

**CITY COUNCIL MINUTES  
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held August 2, 2021, 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 and City Administrator/Clerk Ashlea Bauer. Others present included John & Phyllis Huston.

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:**

John and Phyllis Huston expressed their concerns in regards to electrical updates they need to have done at their property. There seems to be miscommunication between the City electric department and a private electrician. The council asked to put an action item on the next agenda.

**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 July 19, 2021, claims list and dept head reports. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Aaron Stegeman - \$15.00 \* Cash-Wa Distributing - \$1413.14 \* Century Link - \$569.70 \* Chappell Municipal Utilities - \$7570.01 \* Cranmore Pest Control LLC - \$50.00 \* Croell Inc - \$1532.25 \* Dearborn Life Insurance Company - \$17.20 \* Deuel County Treasurer - \$7333.34 \* Dutton-Lainson Company - \$2238.10 \* Eakes Office Products Center - \$70.21 \* EMC Insurance Companies - \$8206.62 \* Government Forms Supplies - \$215.27 \* Halie Brott - \$600.00 \* Ingram Book Company - \$93.72 \* Junior Library Guild - \$53.40 \* Justin Polk (Rec) - \$1084.00 \* League of NE Municipalities - \$1468.00 \* Mike Criss - \$15.00 \* Municipal Supply Inc of Nebraska - \$1048.13 \* Nebraska Rural Water Association - \$180.00 \* Public Safety Center, Inc. - \$319.98 \* Ron's Chappell Auto Repair - \$1534.54 \* Simon East Region NE - \$532.50 \* Spic and Span Cleaners - \$2504.00 \* Vistabeam - \$68.95 \* WESCO Distribution Inc - \$268.75 \* Total Payroll - \$47,219.53 \*

**Unfinished Business:**

Attorney Leef had her questions clarified in regards to the contract documents with McAtee Construction for the Street Improvements Project and she recommends approval of the contract. A motion was made by Council member Carlson, second of Council member Hahn to approve the contract documents with McAtee Construction for the Street Improvements Project. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Attorney Leef updated the council on the status of unpaid building permit late fees. She has prepared a court document asking the court to order a cease and desist of building. A motion was made by Council member Hahn, second of Council member Johnson to have Attorney Leef proceed with the courts to get the late fees paid. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

**New Business:**

No bids were received for the city's property described as Lots 1-6, Block 21 of Original Townsite. This item was tabled until the next meeting.

The second payment request from Paul Reed Construction in the amount of \$40,810.34 for the Community Gathering Space. A motion was made by Council member Johnson, second of Council member Carlson to approve the payment in the amount of \$40,810.34 for the second request. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Council reviewed the conditional use permit at 501 4<sup>th</sup> St. The permit is to be reviewed annually. A motion was made by Council member Hahn, second of Council member Carlson to continue to allow the conditional use permit at 501 4<sup>th</sup> St. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Consideration was given to Resolution 2021-036 to approve the airport authority budget. A motion was made by Council member Riley, second of Council member Carlson to approve Resolution 2021-03 Chappell Airport Authority Levy at \$10,610, no increase from last year. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

**RESOLUTION 2021-03**

WHEREAS, Nebraska Statute 77-3443 requires all political subdivisions subject to the city levy authority to submit a preliminary request for levy allocation to the City Council; and

WHEREAS, the Chappell City Council is the levy authority for the Chappell Airport Authority; and

WHEREAS, the Chappell City Council shall adopt a resolution by a majority vote of the present members which determines the final allocation of levy authority to the Chappell Airport Authority, as a city political subdivision;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council that the Chappell Airport Authority's requested tax amount of \$10610.00 for the fiscal year 2021-2022 be approved.

**Communications:**

Clerk Bauer informed Council that Utilities Worker Aaron Stegeman completed and passed book 3 of his merchant training program and received a 5% hourly increase for passing the book per the city employee handbook. Stegeman has one book remaining in the program.

The City has a Lake Resolution from years prior that needs to have revisions to it. The updates will be included with the project Attorney Leef is working on for the controlled goose hunting at the lake.

A motion was made by Council member Hahn, second of Council member Carlson to adjourn the meeting at 7:24 p.m. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

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Steve Brott, Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk

**CITY COUNCIL MINUTES  
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held August 16, 2021, 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, Utilities Superintendent Mike Criss, Utilities Workers Todd Rust & Aaron Stegeman. Others present included Cheri Leach, Peggy Hayden, Marge Freeman, Diane Nordyke, Helen Lechman, John & Phyllis Huston.

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:**

Utilities Superintendent wanted to let the Council know that his department finished up their electric and water work for the Community Gathering Space and it is ready for the grand opening.

**Consent Agenda:**

A motion was made by Council member Riley, second of Council member Hahn to approve the consent agenda, minutes of the regular meeting August 2, 2021, claims list, treasurer's report and sheriff's report. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Acushnet Company/Titleist - \$341.32 \* American Red Cross - \$234.00 \* Black Hills Energy - \$2526.01 \* Cash-Wa Distributing - \$482.32 \* Chappell Register - \$370.11 \* Chappell Super Foods - \$269.41 \* Cobra Golf Inc - \$1243.50 \* Contractors Materials - \$649.77 \* Culligan - \$31.00 \* Dutton-Lainson Company - \$2593.62 \* Eakes Office Products Center - \$21.37 \* England Construction - \$500.00 \* Enviro Service Inc - \$20.00 \* Hansen's Petroleum - \$2209.94 \* Hometown Leasing - \$116.00 \* Ideal Linen Supply - \$638.47 \* League of NE Municipalities-Utilities - \$681.00 \* Livengood Backhoe Service - \$473.45 \* Matheson Tri-Gas Inc - \$114.44 \* Merchant JT&S - \$550.00 \* Michael Todd & Company Inc - \$227.00 \* Municipal Energy Agency of Nebraska - \$42,056.97 \* NE Safety & Fire Equipment - \$1230.00 \* Points West Community Bank-Chappell - \$18,738.69 \* Premier Auto Parts & Service, LLC - \$470.79 \* R & R Products Inc - \$57.18 \* Rod Hanson - \$63.43 \* Sedgwick County Hospital - \$52.50 \* Sedgwick County Sales - \$3449.64 \* Simon East Region NE - \$644.00 \* ULINE - \$4783.82 \* Valley Tire & Service LLC - \$90.00 \* Vistabeam - \$206.85 \* WESCO Distribution Inc - \$4257.00 \* Western Resources Group Inc. - \$172.00 \* WEX BANK - \$1358.74 \* Total Payroll - \$48,796.11 \*

**Unfinished Business:**

Discussion was held in regards to the city's triangle property that is still for sale. CDD Mashek has been in contact with a gentleman that is in the planning phase of a new business and was potentially interested in the land. He would like to present his plans to the council at a future meeting.

**New Business:**

Discussion was held on electrical work for owners John and Phyllis Huston at 882 3<sup>rd</sup> St. Utilities Superintendent Mike Criss addressed the council in regards to the situation. There seems to be miscommunication about the upgrades that the owners are wanting. The owners bought a shed to install and it is taller than they originally planned for and now it won't fit under the electric line. The City Utilities Superintendent told the owners that they would need to get an electrician to get the wire raised higher and the city would turn the power off to do that. The electrician that the owners contacted stated it was city's job to do it. There is a liability for the city to put a hole in someone's roof to raise the power line. The city has no problem putting in a new meter for the service, it would be an upgrade and a cost to the owner. The owners will be in contact with an electrician and once they get the services upgraded on their side, the city will install a new meter socket to hook to the wires.

Terry Duffield wasn't present to discuss her agenda item in regards to cats in town. This item was tabled until the next meeting.

Helen Lechman along with other members of the Library Board would like to change the City code in regards to the location requirements for board members. They would like to increase the area to 7 miles around the city so they can allow for other board members to join from more than the city limits. Attorney Leef stated the city's code are base from the Nebraska State Statutes and she would have to look into the laws in regards to this. This item was tabled.

Consideration was given to Resolution 2021-04 Signing of Municipal Annual Certification of Program Compliance Form 2021. A motion was made by Council member Johnson, second of Council member Carlson to pass Resolution 2021-04 Signing of Municipal Annual Certification of Program Compliance Form 2021. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

**RESOLUTION 2021-04**

Resolution for the Signing of the Municipal Annual Certification of Program Compliance Form 2021.

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

Be it resolved that the Mayor of the City of Chappell is hereby authorized to sign the Municipal Certification of Program Compliance Form.

Discussion was held on the dredging at the Chappell Lake. It was brought to the attention of the council that there was misinformation given in the past in regards to being allowed to use a long arm excavator to dredge the lake. Council member Hahn stated that there are no restrictions for the City to dredge the lake in regards to using an excavator. There is a gentleman in Ogallala that can do the work at \$225/hr. Council member Riley would like to look at approving the use of this gentleman's services to dredge the lake using Keno Funds. The small dredge that the city has will be used for maintenance. If the city were to only use their current dredge, it will take years to get it to a proper depth and cleaned out.

Attorney Leef will research the steps to take to hire the gentleman for his excavator services. This item will be placed on the next agenda.

Clerk Bauer provided department budget sheets for the council to review. The department budgets were reviewed and questions and discussion were held. A motion was made by Council member Hahn, second of Council member Carlson to approve the department budget sheets for fiscal year 2021-2022. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. The annual budget hearing will be held on September 7<sup>th</sup> during the regularly scheduled council meeting.

**Communications:**

Attorney Leef found in the State Statutes book that the city library board members have to be within the city corporate limits. The only way to allow for a change is to enter into an interlocal agreement or memorandum of understanding with the county to allow for rural residents to join the library board. In doing this, the county would then be the ones to appoint a board member outside of city limits. Clerk Bauer will be in contact with City librarian Cheri Leach.

Shaunna has been in contact with Frenchman Valley in regards to their plans to potentially buy some of the city's land south of the Interstate to put in stand-alone fuel pumps. Attorney Leef will look into the required steps the city has to take in selling a portion of their land, south of the Interstate.

Shaunna stated the city has a received a grant through NRD for trees to plant at the parks and golf course.

Mike Criss stated that there are some updates that should be made to the city code in regards to electric and water. Clerk Bauer will work with him to get the proposed changes and present to council at a future meeting.

A motion was made by Council member Riley, second of Council member Hahn to adjourn the meeting at 8:06 p.m. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

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Steve Brott, Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk