

CITY COUNCIL MINUTES CHAPPELL NEBRASKA

A regular meeting of the Chappell City Council was held May 1, 2017, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Vogt, Reichman and Johnson. Staff members present were City Attorney Joel Jay, City Administrator/Clerk Ashlea Jepsen and City Treasurer Geralyn Konruff. Others present were Rachel and Zach Smith and Mike Andrews.

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 Riley to approve the consent agenda, minutes of the special meeting April 17, 2017 and the regular meeting April 17, 2017, claims list, dept head reports, animal control report and sheriff's report. "Yes" Riley, Vogt, Johnson. "Abstain" Reichman. "No" None. Motion carried.

Chappell Auto Repair & Services - \$242.55 * Chappell Municipal Utilities - \$117.56 * Deuel County Treasurer - \$6670.0 * Eakes Office Products Center - \$227.75 * Jay Law Office, LLC - \$350.00 * Jay Law Office, LLC - \$322.00 * Kriz-Davis Company - \$284.88 * Connie Loos - \$171.20 * NE Safety & Fire Equipment - \$150.00 * Olsson Associates - \$500.00 * Reichman Construction - \$327.52 * S A Foster Lumber Company - \$1.47 * Barco Municipal Products Inc - \$150.00 * Chappell Auto Repair & Services - \$976.88 * Chappell Municipal Utilities - \$1226.01 * Michael Todd & Company Inc - \$127.64 * Nebraska Environmental Products - \$594.03 * Neenah Foundry Company - \$317.13 * S A Foster Lumber Company - \$33.23 * American Red Cross - \$200.00 * Chappell Municipal Utilities - \$351.62 * Frenchman Valley Co-op - \$91.65 * Kriz-Davis Company - \$321.57 * Kurtzer's - \$427.89 * Michael Todd & Company Inc - \$218.52 * Northwest Pipe Fittings Inc - \$434.40 * Polly Olson - \$525.00 * Outdoor Recreation Products - \$866.00 * Outdoor Recreation Products - \$37.00 * S A Foster Lumber Company - \$393.94 * Sedgwick County Sales - \$884.80 * Chappell Municipal Utilities - \$1233.65 * Kriz-Davis Company - \$103.23 * S A Foster Lumber Company - \$277.47 * Chappell Municipal Utilities - \$537.33 * Municipal Supply Inc of Nebraska - \$135.28 * S A Foster Lumber Company - \$277.46 * Chappell Municipal Utilities - \$21.50 * NDEQ - Fiscal Services - \$100.00 * S A Foster Lumber Company - \$6.99 * Chappell Municipal Utilities - \$45.48 * Floyd's Truck Center - \$90.22 * Floyd's Truck Center - \$61.65 * Michael Todd & Company Inc - \$272.81 * S A Foster Lumber Company - \$26.70 * Sedgwick County Sales - \$2048.56 * Dearborn National Life Insurance Co. - \$24.08 * NCE - \$468.00 * Acushnet Company/Titleist - \$4521.59 * All Star Pro Golf, Inc - \$522.46 * C & M Air Cooled Engine Inc - \$963.53 * Cash-Wa Distributing - \$605.05 * Chappell Municipal Utilities - \$336.29 * Dultmeier Sales - \$54.58 * The L L Johnson Distributing CO - \$1470.53 * S A Foster Lumber Company - \$8.24 * S A Foster Lumber Company - \$8.97 * Total Payroll - \$29,635.62 *

Unfinished Business:

Discussion was held on Ordinance 527 relating to prohibited animals and fowl. A motion was made by Council member Vogt, second of Council member Reichman to waive the 3 readings. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Reichman, second of Council member Vogt to approve Ordinance 527 relating to prohibited animals and fowl. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

ORDINANCE NO. 527

AN ORDINANCE RELATING TO prohibited animals and fowl;

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

Section 95.02. A new Section (C) is added to the Municipal Code of Chappell, Nebraska, as follows:

§ 95.02 (C) CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS

- A. It shall be unlawful for any person to permit or allow any chicken to run or fly at large within the corporate limits of the City.
- B. It shall be unlawful for any person to own, keep, harbor, or have under his/her/its care, custody or control any cock or rooster chicken two (2) months of age or older. The unlawful keeping or harboring of cocks or roosters is hereby declared to be a public nuisance.
- C. It shall be unlawful for any person to own, keep, harbor, or have under his/her/its care, custody or control any chicken without a valid permit issued by the City. The fee for such permit shall be established by the City. No permit shall be assignable or transferable either as to permittee, location, or chickens.
- D. The requirements for the issuance of a permit by the City to own, keep, harbor, or have custody or control over a chicken are:
 1. No more than five (5) chickens shall be permitted per property owner.
 2. The chickens must be housed in a chicken facility and run approved by the City, such chicken facility and run to be maintained in compliance with all of the City's requirements as a condition of the permit. The requirements for the chicken facility and run include:
 - a. The chicken facility and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
 - b. The chicken facility and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor or threats to public health;
 - c. The chicken facility and run shall prevent chickens from roaming at large;
 - d. The run shall be constructed to include metal wire fencing anchored to the ground and a fully-enclosed roof or similar enclosure to prevent escape by chickens and entry by predators and general members of the public;
 - e. The chicken facility shall be constructed of a durable material and the flooring of any chicken facility shall be of a waterproof hard-surfaced non-porous material;
 - f. The chicken facility shall provide not less than three (3) square feet per occupant chicken, and the run shall provide not more than eight (8) square feet per occupant chicken;
 - g. The chicken facility shall not exceed an overall height of eight (8) feet and overall size of thirty-two (32) square feet.
 - h. The chicken facility and run shall be located so as to be at least thirty (30) feet from any dwelling, front yard or side yard, street, public sidewalk, public building, park or recreations area; and
 - i. The chicken facility and run shall comply with all applicable city building and zoning codes and must be consistent with the requirements of any and use regulation.
 3. Offal, manure, and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner that endangers the public health or safety.
 4. All grain, feed, and feedstuffs intended for use as food for chickens shall be kept in tightly-fitted containers constructed to keep out vermin and wild animals; and
 5. The permit application shall be accompanied by adequate evidence, as determined by the City, that the applicant has notified all abutting property owners and residents of the property lines of the property on which the chickens will be located, of the application. The City may consider resident objections in deciding whether to issue a permit under this section.
- E. The slaughtering or destruction of chickens within the corporate limits of the City shall be prohibited.

Discussion was held on the permit to allow chickens in town. Anyone that would like to have chickens, must apply for a permit. A copy of the ordinance and permit are available to pick up at the city office. A motion was made by Council member Johnson, second of Council member Vogt to approve the permit as presented. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

Discussion was held on the current ballfield agreement. Attorney Jay revised the current agreement and presented it to Council. A motion was made by Council member Vogt, second of Council member Riley to approve the revised ballfield agreement. The agreement will be sent to Creek Valley Schools for review. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

New Business:

Discussion was held on allowing a zoning variance at 389 Vincent Avenue. The Zoning and Planning Commission met and they discussed allowing a variance. They voted to approve it. The variance would allow the property owners at 389 Vincent to use the said lot as a commercial property. A motion was made by Council member Riley, second of Council member Johnson to allow a zoning variance of the property at 389 Vincent Avenue. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Vogt to approve the building permit for a fence at 1565 2nd St. "Yes" Riley, Vogt, Johnson. "Abstain" Reichman. "No" None. Motion carried.

A motion was made by Council member Reichman, second of Council member Riley to approve the building permit for a fence at 456 Thompson Ave. "Yes" Riley, Reichman, Johnson. "Abstain" Vogt. "No" None. Motion carried.

Communications:

Council members and Mayor thanked Reichman Construction for the job well done on the new welcome signs.

Council member Riley inquired about planting new trees in the city parks. The parks department plans on putting new trees in within the next few months.

A motion was made by Council member Vogt, second of Council member Reichman to adjourn the meeting at 7:32 p.m. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Jepsen
City Administrator/Clerk

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held on May 15, 2017, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Vogt, Reichman and Johnson. Staff members present were City Attorney Joel Jay, City Administrator Ashlea Jepsen, City Treasurer Geralyn Konruff, and CDD Britt Miller. Others present included Connie Loos, Rich & Betty O'Bannon, Bradyn Miller, Katy Doty, Kamy Jeppson and Jerod Hahn.

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.

Council member Riley arrived at 7:13 p.m.

Consent Agenda:

A motion was made by Council member Vogt, second of Council member Riley to approve the consent agenda, minutes of the regular meeting May 1, 2017, claims list, sheriff's report and treasurer's report. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

Bytes Computer & Network Solutions - \$1000.00 * Culligan - \$39.00 * Hometown Leasing - \$232.00 * Ideal Linen Supply - \$18.32 * Valley Repair - \$1331.84 * Chappell Auto Repair & Services - \$159.64 * Ideal Linen Supply - \$88.42 * Premier Auto Parts & Service, LLC - \$332.55 * Shell Fleet Management - \$286.33 * Ideal Linen Supply - \$88.42 * Pro Sports - \$679.40 * Shell Fleet Management - \$115.96 * Shell Fleet Management - \$18.45 * Shell Fleet Management - \$5.86 * City of Sidney - \$3325.00 * Ideal Linen Supply - \$41.50 * Nebraska Municipal Power Pool - \$1050.00 * Premier Auto Parts & Service, LLC - \$81.80 * Shell Fleet Management - \$163.42 * Enviro Service Inc - \$18.00 * Ideal Linen Supply - \$41.50 * Premier Auto Parts & Service, LLC - \$81.80 * Shell Fleet Management - \$152.60 * Cranmore Pest Control LLC - \$45.00 * Shell Fleet Management - \$2.30 * Hansen's Petroleum - \$607.07 * Ideal Linen Supply - \$88.41 * Premier Auto Parts & Service, LLC - \$124.17 * Shell Fleet Management - \$62.00 * Community First National Bank - \$31975.17 * Community First National Bank - \$2230.28 * EMS Billing Services Inc - \$950.87 * Hansen's Petroleum - \$134.43 * Premier Auto Parts & Service, LLC - \$17.39 * Shell Fleet Management - \$72.87 * Ideal Linen Supply - \$77.00 * The L L Johnson Distributing CO - \$807.63 * Points West Community Bank-Chappell - \$9150.00 * Points West Community Bank-Chappell - \$300.67 * Premier Auto Parts & Service, LLC - \$108.38 * Shell Fleet Management - \$66.00 * Stotz Equipment - \$261.31 * Stotz Equipment - \$247.44 * Total Payroll - \$29,572.36 *

Unfinished Business:

Discussion was held on the downtown revitalization proposals and the council would like to move forward with Wilson & Company to complete the study. They would like to have Britt move forward with applying for local grants to help with the costs of having Wilson & Company prepare the study. The city has budgeted some funds to help with the process. A motion was made by Council member Reichman, second of Council member Johnson to approve the proposal submitted by Wilson & Company. "Yes" Vogt, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

New Business:

Discussion was held on a KENO license for The Rusty Bucket, LLC. A motion was made by Council member Vogt, second of Council member Reichman to approve the KENO license for the Rusty Bucket, LLC. "Yes" Vogt, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

Rich and Betty O'Bannon, owners of the property located at 150 Vincent Ave, are looking into different options for their property, one being demolishing the buildings. They wanted to find out what they would need to do through the city to proceed forward. They would need to apply for a permit to demolish the buildings if that is the route they chose to take.

Joel and Britt provided a work destination report for the council to review. The report was prepared for the city by the UNL Extension Office. It's part of the project of moving the community forward. A meeting will be held on May 31st with the large community development group to review the report in depth.

Council discussed the potential of annexing property south of the Interstate into city limits. The council would like to move forward with more discussion on the steps required to annex a property into city limits.

A motion was made by Council member Johnson, second of Council member Reichman to go into executive session at 7:27 p.m. to discuss City Attorney Jay's employment evaluation. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Riley, second of Council member Johnson to come out of executive session at 7:45 p.m. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Vogt, second of Council member Reichman to increase the City Attorney hourly fee to \$100.00 per hour. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

Communications:

One chicken permit has been issued since May 1st.

Mayor Brott brought up concerns about the amount charged for a peddler fee permit. Currently the fee is \$5.00 for a 90 day permit. Council has asked to place the peddler fee on the next agenda.

A motion was made by Council member Vogt, second of Council member Riley to adjourn the meeting at 7:55 p.m. "Yes" Riley, Vogt, Reichman, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Jepsen
City Administrator/Clerk