

CITY COUNCIL MINUTES CHAPPELL NEBRASKA

A regular meeting of the Chappell City Council was held August 1, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Carlson, Hahn and Johnson. Staff members present were City Attorney J. Leef, City Administrator/Clerk Ashlea Bauer, CDD Shaunna Mashek, City Treasurer Geralyn Konruff, and Street Overseer Jerrod Elms. Others present included Kent Smith and Jim & Tracy McCormick.

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 Carlson to excuse Council member Riley. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

Public Comments:

No public comments.

Consent Agenda:

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

Acushnet Company/Titleist - Merchandise - \$159.57 * Arrowhead Distributing, Inc - Beer Expense - \$367.50 * Black Hills Energy - Utilities - \$2380.01 * Bomgaars - Community Improvement - \$140.96 * Chappell Municipal Utilities - Utilities - \$8375.92 * Comfort Inn-Kearney - Travel Expense & Per Diem - \$192.00 * Cranmore Pest Control LLC - Chemicals & Fertilizer - \$60.00 * Culligan - Supplies - \$31.00 * Dearborn Life Insurance Company - Life Insurance - \$13.76 * Deuel County Treasurer - Law Enforcement - \$7333.34 * Dietrich Distributing - Beer Expense - \$1295.00 * Eakes Office Products Center - Supplies - \$365.87 * EMC Insurance Companies - Insurance & Bonds - \$8355.56 * Enviro Service Inc - Lab Testing - \$25.00 * Flags USA LLC - Community Improvement - \$566.00 * Halie Brott - Liberty Park Maintenance - \$600.00 * High Plains Budweiser - Beer Expense - \$225.35 * Highline Electric Association - Utilities - \$428.92 * Hometown Leasing - Leases - \$108.67 * Ideal Linen Supply - Supplies - \$803.59 * Ingram Book Company - Books/Video - \$11.57 * Jirdon Agri Chemicals Inc - Chemicals & Fertilizer - \$398.70 * Justin Polk (Rec) - Baseball Expense - \$1334.00 * League of NE Municipalities-Utilities - Continuing Education - \$220.00 * Municipal Energy Agency of Nebraska - WAPA & MEAN - \$35,171.12 * Municipal Supply Inc of Nebraska - Supplies - \$3075.69 * NE Safety & Fire Equipment - Maintenance - \$165.00 * NE Safety & Fire Equipment - Repair - \$209.20 * NE State Fire Marshal Agency - Licenses, fees and permits - \$81.00 * Nebraska Public Health Environmental Lab - Lab Testing - \$228.00 * Olsson Associates - Professional Fees - \$18070.79 * Panhandle Area Development District - Community Improvement - \$742.72 * Pepsi-Cola of Alliance - Candy/Pop - \$125.27 * Perry Wackett - Ambulance Driver - \$20.00 * Pitney Bowes - Postage - \$2400.00 * Pitney Bowes Global Financial Services, - Licenses, fees and permits - \$352.38 * Quick Med Claims - Collections Expense - \$277.77 * Sedgwick County Lumber - Supplies - \$34.95 * Sedgwick County Sales - Trash Hauling/Recycling - \$2675.16 * Spic and Span Cleaners - Supplies - \$2630.00 * Verizon Wireless - Telephone/Communications - \$203.64 * Vistabeam - Telephone/Communications - \$469.75 * WESCO Distribution Inc - Maintenance - \$780.18 * WEX BANK - Fuel - \$1817.66 * Total Payroll - \$47,432.22 *

Unfinished Business:

A motion was made by Council member Hahn, second of Council member Carlson to approve the utilities easement with Dustin Frank at 1250 Rd 165 in Chappell. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried. Mr. Frank will come to the city office to sign the document.

New Business:

A pay request for the street improvement project was submitted to Council for approval. A motion was made by Council member Johnson, second of Council member Hahn to approve Pay request #4 to McAtee Construction, DBA Simon in the amount of \$637,877.70. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to approve the license agreement to allow Dustin Frank to access his property through the city's approximate 40 acres south of the interstate. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

Ordinance 546 was introduced to the council relating to Utility Fees. A motion was made by Council member Hahn, second of Council member Carlson to designate Ordinance 546. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Carlson to waive the three readings of Ordinance 546-Utility Fees. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

Clerk Bauer read the title of Ordinance 546 as follows;

AN ORDINANCE RELATING TO DEPARTMENTS; TO UPDATE THE WATER, SEWER AND ELECTRIC DEPARTMENT INSTALLATION EXPENSES, TO PROVIDE FOR THE FEES TO BE AS PROVIDED IN THE MASTER FEE SCHEDULE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

A motion was made by Council member Carlson, second of Council member Hahn to pass Ordinance 546-Utility Fees. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

A motion was made by Council member Carlson, second of Council member Hahn to publish 546-Utility Fees. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

ORDINANCE 546

AN ORDINANCE RELATING TO DEPARTMENTS; TO UPDATE THE WATER, SEWER AND ELECTRIC DEPARTMENT INSTALLATION EXPENSES, TO PROVIDE FOR THE FEES TO BE AS PROVIDED IN THE MASTER FEE SCHEDULE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 51.31 of the Municipal Code of Chappell, Nebraska, is amended to read as follows:

§ 51.31 INSTALLATION EXPENSE – Water Department

No person other than the Utilities Superintendent or his or her duly authorized agent shall tap the water main. Upon approval of the application for new or upgraded water services, the customer shall pay a tap fee according to the size of pipe. There will be an additional fee to cut pavement when installing or upgrading a new water line. The customer shall at his or her own expense bring water service from stop box or meter pit to his or her own premises and shall employ a licensed plumber who shall install water service to the place of disbursement. Non-residents shall pay such tap fees and installation charges in such sums as the Utilities Superintendent shall in each case fix. All fees as outlined above shall be as set out in the Master Fee Schedule, a copy of which is kept and available at the Clerk's office at the City of Chappell. The extension of commercial mains into unsupplied territory within the corporate limits may be made by means of water extension districts.

Section 2. Section 52.03 of the Municipal Code of Chappell, Nebraska, is amended to read as follows:

§ 52.03 INSTALLATION EXPENSE –Sewer Department

The customer, upon approval of the application for new or upgraded sewer services, shall pay to the Sewer Superintendent a tap fee as set out in the Master Fee Schedule, a copy of which is kept and available at the Clerk's office at the City of Chappell, which compensates the municipality for the expense of processing his or her application and tapping the sewer main. The customer is responsible for the excavation and shoring to access the sewer line. The Sewer Superintendent, in his or her discretion, may direct the customer to hire a licensed plumber to tap the main. The customer shall then be required to pay the expense of procuring the materials required as well as the services of a licensed plumber and shall pay all other costs of installation.

Section 3. Section 54.05 of the Municipal Code of Chappell, Nebraska, is amended to read as follows:

§ 54.05 INSTALLATION AND MAINTENANCE EXPENSES – Electric Department

Upon approval of the application for new or upgraded electrical services, the expense of installation and wiring from the meter to the points of distribution shall be the responsibility of the consumer. Maintenance and replacement expenses shall be apportioned in the same manner.

Electrical upgrades shall be charged as set out in the master fee schedule.

Any primary underground service is the expense of the customer. All three phase underground service is the expense of the customer.

Section 4. Sections 1, 2 and 3 of this ordinance shall commence with the September 2022 billing.

Section 5. Any other ordinance or section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval, publication or posting as required by law.

Attorney Leef prepared a draft copy of Ordinance 547-Master Fee Schedule for the council to review. This item will be placed on an upcoming agenda.

The 2022-2023 Annual Department Budget Sheets were reviewed by Council during a planning session prior to the Council meeting. Department heads discussed various items that they were budgeting for. A motion was made by Council member Carlson, second of Council member Johnson to approve the Department Budget Sheets for 2022-2023. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "No" None. Motion carried.

Communications:

Clerk Bauer approved a Special Designated Liquor License (SDL) for Rusty Bucket for August 26, 2022 from 1:00 p.m. to 1:00 a.m. at the Gathering Place. Council member Hahn inquired about the type of fencing being used to secure the location. Rusty Bucket uses snow fencing. Council asked that when approving the permits, the license holder use snow fence or something more secure to designate the SDL area.

CDD Mashek updated council on the projects she is currently working on.

The Golf Course is celebrating 50 years this year. Council asked if there is a celebration in the works. Clerk Bauer will talk with Rod.

Attorney Leef reported to council that the city and herself received a preliminary draft letter from the state auditor regarding the information provided to them for a current case. The audit findings showed unintentional issues. Clerk Bauer provided a response from the city that the issues were addressed and would be taken care of immediately and J said that should settle the situation for the city.

A motion was made by Council member Johnson, second of Council member Hahn to adjourn the meeting at 8:00 p.m. "Yes" Carlson, Hahn, Johnson. "Absent" Riley. "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 August 15, 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, and Street Supervisor Jerrod Elms. Others present included Dale Chryst.

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 Hahn, second of Council member Carlson to approve the consent agenda, minutes of the regular meeting August 1, 2022, claims list, sheriff's report and treasurer's report. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Acushnet Company/Titleist - Merchandise - \$14.51 * Animal Clinic of Julesburg - Animal Control - \$313.72 * Arnold Pool Company - Swimming Pool Exp - \$64.80 * Arrowhead Distributing, Inc - Beer Expense - \$425.60 * Cash-Wa Distributing - Candy/Pop - \$139.10 * Cash-Wa Distributing - Liquor Expense - \$74.30 * Cash-Wa Distributing - Perishables - \$982.95 * Cash-Wa Distributing - Supplies - \$84.45 * Century Link - Telephone/Communications - \$1132.80 * Century Link--Long Distance - Telephone/Communications - \$225.17 * Chappell Lumber - Repair - \$324.41 * Chappell Lumber - Supplies - \$1196.98 * Chappell Lumber - Tools - \$37.50 * Chappell Lumber-Library Acct - Supplies - \$52.99 * Chappell Register - Ads, Forms & Printing - \$500.29 * Chappell Super Foods - Candy/Pop - \$150.78 * Chappell Super Foods - Perishables - \$49.91 * Chappell Super Foods - Supplies - \$153.21 * Croell Inc -

Gravel & Concrete - \$1777.50 * Culligan - Supplies - \$54.41 * Davis Equipment Co - Repair - \$1370.93 * Dietrich Distributing - Beer Expense - \$190.50 * Dutton-Lainson Company - Repair - \$1468.85 * Dutton-Lainson Company - Supplies - \$233.07 * Dutton-Lainson Company - Tools - \$68.91 * Eakes Office Products Center - Supplies - \$372.99 * Enviro Service Inc - Lab Testing - \$25.00 * Frenchman Valley Co-op - Chemicals & Fertilizer - \$272.00 * Frenchman Valley Co-op - Fuel - \$-172.86 * Hansen's Petroleum - Fuel - \$1998.88 * High Plains Budweiser - Beer Expense - \$945.60 * Hodges Irrigation - Mdse & Jobbing - \$1800.00 * Hometown Leasing - Leases - \$108.67 * Ideal Linen Supply - Supplies - \$865.46 * Ideal Linen Supply - Supplies - \$126.84 * Ingram Book Company - Books/Video - \$273.31 * Jim Reichman - Liquor Expense - \$66.56 * Junior Library Guild - Subscriptions & Dues - \$97.80 * KSID Radio - Ads, Forms & Printing - \$600.00 * Lauren Olson Art - Community Improvement - \$9900.00 * Leef Law, LLC - Legal Fees - \$2385.00 * Matheson Tri-Gas Inc - Oxygen - \$114.44 * Medicare - Licenses, fees and permits - \$631.00 * Michael Todd & Company Inc - Supplies - \$166.87 * Municipal Energy Agency of Nebraska - WAPA & MEAN - \$43312.88 * Municipal Supply Inc of Nebraska - Supplies - \$494.30 * Northwest Pipe Fittings Inc - Supplies - \$451.20 * Pepsi-Cola of Alliance - Candy/Pop - \$446.02 * Perry Wackett - Amb Driver - \$60.00 * Points West Community Bank-Chappell - Debt Service - \$17015.53 * Points West Community Bank-Chappell - Interest Expense - \$1723.16 * Premier Auto Parts & Service, LLC - Chappell Lake Exp - \$11.46 * Premier Auto Parts & Service, LLC - Repair - \$78.36 * Premier Auto Parts & Service, LLC - Supplies - \$419.78 * Public Safety Center, Inc. - Supplies - \$487.64 * R & T Excavating, LLC - Mdse & Jobbing - \$5695.48 * Rick's Auto & Tires - Repair - \$24.50 * Spic and Span Cleaners - Gravel & Concrete - \$1061.20 * The L L Johnson Distributing CO - Merchandise - \$103.94 * Vistabeam - Telephone/Communications - \$295.80 * WESCO Distribution Inc - Maintenance - \$1527.25 * Western Resources Group Inc. - Trash Hauling/Recycling - \$559.00 * WEX BANK - Fuel - \$3732.85 * Wheat Belt Public Power District - Utilities - \$105.18 * Windy City Novelties - Community Improvement - \$1265.00 * Total Payroll - \$48,666.08 *

Unfinished Business:

No unfinished business.

New Business:

Dale Chryst, who resides at 1346 5th St, has requested a variance of the set back in the alley by the council to allow him to put up a canopy on the north side of his garage. Attorney Leef stated the Planning and Zoning Commission will first have to meet to give their recommendation and then the item will be placed on the council agenda. The city office will schedule a meeting with the Planning Commission.

Consideration was given to Resolution 2022-10 Signing of Municipal Annual Certification of Program Compliance Form 2022. A motion was made by Council member Hahn, second of Council member Johnson to pass Resolution 2022-10 Signing of Municipal Annual Certification of Program Compliance Form 2022. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

RESOLUTION 2022-10

Resolution for the Signing of the Municipal Annual Certification of Program Compliance Form 2022.

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 the resolution of the governing body of the municipality authorizing the signing of the certification.

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

Jerrold Elms asked the council what could be done with the dirt pile from the street project. The dirt was placed on Terry Livengood's property temporarily. Jerrold will find out what the value of dirt is. This was tabled until the next meeting.

Consideration was given to Resolution 2022-11 to approve the airport authority budget. A motion was made by Council member Johnson, second of Council member Carlson to approve Resolution 2022-11 Chappell Airport Authority Levy at \$10,610, no increase from last year. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

RESOLUTION 2022-11

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 2022-2023 be approved.

A company named doxo contacted the city to see if the city would like to use their services free of charge to allow the utility customers the option of paying their utility bills online through the city website. There is no contractual agreement, no hidden fees, no set up charges for using doxo as a payment provider. A motion was made by Council member Hahn, second of Council member Riley to proceed forward with adding doxo as a payment option on the city website. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. Clerk Bauer will speak with the doxo representative to get the process started.

One building permit was submitted to council for review. Zoning Administrator Rust gave his recommendation of approving the permit. A motion was made by Council member Riley, second of Council member Johnson to approve the building permit for a carport at 902 3rd St. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Dustin Frank has asked the city council to lease the city's property south of the interstate as soon as possible. The city's property is located next to Mr. Frank's property. His pasture grass has dried up and he needs it for his cows. This agenda item is time sensitive to due to the current emergency drought situation. A motion was made by Council member Hahn, second of Council member Carlson to allow Dustin Frank to lease the city property south of the interstate on a day-to-day basis at the rate of \$1.50 per pair of cows, 20 pairs will be on the land. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. Mayor Brott will be in contact with Mr. Frank.

Communications:

The city will host a glow ball golf tournament on September 16, 2022 to celebrate 50 years of the golf course.

The swimming pool closed for the season on August 13th.

A motion was made by Council member Hahn, second of Council member Carlson to adjourn the meeting at 7:29 p.m. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Mayor, Steve Brott

ATTEST:

Ashlea Bauer
City Administrator/Clerk