

MCCOOK CITY COUNCIL
May 15, 2017
6:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 6:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Hepp, Calvin, McDowell, Weedon.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown, Utilities Director Dutcher, Fire Chief Harpham, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 11, 2017, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgment of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Invocation was provided by Father Gary Brethour, of the St. Patrick's Catholic Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

1. Citizen's Comments.

Sharon Bohling - 205 West "E" Street, inquired about the sign that was located at Governor Morrison's residence which was part of Heritage Square. Since the property has been sold the sign is no longer there. She would like to see A sign installed at another location, maybe in Norris Park. She would also like to see the sign that was at Governor Brooks' residence, which is now the location of the new jail, be reinstalled too.

2. Announcements & Recognitions.

There were no announcements or recognitions.

3. Public Hearings.

A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held April 24, 2017.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedon, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on a report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held April 24, 2017 with the City Attorney to act as hearing officer. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon.

NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated May 15, 2017 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda and attachments for the April 24, 2017 Economic Development Plan Citizen's Advisory Review Committee (10 pages); and Exhibit #4 - minutes of the January 23, 2017 Economic Development Plan Citizen's Advisory Review Committee meeting.

Chair of the Committee Troy Bruntz and McCook Economic Development Director Andrew Ambriz reviewed the presented information with the Council.

There being no one else present to comment, upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to adjourn the public hearing and to reconvene as a City Council. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

B. Receive and file the minutes of the January 23, 2017 Economic Development Plan Citizen's Advisory Review Committee meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to receive and file the minutes of the January 23, 2017 Economic Development Plan Citizen's Advisory Review Committee meeting. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to recess as a City Council and convene as the McCook Community Development Agency for consideration of the CDA Agenda at 6:46 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

MCCOOK COMMUNITY DEVELOPMENT AGENCY

A meeting of the Mayor and City Council of the City of McCook, Nebraska, acting as the governing body of the Community Development Agency of the City of McCook, Nebraska was convened in open and public session at 6:46 o'clock p.m. on May 15, 2017, at the McCook Municipal Center in McCook, Nebraska. Present were: Mayor Gonzales, Council Members: Hepp, Calvin, McDowell, Weedon. Absent: None. Notice of the meeting was given in advance thereof by publication, one of the City's designated methods for giving notice, a copy of the proof of publication being attached to these minutes. Advanced notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and all members of the Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

1. Approve the minutes of the February 20, 2017 Community Development Agency regular meeting.

Upon a motion by Agency Member Calvin, seconded by Agency Member McDowell, the Agency

voted to approve the minutes of the February 20, 2017 Community Development Agency regular meeting. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

2. Approve Amendment No. 2 to the Redevelopment Contract between the City of McCook, Nebraska and North Pointe Properties, L.L.C.

Upon a motion by Agency Member Calvin, seconded by Agency Member Hepp, the Agency voted to approve Amendment No. 2 to the Redevelopment Contract between the City of McCook, Nebraska and North Pointe Properties, L.L.C. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

3. Adjournment.

There being no further business to come before the Agency, Mayor Gonzales declared the meeting adjourned at 6:49 P.M.

Upon a motion by Agency Member Calvin, seconded by Agency Member Weedin, the Agency voted to recess as the McCook Community Development Agency and-reconvene as the McCook City Council at 6:49 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

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4. Proclamations.

- A. Approve the proclamation designating the week of May 21 - 27, 2017 as “National Emergency Medical Services Week” and authorize the Mayor to sign.

Upon a motion by Councilmember Weedin, seconded by Councilmember Hepp, the Council voted to approve the proclamation designating the week of May 21 - 27, 2017 as “National Emergency Medical Services Week” and authorize the Mayor to sign. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

- B. Approve the proclamation designating the week of May 21 - 27, 2017 as “National Public Works Week” and authorize the Mayor to sign.

Upon a motion by Councilmember Hepp, seconded by Councilmember Weedin, the Council voted to approve the proclamation designating the week of May 21 - 27, 2017 as “National Public Works Week” and authorize the Mayor to sign. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

5. Consent Agenda.

- A. Approve the minutes of the May 1, 2017 regular City Council meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to approve the minutes of the May 1, 2017 regular City Council meeting. The yeas and nays were

called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

- B. Approve the application for a Special Designated Liquor License submitted by Tyler Schmick, Schmick's Market Inc., Liquor License #IDK-084561, for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on June 3, 2017 from 6:00 P.M. to 1:00 A.M.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to approve the application for a Special Designated Liquor License submitted by Tyler Schmick, Schmick's Market Inc., Liquor License #IDK-084561, for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on June 3, 2017 from 6:00 P.M. to 1:00 A.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

- C. Approve the application for a Special Designated Liquor License submitted by Pals Brewing Company, LLC, Liquor License #IK-121291, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on June 10, 2017 from 5:00 P.M. to 11:00 A.M.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to approve the application for a Special Designated Liquor License submitted by Pals Brewing Company, LLC, Liquor License #IK-121291, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on June 10, 2017 from 5:00 P.M. to 11:00 A.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

- D. Receive and file claim for damages from Darrin Samway and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to receive and file claim for damages from Darrin Samway and instruct that it be submitted to the City's insurance carrier for review and appropriate action. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

- E. Ratify the Mayor's appointment of Kevin Cochran to replace Steve Batty on the Library Advisory Board - term expires June 2021.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to ratify the Mayor's appointment of Kevin Cochran to replace Steve Batty on the Library Advisory Board - term expires June 2021. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

6. Regular Agenda.

- A. Authorize the use of \$75,000 from the City of McCook's LB840 Motor Vehicle Tax funds to match a possible Nebraska Department of Roads grant from the Economic Opportunity Program.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedon, the Council voted to authorize the use of \$75,000 from the City of McCook's LB840 Motor Vehicle Tax funds to match a possible Nebraska Department of Roads grant from the Economic Opportunity Program. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

B. Council Comments.

Council comments included the condition of the shelter house by the tank in Barnett Park; recognition of Law Enforcement and Law Enforcement Memorial Day, it is a dangerous profession, the services they provide to the community are greatly appreciated; applauding City Staff on the magnificent job they did assisting with the recent oil spill on the west side of town; kudos to the Department Heads for their management skills, it reflects on how things are completed around the City; and the wonderful City Employees that we have, thanks for all that they do daily in maintaining the City.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:13 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer