

MCCOOK CITY COUNCIL
October 4, 2010
7:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 7:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Berry; Councilmembers Kircher, Anderson, Calvin, Gonzales; City Attorney Schneider; City Manager Fritsch; City Clerk-Treasurer Doak.

Absent: None.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on September 30, 2010, 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 Berry announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

(1) INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - LANCE CLAY, UNITED METHODIST CHURCH.

Lance Clay, pastor of the United Methodist Church, was present for the invocation.

(2) CITIZEN'S FORUM.

Kathleen Bills asked for an update regarding the West Ward building paperwork and if the building would be demolished.

Lance Rakes and Steve Broomfield, expressed safety concerns with speeding vehicles on West 7th Street in front of the High School. They asked that the Council consider placing stop signs in the area to slow the traffic down.

Mr. Broomfield also reported a low hanging tree branch at the corner of West 7th & "E" Streets that conceals the stop sign.

(3) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Public Works Director Kyle Potthoff introduced Rick Lorentz as the new Transfer Station Collection Laborer.

(4) APPROVE THE PROCLAMATION DESIGNATING OCTOBER 3 - OCTOBER 9, 2010 AS "FIRE PREVENTION WEEK" AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Anderson, seconded by Councilmember Gonzales, the Council voted to

approve the proclamation designating October 3 - October 9, 2010 as "Fire Prevention Week" and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(5) CONSENT AGENDA:

Councilmember Kircher requested that Item D be removed from the Consent Agenda and placed on the Regular Agenda.

City Manager Fritsch requested that Item B be removed from the consent Agenda and placed on the Regular Agenda.

ITEM A APPROVE THE MINUTES OF THE SEPTEMBER 20, 2010 REGULAR CITY COUNCIL MEETING AND THE SEPTEMBER 27, 2010 SPECIAL CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve the minutes of the September 20, 2010 regular City Council meeting and the September 27, 2010 special City Council meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM C RECEIVE AND FILE THE MINUTES OF THE SENIOR CENTER ADVISORY BOARD MEETING DATED SEPTEMBER 7, 2010 AND THE PARKS ADVISORY BOARD MEETING DATED MAY 5, 2010.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to receive and file the minutes of the Senior Center Advisory Board meeting dated September 7, 2010 and the Parks Advisory Board meeting dated May 5, 2010. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM E APPROVE THE SELECTION OF W DESIGN ASSOCIATES FOR ENGINEERING SERVICES FOR STREET IMPROVEMENT PROJECT NO. URB-6154(1), CN: 71135, EAST "H" STREET FROM NORRIS AVENUE TO AIRPORT ROAD.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve the selection of W Design Associates for Engineering Services for Street Improvement Project No. URB-6154(1), CN: 71135, East "H" Street from Norris Avenue to Airport Road. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM F Ratify the Mayor's appointments to the:

- Airport Advisory Commission - reappoint Richard Stull and appoint Wally Hampton - terms expire November, 2013.
- Board of Zoning Adjustment - reappoint Keith Delano - term expires September, 2013.
- Building Advisory and Appeals Board - appoint Jerry Reitz - term expires September, 2013.
- Senior Citizens Advisory Board - reappoint Peggy Appleyard and appoint Joyce Hofman and Gene Meints - term expires September, 2012.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to ratify the Mayor's appointments to the Airport Advisory Commission - reappointing Richard Stull and appointing Wally Hampton - terms expire November, 2013; the Board of Zoning Adjustment - reappointing Keith Delano - term expires September, 2013; the Building Advisory and Appeals Board - appointing Jerry Reitz - term expires September, 2013; the Senior Citizens Advisory Board - reappointing Peggy Appleyard and appointing Joyce Hofman and Gene Meints - term expires September, 2012. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

REGULAR AGENDA

ITEM 5B APPOINT KENT CRAW, DOUG SKILES, DALE DUELAND, LONNIE ANDERSON, AND JAMES COADY TO THE LB840 COMMITTEE TO REVIEW ALL FUTURE LOAN REQUESTS USING THE PROGRAM ADMINISTERED BY THE MCCOOK ECONOMIC DEVELOPMENT CORPORATION.

Councilmember Kircher introduced a motion to appoint Kent Craw, Doug Skiles, Dale Dueland, Lonnie Anderson, and James Coady to the LB840 Committee to review all future loan requests using the program administered by the McCook Economic Development Corporation. Mayor Berry seconded the motion.

City Clerk Doak informed the Council that the City of McCook Economic Development Plan states that no member of the Loan Committee may be an elected or appointed official. Therefore, Councilmember Anderson may not be appointed to the committee.

Upon a motion by Councilmember Kircher, seconded by Councilmember Calvin, the Council voted to strike Lonnie Anderson from the motion. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

The Mayor then stated the question: "Shall the motion on the floor be approved as amended?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None. Motion carried.

ITEM 5D RECEIVE AND FILE THE CITY OF MCCOOK SNOW AND ICE CONTROL AND REMOVAL OPERATION PROCEDURES AND POLICIES.

Upon a motion by Councilmember Kircher, seconded by Mayor Berry, the Council voted to receive and file the City of McCook Snow and Ice Control and Removal Operation Procedures and Policies. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(6) ORDINANCES PROVIDING FOR THE SALE OF CITY PROPERTIES:

ITEM A APPROVE ORDINANCE NO. 2010-2842 AUTHORIZING THE SALE OF PART OF LOT ONE (1), BLOCK ONE (1), WEST MCCOOK ADDITION AND A PORTION OF MISCELLANEOUS MCCOOK, ALL IN THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA TO HOWARD R. MUSGRAVE AND BARBARA J. MUSGRAVE FOR THE SUM OF \$5,000.00 UPON ITS THIRD AND FINAL

READING.

Ordinance No. 2010-2842 now came up for third and final reading. Ordinance No. 2010-2842 was read by title only and thereafter Councilmember Gonzales moved for final passage of the Ordinance, which motion was seconded by Councilmember Calvin. The Mayor then stated the question: "Shall Ordinance No. 2010-2842 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Mayor Berry, seconded by Councilmember Kircher, the Council voted to publish Ordinance No. 2010-2842 in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM B APPROVE ORDINANCE NO. 2010-2843 AUTHORIZING THE SALE OF LOT THIRTY-NINE (39), BLOCK TWO (2), SOUTH MCCOOK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA TO PAUL J. MONZON FOR THE SUM OF \$6,000.00 UPON ITS THIRD AND FINAL READING.

Ordinance No. 2010-2843 now came up for third and final reading. Ordinance No. 2010-2843 was read by title only and thereafter Councilmember Kircher moved for final passage of the Ordinance, which motion was seconded by Councilmember Anderson. The Mayor then stated the question: "Shall Ordinance No. 2010-2843 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Councilmember Kircher, seconded by Councilmember Calvin, the Council voted to publish Ordinance No. 2010-2843 in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(7) COUNCIL COMMENTS.

Mayor Berry encouraged all to check their smoke detectors to make sure they are in working order and that families have a plan of escape should there be a fire. He noted that the sales tax receipts for the fiscal year are higher than budgeted. This is a positive for the City. He reminded all of the Municipal Facilities election informational special meetings scheduled for October 14 and 25, 2010 at the Heritage Senior Center beginning at 7:00 P.M.

(8) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 7:50 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk