THE FRONTIER, O'Neill, Nebraska, Thursday, June 13, 1963

## **Proceedings** of The City Council

May 7, 1963

The Mayor and Council of the City of O'Neill, Nebraska, met at the City Council Room in said City on the 7th day of May, 1963 at 7:30 p.m. in Regular session, the following being present: Mayor, D. C. Schaffer, City Clerk, O. D. French; Councilmen: Gleeson, Reynoldson, Heerman, Carroll, McIntosh and Janousek. The following being absent: Moore and Hiatt:

A quorum being present, the following proceedings were had and done:

Councilman Gleeson introduced

an ordinance entitled: AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, TO AMEND SECTION 1 OF ORDI-NANCE NO 294 - A RELATING TO SEWERS AND THEIR UP KEEP AND INCREASING THE SEWER RATE CHARGE FROM 150 CENTS PER MONTH TO \$1.00 PER MONTH EFFECTIVE JUNE 1st 1963

Said ordinance was fully and distinctly read, and on motion said ordinance was designated as Ordinance No. 352-A of said City and the title was approved. Thereupon Councilman Gleeson moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was seconded by Councilman Janousek and the roll was called on the adoption of said motion and

the Councilmen present voted all aye. Said motion having been concurred in by three-fourths of the Councilmen present, was by the Mayor declared passed and adopted. Thereupon, said ordinance was read by title a second time and was then read at large and put upon final passage and the Mayor stated the question is: "Shall Ordinance No. 352-A be passed and adopted? The roll was then called on the passage and adoption of said ordinance and the Councilmen voted as follows: All Aye. The passage and adoption of said ordinance having been concurred in by not less than three-fourths of all of the members of the Council, said ordinance was by the Mayor declared passed and adopted and the Mayor in the presence of the Council signed and approved said

A true, correct and complete copy of said ordinance is as follows:

ordinance.

## CITY OF O'NEILL, NEBRASKA ORDINANCE NO. 352-A

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA. TO AMEND SECTION 1 OF OR. DINANCE NO. 294-A RELATING TO SEWERS AND THEIR UP- CITY OF O'NEILL, NEBRASKA ORDINANCE NO. 353-A AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, TO AMEND SUBSECTION A, B, AND C OF SECTION 25 OF OR-DINANCE NO. 263-A RELATING TO WATER RATES AND IN-CREASING MINIMUM CHARGE FROM \$3.00 to \$4.00 BI-MONTH-LY, EFFECTIVE JUNE 1, 1963. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL

OF THE CITY OF O'NEILL. NEBRASKA: SECTION 1: That Subsections A, B, and C, of Section 25 of Ordinance No. 263-A be amended

to read as follows: A. MINIMUM CHARGES In no case shall the minimum charge for water service based on bi-monthly consumption by each individual consumer be less than Four Dollars, and no discount be allowed. B. RATE SCHEDULE

For the first 10,000 gallons, or fraction thereof, of water used or consumed, \$4.00; no discount allowed.

For the Next 40,000 gallons of water used or consumed, 25c per thousand gallons. For the next 150,000 gallons of water used or consumed 20c per

thousand gallons. For next 100,000 gallons of water used or consumed, 18c per thousand gallons. Next 100,000 gallons of water used or consumed, 17c per thou-

sand gallons. Over 400,000 gallons of water used or consumed, 15c per thou-

force and take effect.

ARTICLE 1.

NEBRASKA:

erinarian

tion of this article.

sand gallons. METER READINGS: BILL-ING: SERVICE SHUT OFF FOR NON-PAYMENT

All meters of consumers shall be read by the water commissioner, or his agent, between the 20th day of the last month of the bi-monthly period during which water service is used and the first day of the succeeding period. The water commissioner, or his duly authorized agents who are charged with the duty of reading water meters, shall, as said water meters are read, make statements for each consumer and enter the same on the books of the water department All bills for water service shall be due on the first day of the succeeding bi-monthly period, and shall be payable at such place as the water commissioner shall designate. If such water bills are not paid within thirty

days after the same are due, the water service of the consumer shall be shut off, and shall not be turned on again until said bill and other charges, if any, due said city be paid, together with a fee of \$4.00 for resumption of service. The water commissioner may, whenever he deems it advisable or necessary, declare any water bill due at any time and proceed to collect the same; and, in his discretion, may require charges for water service to be paid in advance. The City of O'Neill is hereby divided into Two water Districts, District No. 1 shall comprise all of the territhis City. The City Council by tory lying East of Fourth Street. resolution may prohibit, by proand District No. 2 shall comprise all of the territory lying West of Fourth Street. The bi-monthly periods for computing water rentals in District No. 1 shall commence on the 1st day of July, September, November, January, March and May of each year, of each year. and in District No. 2 on the first day of alternate months from those set forth for District No. 1. SECTION 2: That Sub sections A, B, and C, of Section 25 of Ordinance No. 263-A be and it hereby is repealed. SECTION 3: That all other sections of Ordinance No. 263-A shall remain in full force and effect SECTION 4: This ordinance shall be in full force and take effect from and after its passage, tion. approval and publication accord-

to take up and kill any dog, male tion of said ordinance and the Councilmen voted all Yea. The or female, harbored and found running at large or running at passage and adoption of said large within the corporate limits ordinance having been conhereof and not having about its curred in by not less neck the tag or plate provided than three-fourths of all the members of the Council, said for in Section 5 of this Ordinance; and, for each dog so killed and ordinance was by the Mayor declared passed and adopted and disposed of the Chief of Police or other constable, designated by the Mayor in the presence of the the City Council, receive in addi-Council, signed and approved said ordinance. A true, correct tion to his salary the sum of \$1.00 One Dollar, the same to be paid and complete copy of said ordias other claims against the gennance is as follows: CITY OF O'NEILL, NEBRASKA eral fund of said City. No dog so taken by the Chief of Police or

**ORDINANCE NO. 354-A** other officer of this City shall ANIMALS AND FOWLS be killed until such officer, after AN ORDINANCE RELATING consulting the records in the of-TO ANIMALS AND FOWLS WITHIN THE CORPORATE fice of the City Clerk, shall have satisfied himself that the tax LIMITS OF THE CITY OF O' herein levied on said dog is due NEILL, NEBRASKA: To Provide and unpaid, and until such officer for the Licensing, regulating and shall have notified in writing or taxing of dogs harbored or runby word of mouth the owner of ning at large within said City; to said dog, if known to him, forthprescribe rules and regulations with to pay the delinquent tax so for the impounding and killing of due; PROVIDED, each dog so dogs under certain conditions; to taken will be impounded for at protect the inhabitants of this least (5) Five days, after which City against rabid or dangerous time if the dog is not called for dogs: to regulate where animals and fees and maintenance paid, or fowls may be kept with reat the rate of \$1.00 per day, then spect to the residence or place said dog shall be destroyed. of abode of another; to prohibit SECTION 8: Poisoning or In-

cruelty to animals; to prohibit juring Dogs: It shall be unlawful animals or fowls from running at for any person or persons to adlarge; to provide penalties for minister or cause to be administthe violation thereof; to repeal ered poison of any sort whatsoall ordinances and parts of orever to any dog, or in any mandinances in conflict therewith; ner to injure, maim or destroy, and to prescribe the time when or in any manner to attempt to this ordinance shall be in full injure, maim or destroy any dog. the property of another, or to BE IT ORDAINED BY THE place any poison or poisoned food MAYOR AND CITY COUNCIL where the same is accessible to OF THE CITY OF O'NEILL. any dog; Provided however, this section shall not apply to the killing of dogs with firearms by SECTION 1: Terms, Defined. the Chief of Police or other offic-The term dog, whenever used in er designated by the City Council this article, shall be held to apply carrying out or attempting to to both male and female dogs of carry out the duties assigned all ages. The term spayed shall him in other sections of this arbe construed to mean any neuterticle

ed female dog as evidenced by SECTION 9: Barking, Howlthe certificate of a licensed veting, Yelping or Offensive Dogs: No person shall own, keep or SECTION 2: Who Deemed Harharbor any dog within the corborer. Any persons who shall porate limits of this City which harbor or permit any dog to be by loud, continued or frequent for ten days or more or let the barking, howling or yelping shall same habitually remain and be annoy or disturb any neighborfed for the period of ten days or hood or person or which habitumore in or about his house, store ally barks or chases pedestrians, or enclosure, shall be deemed horses or any vehicle whatsoever the harborer of such dog, and to the annoyance of such pedestshall be liable to the penalties rians, drivers or owners of veherein prescribed for the violahicles while on any public sidewalks, streets, alleys, or avenues SECTION 3: Dangerous Dogs in said City.

at Large; Rabid Dogs: If the SECTION 10: Dogs, injuring or owner or harborer of a fierce or Destroying Property of Another: dangerous dog, after its disposi-No person shall own, keep or tion and nature have been ascerharbor or allow to be in, or upon tained, permits the same to run any premises occupied by him, at large in this City to the danger or under his charge or control, or annoyance of the citizens, he any dog that in any manner inshall be deemed guilty of a misjures or destroys any real or perdemeanor, and, upon conviction sonal property of any description thereof, shall be punished as belonging to another. If upon the hereinafter provided. The Chief trial of any offense mentioned of Police or other constable desin this section it shall appear to ignated by the City Council is the Police Judge that the person hereby authorized to kill such be quilty as charged in said comdog if found running at large. plaint, said Judge may, in addi-The prudent use of firearms by tion to the usual judgment of the Chief of Police or such other conviction, order the person so officer for this purpose or for offending to make restitution to any purpose required by this the party injured in amount equal article shall not be considered a to the value of the property so violation of the ordinances of injured or destroyed.

force and take effect from and | NEBRASKA: after its passage, approval and publication according to law. PASSED AND APPROVED May 7, 1963.

D. C. SCHAFFER ATTEST: O. D. FRENCH Mayor City Clerk O. D. FRENCH (SEAL)

Councilman Gleeson introduced an ordinance entitled: AN ORDINANCE OF THE CITY

ATTEST:

(SEAL)

City Clerk

OF O'NEILL, NEBRASKA CRE-SCRIBING ATING SANITARY SEWER EX-TENSION DISTRICT NO. I AND PRESCRIBING THE SIZE AND KIND OF SEWER MAINS TO BE TERMINAL POINTS THEREOF CONSTRUCTED THEREIN AND AND THE OUTER BOUNDARIES THE LOCATION AND TERMI-OF SAID DISTRICT. NAL POINTS THEREOF AND THE OUTER BOUNDARIES OF Said ordinance was fully and distinctly read, and on motion SAID DISTRICT said ordinance was designated as Said Ordinance was fully and

distinctly read, and on motion said ordinance was designated as Ordinance No. 355-A of said City and the title was approved. Thereupon Councilman Glee-

son moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was seconded by Councilman Janousek and the roll was called on the adoption of said motion and the Councilmen present voted as follows: YEA: Gleeson, Reynoldson, Heermann, Carroll, McIntosh and Janousek. NAY: None, Said motion, having been concurred in by three-fourths of the councilmen present, was by the Mayor declared passed and adopted.

THEREUPON, said ordinance was read by title a second time and was then read at large and put upon final passage and the Mayor stated the question is: "Shall Ordinance No. 355-A be passed and adopted?" The roll was then called on the passage and adoption of said ordinance and the Councilmen voted as follows: YEA: Gleeson, Carroll, Mc-Intosh, Reynoldson, Heermann and Janousek. NAY: None. The passage and adoption of said ordinance having been concurred in by not less than three-fourths of all of the members of the Council, said ordinance was by the Mayor declared passed and adopted and the Mayor in the presence of the Council signed

and approved said ordinance. CITY OF O'NEILL, NEBRASKA **ORDINANCE NO. 355-A** 

ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, CREATING SANITARY SEWER EXTENSION DISTRICT NO. 1 AND PRESCRIBING THE SIZE AND KIND OF SEWER MAINS TO BE CONSTRUCTED THERE-IN AND THE LOCATION AND TERMINAL POINTS THEREOF AND THE OUTER BOUNDARIES OF SAID DISTRIC.

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963. D. C. SCHAFFER Mayor

Ordinance No. 356-A of said City

Thereupon, Councilman Rey-

noldson moved that the statutory

rule requiring the reading of or-

Gleeson and the roll was called

on the adoption of said motion

and the Councilmen present vot-

ed as follows: YEA: Gleeson,

Reynoldson, Heermann, Carroll

McIntosh and Janousek, NAY:

None. The passage and adoption

of said ordinance having been

and the title was approved.

Councilman Reynoldson then

introduced an ordinance entitled: AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, CRE ATING WATER EXTENSION DISTRICT NO. 1 AND PRE-THE SIZE AND KIND OF WATER MAINS TO "3. The City Clerk shall cause BE CONSTRUCTED THEREIN AND THE LOCATION AND

in the form provided by law by publication once each week for three consecutive weeks in The Frontier, a legal newspaper in and of general circulation in said City, and May 27, 1963 at 8 o'clock P. M. at the office of the City Clerk is hereby fixed as the time and place for receiving and opening bids in each District.' The foregoing Resolution havdinances on three different days ing been read, the motion to pass be dispensed with, which motion the same was seconded by Counwas seconded by Councilman cilman Gleeson. The roll being called on said motion, the following councilmen voted in favor of the passage of said Resolution: Gleeson Reynoldson, Heermann, McIntosh, Carroll and Janousek. The following voted against the same: None. The motion for the

concurred in by not less than been voted by more than a mathree-fourths of all of the memjority of all the members elected bers of the Council, said ordito the Council was by the Mayor nance was by the Mayor declardeclared passed and adopted. ed passed and adopted and the

Mayor in the presence of the Council signed and approved said

ordinance. A true, correct and complete copy of said ordinance is as follows: CITY OF O'NEILL, NEBRASKA

ORDINANCE NO. 356-A AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, CREATING WATER EXTEN-SION DISTRICT NO. 1 AND PRESCRIBING THE SIZE AND KIND OF WATER MAINS TO BE CONSTRUCTED THEREIN AND THE LOCATION AND TERMINAL POINTS THEREOF AND THE OUTER BOUNDARIES OF SAID DISTRICT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:

Section 1. The Mayor and City Council hereby deem it necessary and desirable to extend the municipal water service beyond the limits of the existing water system of said City and for such purpose to create a water extension district. to Grade

Section 2. There is hereby created in the City of O'Neill, Necost of construction of Sanitary braska, and within one mile of Sewer Extension District No. 1 the corporate limits thereof, Wa-

follows

on a form furnished by Kirkham, "1. The sewer mains in Sani-Michael & Associates, and must tary Sewer Extension District No. 1 of the City of O'Neill, Nebe accompanied by a certified check in an amount not less than braska, shall be constructed \$1,190.00, made payable to the forthwith in accordance with the plans and specifications therefor City Treasurer, City of O'Neill, made by the City Engineer and Nebraska, which shall be conapproved by the Mayor and Counsidered as liquidated damages, and shall be forfeited to the City of O'Neill, Nebraska if said pro-"2. The water mains in water posal or bid is accepted and the

Extension District No. 1 of the City of O'Neill, Nebraska, shall bidder fails to execute the conbe constructed forthwith in actract and file the required bond cordance with the plans and specas provided in the specifications. ifications therefor made by the Checks accompanying proposals not accepted shall be returned City Engineer and approved by to the bidders. the Mayor and Council.

No bidder may withdraw his a Notice to Bidders to be pubproposal for a period of thirty (30) days after date set for openlished in each of said Districts ing of bids. All proposals must be enclosed in an envelope, sealed and ad-dressed to the Office of the City Clerk, City of O'Neill, Nebraska, and shall be marked "Proposal, Water Extension District No. Proposals received after the above time and date will be returned unopened to the bidder submitting the proposal. The work herein provided for shall be done under written contract with the responsible bidder submitting the lowest acceptable

bid in accordance with the requirements of the plans and specifications and as provided by The successful bidder will be required to furnish a bond as specified in the specifications in adoption of said Resolution having an amount equal to one hundred percent (100%) of the contract

price, said bond to be also executed by a responsible corporate surety approved by the Owner D. C. Schaffer, Mayor

and shall guarantee the faithful O. D. French, City Clerk performance of the contract and NOTICE TO CONTRACTORS

the terms and conditions therein Sealed proposals will be receivcontained. ed at the office of the City Clerk, Plans, specifications and con-City of O'Neill, Nebraska until tract documents may be examin-7:30 P.M., C.S.T. on the 27th day ed at the office of City Clerk, of May, 1963, for furnishing all City of O'Neill, Nebraska, and labor, tools, materials, and equipmay be procured from the ofment required to construct SAN fice of the Engineers, Kirkham, ITARY SEWER EXTENSION Michael & Associates, at 7300 DISTRICT NO. 1, as per the Woolworth Avenue, Omaha 24. plans and specifications for said Nebraska, upon the payment of construction now on file with the Ten Dollars (\$10.00) which City Clerk and available at the amount will not be refunded. office of Kirkham, Michael and The Mayor and City Council of Associates. Such proposals as are the City of O'Neill, Nebraska. received will be publicly opened, reserves the right to waive inread aloud, and tabulated at said formalities and to reject any or time and place in the City Hall all bids

in O'Neill, Nebraska. Dated this 7th day of May, 1963. The Approximate Quantities of CITY OF O'NEILL, NEBRASKA the major items of construction Dale French, City Clerk are as follows:

4,302 L.F. 8" VCP, Sanitary Sewer Pipe, Complete in place filed in the office of the City 12 Ea. Build Standard Manhole Clerk the following petition: 6 Ea. 6" VCP, Stubout for

The Engineer's estimate for the

PETITION FOR EXTENSION OF House Service Connection HANCOCK STREET 35 Ea. 6"x8" VCP Wye Branch 2 Ea. Adjust Existing Manhole

May 7, 1963 at 11:30 A. M. was

We, the undersigned, residents and property owners, and qualified electors of the City of O' Neill, Holt County, Nebraska, and for the reason that the inhabitants of the 4th ward of said City have no outlet in the direct tion South, West or East and that there is a direct need and necessity for said outlets; now by these presents we do hereby petition and request the Honorable Mayor and City Council of the City of O'Neill to extend and open HAN-COCK STREET or in lieu thereof to provide some suitable and alternate outlet for traffic for the residents living South of the Chicago and Northwestern Rail road track in O'Neill, Nebraska. NAME ADDRESS Irene Booth O'Neill, Nebr W. S. MacKinlay 1st & Hancock James P. Sessions O'Neill, Nebr Doris Sindelar O'Neill. Neb Mary Kelly O'Neill, Nebr Joe Kubik O'Neill Nebr Victor C. Johnson O'Neill, Nebr Rose Kubik O'Neill, Nebr Don O. Lyons O'Neill, Nebr Mrs. Don O Lyons O'Neill, Nebr Mrs. Jim Butts O'Neill, Nebr William O'Connor O'Neill, Nebr C. H. Johnson, Sr. O'Neill, Nebr Bessie Dumpert O'Neill, Nebr Anne Winchell O'Neill Nebr Ed Dumpert O'Neill. Nebr Wm. J. White O'Neill, Nebr Dorothy White O'Neill, Nebr Marie Kelly O'Neill, Nebr Electa MacKinlay O'Neill, Nebr Mrs. F. H. Holsclaw O'Neill, Nebr Mrs. Ray Dendinger O'Neill, Nebr Ray Dendinger O'Neill, Nebr Mrs. Pat Sullivan O'Neill, Nebr Mary Sullivan O'Neill, Nebr Alvin R. Vorce O'Neill, Nebr Lois C. Vorce O'Neill, Nebr Carsten F. Hansen O'Neill Nebr Betty Bishop O'Neill. Nebr Cecil Bishop O'Neill, Nebr Harley Booth O'Neill, Nebr Janice Luft O'Neill Nebr Clara Passieux O'Neill. Nebr Jack Passieux O'Neill, Nebr Charles Havranek O'Neill, Nebr Blanche Havranek O'Neill, Nebr Dorothy M. Barrett O'Neill, Nebr Barbara Belzer O'Neill, Nebr Albert Klingler O'Neill. Nebr Eileen Spittler O'Neill, Nebr Jerome Spittler O'Neill, Nebr D. F. Anderson O'Neill, Nebr Kenneth Coleman O'Neill, Nehr Katie Mullen O'Neill, Nebr Clara Johnson O'Neill. Neb Clay Johnson, Jr. O'Neill, Nebr Margaret Johnson O'Neill, Nebr John Jeffrey O'Neili, Nebr James Butts O'Neill, Nehr Della Nekolite O'Neill Nebr Joe Nekolite O'Neill, Nebr Jim Moore O'Neill, Nebr John N. Schmit O'Neill, Nebr. Eileen Schmit O'Neill, Nebr William Kelly O'Neill Nebr Hazel Timm O'Neill, Nebr Herbert Timm O'Neill, Nebr May 7, 1963 at 11:30 A. M. was filed the following Petition for the Creation of a paving District; PETITION TO THE MAYOR AND CITY COUNCIL OF O'NEILL, NE-BRASKA: We, the undersigned, residents of the City of O'Neill, Nebraska and owning property abutting directly upon the street or streets hereinafter described do hereby request that you improve the following street within the City by Paving, curbing and guttering and such incidental work as may necessary to-wit: FIRST STREET from the South Line of Hancock Street to the North Line of Grant Street.

KEEP AND INCREASING THE SEWER RATE CHARGE FROM 50 CENTS PER MONTH TO \$1.00 PER MONTH EFFECTIVE JUNE 1st, 1963.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA

SECTION 1: That Section 1 of ordinance 294-A be amended to read as follows: A sewer use charge of \$1.00 per month for each connection whether direct or indirect is hereby fixed to be charged and collected from the owner of each real estate property in the City of O'Neill having a connection either directly or indirectly, to the City sewer system, whenever said property is occupied or used. Said charges shall be collected at the same time and in the same manner and enforced in the same manner as the City Water charges are collected and by the same officials. SECTION 2: That Section 1 of

Ordinance No. 294-A be and it hereby is repealed. SECTION 3: That all other sections of said Ordinance No. 294-A

shall remain in full force and effect. SECTION 4: This ordinance

shall be in full force and take effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963. D. C. SCHAFFER Mayor

ATTEST: O. D. FRENCH City Clerk (SEAL)

Councilman Gleeson introduced an ordinance entitled: AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, TO AMEND SUBSECTION A. B. AND C OF SECTION 25 OF OR-DINANCE NO. 263-A RELATING TO WATER RATES AND IN-CREASING MINIMUM CHARGE FROM \$300 to \$4.00 BI-MONTH-LY, EFFECTIVE JUNE 1, 1963

Said ordinance was fully and distinctly read, and on motion said ordinance was designated as Ordinance No. 353-A of said City and the title was approved.

Thereupon Councilman Gleeson moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was seconded by Councilman Janousek and the roll was called on the adoption of said motion and the Councilmen present voted as follows: All Aye. None Nay: Said motion, having been concurred in by three-fourths of the Councilmen present, was by the Mayor declared passed and adopted.

Thereupon said ordinance was read by title a second time and was then read at large and put upon final passage and the Mayor stated the question is: 'Shall Ordinance No. 353-A be passed and adopted?" The roll was then called on the passage and adoption of said ordinance and the Councilmen voted as follows: All Yea; None Nay. The passage and adoption of said ordinance having been concurred

sation of Chief of Police or other Ordinances in Conflict: All ortary sewer system is \$19,890.00. (SEAL) plete in place irene Booth O'Neill, Nebr read by title a second time and Mayor declared passed and adop-Al Vorce constable: It shall be the duty 15 Ea. 6" Dia. Gate Valve Section 6. This ordinance shall dinances and parts of ordinances O'Neill, Nebr ted and the Mayor in the pre-sence of the Council signed and was then read at large and put Lois C. Vorce of the Chief of Police or other 1 Ea. Street Crossing O'Neill, Nebr passed and approved prior to the take effect and be in force from Councilman Reynoldson then upon final passage and the May-Between the dates of Decempassage and approval of this ordinance and in conflict thereconstable, designated by the City and after its passage and publiintroduced the following Resolu-The Engineer's estimate for the approved said ordinance. or stated the question is: "Shall ber 14, 1962 and May 7, 1963, the tion and moved its adoption: cation, in accordance with law. cost of construction of Water Ex-Council, after January tenth in Ordinance No. 354-A be passed A true( correct and complete following applications were filed with are hereby repealed. SECTION 17: When Operative; tension District No. 1, is BE IT ORDAINED BY THE "BE IT RESOLVED by the each year, or when the dog tax copy of said ordinance is as foland adopted?" The roll was then and allowed: \$23,800.00. MAYOR AND CITY COUNCIL Mayor and Council of the City of called on the passage and adop-1 becomes delinquent, as aforesaid, This ordinance shall be in full OF THE CITY OF O'NEILL, O'Neill, Nebraska: Each proposal shall be made lows: (Continued on next page)

ing to law. PASSED AND APPROVED THIS 7th DAY OF MAY, 1963. D. C. SCHAFFER Mayor

O. D. FRENCH City Clerk (SEAL) Councilman Reynoldson introduced an ordinance entitled: AN ORDINANCE RELATING TO ANIMALS AND FOWLS WITHIN THE CORPORATE LIMITS OF THE CITY OF O'NEILL, NE-

ATTEST:

BRASKA To provide for the licensing, regulating and taxing of dogs harbored or running at large within said City; to prescribe rules and regulations for the impounding and killing of dogs under certain conditions; to protect the inhabitants of this City against rabid or dangerous dogs: to regulate where animals or fowls may be kept with respect to the residence or place of abode of another; to prohibit cruelty to animals; to prohibit animals or fowls from running at large; to provide penalties for the violation thereof; to repeal all

upwards

ordinances and parts of ordinances and parts of ordinances in conflict therewith; and to preattached to the collar of the dog scribe the time when this orshowing the number as proved dinance shall be in full force and in Section 5 of this ordinance:

take effect. Said ordinance was fully and distinctly read, and on motion said ordinance was designated as Ordinance No. 354-A of said City and the title approved. Thereupon Councilman Revnoldson moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was seconded by Councilman Gleeson and the roll was called on the adoption of said motion and the Councilmen present voted as follows: All Yea: None, Nav: Said motion, having been con-

curred in by three-fourths of the

General Fund of this City. made Councilmen present, was by the Section 5. The engineer's esti-SECTION 7: Enforcement of ARTICLE IV. ATTEST: 4,991 L.F. 6" Dia. C.I.P. Comin by not less than three-fourths Mayor declared passed and Dog Ordinance, Impounding, Killplete in place 6 Ea. New Fire Hydrant, Com-Repeal and Operative Clauses mate of the total cost of the pro-O. D. FRENCH of all the members of the Counadopted. NAME ing of Dogs; Additional Compen-SECTION 16: Repeal of Prior posed extension of the City's sani-City Clerk ADDRESS Thereupon

Avenue:

ARTICLE II. General Regulations

clamation, the running at large SECTION 11: Animals and of any dog at any time of the Fowls Running at Large: No peryear when, in said Council's opinsons having the charge, custody ion, the public is in danger of or control thereof, shall permit rabid dogs. All dogs are to be any horse, mule, cow, sheep, tied or confined between the goat, swine, except as in this dates of April 1st to October 1 chapter otherwise proved, to go loose or run at large in any SECTION 4: Female Dogs in of the public ways, or upon the Season: The owner or harborer property of another, in this City, of any female dog, licensed or or to be tethered or staked out unlicensed, who permits such in such a manner as to allow said dog to run at large while in seaanimal to reach to or pass into son, shall, upon conviction thereany public way, or upon the of, be punished as hereinafter property of another, and the runprovided. The Chief of Police or ning at large within the limits of other officer designated by the this City, is hereby declared to City Council is hereby authorizbe a common nuisance and the ed to kill any such dog if found same is hereby prohibited.

running at large in such condi-SECTION 12: Animals, Cruelty to: Any person or persons who SECTION 5: Plates, Tags: It shall inhumanly beat, strike, shall be unlawful for any dog to kick or wound any domestic anirun at large or to be harbored mal within the corporate limits within the corporate limits of of this City, shall be deemed this City, unless such dog shall guilty of a misdemeanor, and have a collar with a metallic upon conviction thereof, shall be plate or tag fastened upon it. punished as hereinafter provided. Each and every such tag or plate Any person or persons who shall shall have plainly engraved or within the corporate limits of stamped thereon in plain letters, this City, torture, torment, in a Dog Tax, O'Neill, Nebraska, and cruel or inhumane manner any in figures the year for which the domestic animal or beast of same was given and the number. burden, shall be deemed guilty which shall represent the number of a misdemeanor, and, upon conof such plate or tag; Provided, viction thereof, shall be punished that the shape and appearance of as hereinafter provided. Any the same be different each year person or persons, whether as and shall be numbered from one owner or agent, having in charge any domestic animal or animals SECTION 6: Dog Tax. When within the corporate limits of this City, who shall willfully or Due, When Delinquent: Dog Tax Credited to General Fund: Every carelessly neglect to provide sufharborer of a male or spayed ficient food or shelter therefor female dog in this City, shall pay at any season of the year, shall to the City Clerk or other repre-

be deemed guilty of a misdemeanor, and upon conviction sentative, as a dog tax, the sum of One Dollar and twenty-five thereof, shall be punished as cents per annum; and every harhereinafter provided. borer of an unspayed female dog. SECTION 13: Animals Not to in this City, shall likewise pay be Kept Within One Hundred Feet of Residence of Another: to the Village Clerk or other No person, whether as owner representative, as dog tax, the sum of Two dollars per annum. bailee, keeper or custodian, shall keep or maintain any domestic Such tax shall be payable on or animal within one hundred feet before the 'first day of January of each year. Each person so of any part of any building used by another as residence or place paying shall have a metallic tag of dwelling. SECTION 14: FOWLS NOT TO

BE KEPT WITHIN THE COR-PORATE LIMITS OF THE CITY Provided, the harborer of any dog brought into or harbored OF O'NEILL; No person, whethwithin the corporate limits of er as owner, bailee, keeper or this City subsequent to January custodian, shall keep or mainfirst in any year shall be liable tain any chickens, ducks, turfor the dog tax levied herein. keys, geese, or any similar fowl Dog tax shall become delinquent within the City of O'Neill, ARTICLE III. January 10 of each year, or with-

## Penal Provisions

in ten days after the dog or dogs shall have been brought within SECTION 15: Violations, Penthe corporate limits of this vilalty: Any person who shall violate any provisions of Articles I and II of this Chapter shall be lage subsequent to January first in each year. The Chief of Police when directed by the City Clerk, deemed guilty of a misdemeanor. shall assist the said Clerk in the and, upon conviction thereof. collection of the annual dog tax shall be fined in any sum not as provided herein. All dog tax exceeding one hundred dollars money shall be credited to the and shall be assessed the court costs of prosecution.

Section 1. The Mayor and City Council hereby deem it necessary and desirable to extend the municipal sanitary sewer service beyond the limits of the existing sanitary sewer system of said City and for such purpose to create a sanitary sewer extension

district. Section 2. There is hereby created in the City of O'Neill, Neline of Third Street to a point on braska, and within one mile of the north line of the County the corporate limits thereof, San-Road; thence west along the itary Sewer Extension District north line of the County Road to No. 1, the outer boundaries of the east line of First Street exsaid District being defined and tended north; thence north along established as follows: the east line of First Street to the Commencing at the Northeast intersection of the east line of corner of Block G of the O'Neill First Street and the north line and Haggerty's Addition to the of Cedar Street; thence west City of O'Neill, Nebraska: thence along the north line of Cedar east to the northwest corner of Street and Cedar Street extended Block H of the O'Neill and Haggwest to a point on the east line erty's Addition: thence north to of U. S. Highway 281; thence the northwest corner of Speltssouth along the east line of U.S. Ray Subdivision: thence east Highway 281 a distance of 585 along the north line of Speltsfeet; thence east to a point on Ray Subdivision to a point oppothe west line of Cleveland and site the southeast corner of Lot Kippple's First Addition: thence 12, Block 4 of Cleveland and south along the west line of Kipple's First Addition; thence Cleveland and Kippple's First Adnorth along the west line of dition to a point on the south line Lawndale Avenue to the interof the County Road; thence east section of the west line of Lawnto the northeast corner of the dale Avenue and the north line Spelts-Ray Subdivision; thence of Cedar Street; thence west south to the point of beginning. along the north line of Cedar Section 3. The size, kind and lo-Street and Cedar Street extended cation of the water mains to be to the west to a point on the east constructed in said District shall line of U.S. Highway 281; thence consist of south along the east line of U.S 6-inch cast iron water mains Highway 281 a distance of 585 and appurtenances located in feet; thence east to a point on County Road between Archer the west line of Cleveland and Street and Sunset Avenue; in Kipple's First Addition; thence Sunset Avenue between County south along the west line of Road and Cedar Street: in Ash Cleveland and Kipple's First Ad-Street between Sunset Avenue dition to a point on the south and Lawndale Avenue, in Birch line of the County Road; thence Street between Sunset Avenue east along the south line of the and Lawndale Avenue, in Cedar County Road to the intersection

Street between Sunset Avenue of the south line of the County and First Street; in Lawndale Road and the west line of Madi-Avenue between Ash Street and son Street: thence south to the Birch Street; in John Street bepoint of beginning. tween First Street and Second Section 3. The size, kind and Street; in County Road between location of the sewer mains to Lawndale Avenue and First be constructed in said District Street; in County Road between shall consist of Second Street and Third Street; 8-inch vitrified clay sewer pipe in Third Street, 148 feet northeror 8-inch concrete sewer pipe and from John Street: and in a appurtenances located in Madison 20-foot easement 167 feet wester-Street between Adams Street and ly from the intersection of Birch County Road; in County Road Street and Sunset Avenue. between Lawndale Avenue and Section 4. The water mains in Sunset Avenue; in Sunset Avenue between County Road and Cedar said District shall be constructed Street; in Ash Street between in accordance with the plans and Sunset Avenue and Lawndale specifications therefor which have been made and filed with Avenue; in Birch Street between Sunset Avenue and Lawndale the City Clerk prior to the introduction of this ordinance by Avenue: in Cedar Street between Kirkham, Michael & Associates Sunset Avenue and Lawndale and in a 20-foot easemunicipal engineer who has been employed by the City for that

ment 167 feet westerly from the purpose which plans and specifiintersection of Sunset Avenue and **Birch** Street cations have been approved by the Mayor and City Council and Section 4. The sewer mains in to which reference is hereby said District shall be constructed made in accordance with the plans and Section 5. The engineer's estispecifications therefor which mate of the total cost of the prohave been made and filed with posed extension of the City's wathe City Clerk prior to the introduction of this ordinance by ter system is \$27,370.00. Kirkham, Michael & Associates, take effect and be in force from municipal engineer who has been and after its passage and publiemployed by the City for that cation, in accordance with law. purpose which plans and specifications have been approved by the Mayor and City Council and

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963. to which reference is hereby D. C. SCHAFFER Mayor

Section 6. This ordinance shall

is \$17,295.00. ter Extension District No. 1. the Each proposal shall be made outer boundaries of said District on a form furnished by Kirkham, being defined and established as Michael & Associates, and must be accompanied by a certified Commencing at the northeast check in an amount not less than corner of Block I of the O'Neill \$864.75, made payable to the and Haggerty's Addition to the City Treasurer, City of O'Neill, City of O'Neill, Nebraska; thence Nebraska, which shall be coneast to the northwest corner of sidered as liquidated damages. Block 7 of the McCafferty's Anand shall be forfeited to the City nex; thence north along the east

of O'Neill, Nebraska if said pro posal or bid is accepted and the bidder fails to execute the contract and file the required bond as provided in the specifications Checks accompanying proposals not accepted shall be returned to the bidders.

No bidder may withdraw his proposal for a period of thirty (30) days after date set for opening of bids.

All proposals must be enclosed in an envelope, sealed and addressed to the Office of the City Clerk, City of O'Neill, Nebraska, and shall be marked "Proposal Sanitary Sewer Extension District No. 1." Proposals received after the above time and date will be returned unopened to the bidder submitting the proposal. The work herein provided for shall be done under written contract with the responsible bidder submitting the lowest acceptable bid in accordance with the requirements of the plans and specifications and as provided by

The successful bidder will be required to furnish a bond as specified in the specifications in an amount equal to one hundred percent (100%) of the contract price, said bond to be also executed by a responsible corporate surety approved by the Owner and shall guarantee the faithful performance of the contract and the terms and conditions therein contained. Plans, specifications and con-

tract documents may be examined at the office of City Clerk. City of O'Neill, Nebraska, and may be obtained from the office of the Engineers, Kirkham Michael & Associates, at 7300 Woolworth Avenue, Omaha 24. Nebraska, upon the payment of Ten Dollars (\$10.00) which amount will not be refunded. The Mayor and City Council of the City of O'Neill, Nebraska,

reserves the right to waive informalities and to reject any or all bids. Dated this 7th day of May, 1963. CITY OF O'NEILL, NEBRASKA

Dale French, City Clerk

NOTICE TO CONTRACTORS Sealed proposals will be receive

ed at the office of the City Clerk, City of O'Neill, Nebraska until 7:30 P.M., C.S.T. on the 27th day of May, 1963, for furnishing all labor, tools, materials, and equipment required to construct Water Extension District No. 1 as per the plans and specifications for said construction now on file with the City Clerk and available at the office of Kirkham, Michael and Associates. Such proposals as are received will be publicly opened, read aloud, and tabulated at said time and place in the City Hall in O'Neill Nebraska. The Approximate Quantities of the major items of construction are as follows: