

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held February 7, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Carlson, Hahn and Johnson. Staff members present were City Attorney J. Leef, City Administrator/Clerk Ashlea Bauer, City Treasurer Geralyn Konruff, CDD Shaunna Mashek and Street Supervisor Jerrod Elms. Others present included Dave Post, Jim Hammond, Phillip Lewis, Mike Winemiller and Zack Ringer.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor Brott informed the public of the location of the Nebraska Open Meeting Act on the back wall of Council room.

Public Comments:

No public comments.

Consent Agenda:

A motion was made by Council member Johnson, second of Council member Hahn to approve the consent agenda, minutes of the regular meeting January 18, 2022, claims list, dept head reports and animal control report. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

5 Star Industries, LLC - Colo - \$21,600.00 * Adopt-A-Dog Animal Rescue, Inc - \$25.00 * Cash-Wa Distributing - \$1095.64 * Century Link - \$569.96 * Chappell Golf Course - \$495.00 * Chappell Municipal Utilities - \$5,311.75 * Chappell Register - \$154.91 * Chappell Super Foods - \$68.25 * City of Sidney - \$3,750.00 * Collaborative Summer Library Program - \$53.42 * Cornhusker Press - \$78.70 * Cranmore Pest Control LLC - \$50.00 * Culligan - \$31.00 * Deuel County Treasurer - \$7,333.34 * Dutton-Lainson Company - \$1,600.41 * Eakes Office Products Center - \$300.73 * Eichners Sales & Service - \$131.07 * EMC Insurance Companies - \$8,448.68 * Ingram Book Company - \$189.13 * Kacey Huff - \$1,589.50 * MacQueen Equipment - \$655.22 * Matheson Tri-Gas Inc - \$114.44 * Michael Todd & Company Inc - \$243.88 * Olsson Associates - \$725.00 * Premier Auto Parts & Service, LLC - \$1,011.43 * Quick Med Claims - \$730.78 * Rod Hanson - \$287.22 * Sedgwick County Sales - \$2,385.96 * Spic and Span Cleaners - \$9,800.00 * Union Pacific Railroad - \$100.00 * USA Blue Book - \$587.08 * Vistabeam - \$147.90 * WESCO Distribution Inc - \$6,202.75 * WEX BANK - \$2,026.70 * Total Payroll - \$36,614.66 *

Unfinished Business:

A motion was made by Council member Hahn, second of Council member Carlson to authorize the Mayor to sign the purchase agreement with Stuart Wilson for the city triangle property purchase and move forward at the next meeting with the next steps to finalize the sale. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. Attorney Leef will draft the ordinance that coincides with the purchasing of a property owned by the city for the next meeting.

New Business:

Mayor Brott opened the public hearing at 7:05 p.m. Discussion was held on the various options for street repair. The one year plan will include the current 2021 street project.

Mayor Brott closed the public hearing at 7:10 p.m.

A motion was made by Council member Hahn, second of Council member Carlson to approve Resolution 2022-02 to approve the One & Six Year Street plan. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

RESOLUTION 2022-02

Whereas, In accordance with the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given publication in the legal newspaper of Chappell, Nebraska, and by posting in three public places within the City, of a Hearing on the One and Six Year Plans of Street Improvements of Chappell, to be held at the City Office on the 7th day of February, 2022, at 7:15 p.m. M.T. for the purpose of hearing comments and objections to said plans.

Whereas, upon said Hearing, the City Council finds that the plans submitted are adequate for the purpose prescribed by law and that the same should be approved.

Now therefore, be it resolved by the Mayor and City Council of Chappell, Nebraska that the One and Six Year Plan for specific improvements during the current year are hereby approved and adopted.

A motion was made by Council member Riley, second of Council member Hahn to approve Ashley Weih as the new manager of Rockin5T, Rusty Bucket Pub & Grub. "Yes" Riley, Carlson, Hahn and Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Riley to move forward with updating the City Code with an ordinance to amend the hours of sale for alcoholic liquor on Sundays. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. An ordinance for the changes will be placed on the next agenda.

The Chappell Ambulance Squad submitted a quote to replace the current radios the department has. They are asking to use a portion of the City ARPA Covid funds. A motion was made by Council member Carlson, second of council member Johnson to approve the quote in the amount of \$33,964.80 for the new radios paid for by the City ARPA Covid funds. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Johnson to approve the proposed golf course rates for 2022, effective immediately. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. The new rates are as follows: Family: \$570.00 Single: \$405.00 Senior: \$390.00 Senior Couple: \$500.00 Student: \$100.00 Cart Storage: \$250.00 Yearly Cart Rental: Single Seat: \$335.00 Couple: \$460.00 Green Fees: 9 Holes: \$25.00 18 Holes: \$35.00 Cart Rental: 9 Holes: \$10.00/seat 18 Holes: \$15.00/seat

A quote was presented by Parks Superintendent Elms to replace a portion of the east dock at the Chappell Lake. Two pontoon floats and a few sections of the deck need replaced. To order replacement pieces of the deck, there is a minimum order of 6 pieces. A motion was made by Council member Hahn, second of Council member Riley to proceed forward with replacing the 2 floats and 6 pieces of the decking. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Communications:

Council member Johnson asked to have discussion on the next Volunteer of Year put on the next agenda.

A motion was made by Council member Carlson, second of Council member Riley to adjourn the meeting at 7:28 p.m. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held February 22, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, and Johnson. Staff members present were City Administrator/Clerk Ashlea Bauer, CDD Shaunna Mashek and Utilities Superintendent Todd Rust. Others present included Kent Smith, James Hammond and Brent Jeppson.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor Brott informed the public of the location of the Nebraska Open Meeting Act on the back wall of Council room.

A motion was made by Council member Johnson, second of Council member Riley to excuse Council members Carlson and Hahn. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

Public Comments:

No public comments.

Consent Agenda:

A motion was made by Council member Riley, second of Council member Johnson to approve the consent agenda, minutes of the regular meeting February 7, 2022, claims list, treasurer's report and sheriff's report. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

Black Hills Energy - \$722.96 * Century Link--Long Distance - \$74.60 * Chappell Municipal Utilities - \$5529.68 * Contractors Materials - \$24.00 * Cornhusker Press - \$26.40 * Dan Riley - \$97.30 * Dutton-Lainson Company - \$339.11 * Enviro Service Inc - \$30.00 * Ideal Linen Supply - \$701.73 * Keep Nebraska Beautiful - \$50.00 * Matheson Tri-Gas Inc - \$106.48 * Municipal Energy Agency of Nebraska - \$43380.19 * NDEE - \$40.00 * Quick Med Claims - \$581.86 * Rick's Auto & Tires - \$24.50 * Rod Hanson - \$64.18 * Valley Repair - \$764.74 * Verizon Wireless - \$101.76 * Vistabeam - \$321.85 * Western Resources Group Inc. - \$172.00 *

Unfinished Business:

No unfinished business.

New Business:

Ordinance 539 Authorizing the sale of city property was introduced to the council by Mayor Brott. A motion was made by Council member Johnson, second of Council member Riley to designate Ordinance 539. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Riley to read the 1st Reading of Ordinance 539. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

**FIRST READING of
ORDINANCE 539**

AN ORDINANCE OF THE CITY OF CHAPPELL, NEBRASKA, AUTHORIZING THE SALE OF ALL RIGHT, TITLE AND INTEREST OF THE CITY OF CHAPPELL, NEBRASKA, IN AND TO A TRACT OF LAND LEGALLY DESCRIBED AS ALL THAT PART OR PORTION LYING NORTH OF THE UNION PACIFIC RAILROAD COMPANY'S RIGHT OF WAY OF LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 21, ORIGINAL TOWN OF CHAPPELL; AND SPECIFYING THE TERMS OF SUCH SALE IN SECTION TWO BELOW.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHAPPELL, NEBRASKA:

Section 1.

Pursuant to the provisions of Section 17-503, R.R.S. 1943 as amended, the City of Chappell, Nebraska, shall sell and convey unto Stuart Wilson, all right, title and interest of the City of Chappell, Nebraska, in and to the real estate described in Section 2 of this Ordinance upon the terms and conditions set forth in the following sections.

Section 2.

The terms of the sale are as follows:

1. SELLER: City of Chappell, Nebraska
2. BUYER: Stuart Wilson
3. PROPERTY SOLD: A tract of land composed of all that part or portion lying North of the Union Pacific Railroad Company's right of way of Lots 1, 2, 3, 4, 5 and 6, Block 21, Original Town of Chappell, NE
4. PURCHASE PRICE: Three Thousand Five Hundred Dollars
5. DEED: Warranty Deed.
6. CONTINGENCIES: None.
7. REMONSTRANCE: Sale void if sufficient remonstrance filed pursuant to Section 17-503, R.R.S. 1943, as amended.
8. CLOSING: Upon expiration of remonstrance period and an insufficient remonstrance made. At closing, the Warranty Deed, executed by the Mayor, will be delivered by Seller to Buyer.

Section 3.

That notice of such proposed sale and conveyance and the terms hereof shall be given by publication once each week for three consecutive weeks in the *Chappell Register* after the passage and publication of this Ordinance, and that if remonstrance against such sale signed by local electors of the City equal in number to 30% of the electors of such City voting at the last regular municipal election held herein be filed with the governing body of the City within thirty (30) days of the passage and publication of this Ordinance, then the proposed sale set forth above shall be null and void.

Ordinance 540 Updating Hours of Alcohol Sales was introduced to the council by Mayor Brott. A motion was made by Council member Johnson, second of Council member Riley to designate Ordinance 540 "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Riley to read the 1st Reading of Ordinance 540. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

FIRST READING of Ordinance #540

AN ORDINANCE TO AMEND CHAPTER 112 ALCOHOLIC BEVERAGES SECTION 112.12 HOURS OF SALE OF THE CHAPPELL MUNICIPAL CODE TO PROVIDE FOR THE SALE OF ALCOHOLIC LIQUOR ON SUNDAYS AS ALLOWED BY THE NEBRASKA STATE STATUTES; TO REPEAL SUCH SECTION AS HERETOFORE EXISTING AND REPLACE SUCH SECTION AS AMENDED, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Be it ordained by the Mayor and the City Council of the City of Chappell, Nebraska.

Section One: That Chapter 112 Alcoholic Beverages, Sections 112.12 is hereby amended to read as follows:

§ 112.12 HOURS OF SALE.

(A) For the purposes of this section, "on sale" shall be defined as alcoholic beverages sold at retail by the drink for consumption on the premises of the licensed establishment. "Off sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

(B) It shall be unlawful for any licensed person or persons or their agents to sell any alcoholic beverages within the municipality except during the hours provided herein:

HOURS OF SALE

Alcoholic Liquor (except beer and wine)

Secular Days

Off Sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Sundays

Off sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Beer and Wine

Secular Days

Off Sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Sundays

Off sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

(C) No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for stopping the sale of alcoholic beverages on the premises.

D) Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

Section 2: That all other sections of 112 shall remain in affect; and that Ordinances in direct conflict herewith are repealed.

Utilities Superintendent Todd Rust discussed with Council the possibilities of extending the city water main on the east end of town. He would like to look into extending the water main under the highway to the north side of the road. A motion was made by Council member Riley, second of Council member Johnson to look into the costs of extending the water main. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

Council member Johnson nominated Dan Riley as Volunteer of the Year for 2021. He has worked countless hours on his own time working out at Chappell Lake. All of his hard work doesn't go unnoticed. Council member Hahn also told Clerk Bauer he would like to nominate Dan. A motion was made by Council member Johnson, second of Mayor Brott to award Dan Riley with the 2021 Award. "Yes" Johnson, Brott. "Abstain" Riley. "Absent" Carlson, Hahn. "No" None. Motion carried. The City thanks Dan for all of his hard out at the lake.

Communications:

The LB840 1% Sales Tax the city received this month for December was \$15,699.00. This is the most the city has received in one month since they started collecting the extra 1%.

Clerk Bauer provided Council with a tentative schedule for the upcoming street project. The project is slated to begin the beginning of May.

Mayor Brott asked if a Golf Advisory meeting had been scheduled. The next meeting is set for March 2nd.

A motion was made by Council member Riley, second of Council member Johnson to adjourn the meeting at 7:31 p.m. "Yes" Riley, Johnson. "Absent" Carlson, Hahn. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk