August 16, 2010.

The Council considered Ordinance No. 1338 on its second reading:

AN ORDINANCE to Amend the Municipal Code to Allow for Sale of Alcoholic Liquors for On-Site Consumption until 2:00 a.m. on Monday through Saturday; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Darin Garman was present to speak in support of the proposed ordinance. Mr. Garman added that he did not anticipate staying open every night until 2:00 a.m., if the ordinance passed. He stated that he would take advantage of the additional hour for special events.

Upon discussion, the Council was of the consensus that a second draft of the ordinance be prepared that would allow each liquor license holder up to 6 days per calendar year that they would be allowed to stay open until 2:00 a.m.

The third and final reading of Ordinance No. 1338 will be on August 16, 2010.

The Council considered Ordinance No. 1339 on its second reading:

AN ORDINANCE to Amend the Municipal Code to Provide for the Calculation of an Occupation Tax for Telephone and Telecommunication Companies; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Keith Crofutt was present to speak with regard to Ordinance No. 1339.

The third and final reading of Ordinance No. 1339 will be on August 16, 2010.

The Council considered Ordinance No. 1340 on its second reading:

Levi Grant was present to speak with regard to Ordinance No. 1340.

AN ORDINANCE to Amend the Municipal Code to Adopt Fee Ordinance for Fiscal Year 2010-2011; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

The third and final reading of Ordinance No. 1340 will be on August 16, 2010.

The Council considered Ordinance No. 1341 on its first reading:

AN ORDINANCE to adopt the 2010-2011 budget statement to be termed the Annual Appropriations Bill; to appropriate sums for necessary expenses and liabilities; 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. 1341 will be on August 16, 2010.

The Council considered Ordinance No. 1342 on its first reading:

Rick Stetson and Jeff Fankhauser were present at the meeting on behalf of Grace Baptist Fellowship to speak in support of the passage of Ordinance No. 1342 at one reading. Mr. Stetson requested that the three readings be suspended and the ordinance be passed at this meeting, so

that the project could be bid out and hopefully completed this fall. It was noted that no other landowners would be affected by construction of the sanitary sewer line.

AN ORDINANCE creating Sanitary Sewer Extension District No. 63 of the City of Chadron, Nebraska; establishing the outer boundaries of the District; designating the size, location and terminal points and referring to the Plans and Specifications and Estimate of the Engineer in connection therewith on file with the City Clerk; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

Councilmember Chizek introduced Ordinance No. 1342. Councilmember Gamby moved that the statutory rules in regard to the passage and adoption of Ordinance No. 1342 be suspended so that Ordinance No. 1342 might be introduced, approved and passed at the same meeting. Seconded by Councilmember Chizek with the following Councilmembers voting Aye: Chizek, Harvey, Duncan, Grantham, Gamby. Voting Nay: None. Motion carried.

Councilmember Gamby moved for final passage of Ordinance No. 1342. Seconded by Councilmember Chizek with the following Councilmembers voting Aye: Chizek, Harvey, Duncan, Grantham, Gamby. Voting Nay: None. Motion carried.

Ordinance No. 1342 was declared passed and adopted.

The Council considered Ordinance No. 1337 on its second reading:

AN ORDINANCE to Amend the Municipal Code to Repeal Sections Requiring Dogs to be Licensed; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

The following individuals spoke regarding the proposed ordinance: Dan Anderson and Natalie Noecker.

The third and final reading of Ordinance No. 1337 will be on August 16, 2010.

Councilmember Chizek moved to approve award of bid for Owner Occupied Housing Rehabilitation Property 3C, as presented by Chadron Plumbing in the amount of \$4,055.42. Seconded by Councilmember Gamby with the following Councilmembers voting Aye: Chizek, Harvey, Duncan, Grantham, Gamby. Voting Nay: None. Motion carried.

Public Works Director Milo Rust reported on the energy grant that the City has been awarded. He also reported on the notice received by the State of Nebraska concerning water rights.

Councilmember Harvey commented on the mosquito problem.

Police Chief Tim Lordino informed the Council that the speed trailer is available for neighborhoods if a request is made with the Police Department. He also reminded everyone that school will soon be starting and motorists need to pay special attention to crosswalks.

City Manager Sandy Powell thanked Bryce Landen of NPPD for his assistance with the energy grant. She also thanked the City of Crawford for their support of the Crazy Horse Memorial Highway designation.

Councilmember Chizek reminded all of the upcoming Dawes County Fair.

Councilmember Gamby reiterated his thanks to the City of Crawford. He also commented on the upcoming fair and the large amount of traffic in the community this year.

Councilmember Harvey moved to adjourn at 6:12 o'clock P.M. Seconded by Councilmember Gamby. The following Councilmembers voted Aye: Chizek, Harvey, Duncan, Grantham, Gamby. The following voted Nay: None. Motion carried.

CITY OF CHADRON

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Mayor

ATTEST:

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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 August 2, 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.

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City Clerk

(SEAL)