

MCCOOK CITY COUNCIL  
May 6, 2013  
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 Gonzales, Calvin, Hepp, McDowell.

Absent: None.

City Officials present: City Manager Hancock, City Attorney Schneider, City Clerk-Treasurer Doak, Library Director Jody Crocker, Fire Chief Marc Harpham, Public Works Director Kyle Potthoff, Chief of Police Isaac Brown, and Utilities Director Jesse Dutcher.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 2, 2013, 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 - RICK STAPP - FIRST CHURCH OF THE NAZARENE.

Lucy Stapp, representing the First Church of the Nazarene, was present for the invocation.

(2) PLEDGE OF ALLEGIANCE.

Mayor Berry led the Council and audience in the Pledge of Allegiance.

(3) CITIZEN'S FORUM.

No one was present for Citizen's Forum.

(4) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Mayor Berry presented a \$400 check to Boy Scout Troop 142 from the Public Alliance for Community Energy (ACE) as a donation for placing "Door Hangers" announcing the annual Choice Gas Selection Period and promoting ACE.

City Manager Hancock reviewed highlights of his recent newsletter.

City Attorney Schneider addressed the City's trash hauling contract with Fritz Trucking stating that staff has been in contact with their attorney and they will be providing a proposal to complete the contract according to the contract terms.

In regards to recent questions about the City moving into an executive session regarding the contract with Fritz Trucking, Mr. Schneider stated that he has requested a copy of an Attorney General opinion that discussions of legal matters between a county board and a county attorney involving pending litigation or legal consequences of specific action are suitable for a closed session. The City would not have been in violation of the open meetings act.

At 7:37 P.M., Mayor Berry stated that the regular meeting of the City Council would adjourn to convene the regular meeting of the Community Development Authority.

The Mayor reconvened the regular meeting of the City Council at 7:50 P.M.

- (5) APPROVE THE PROCLAMATION DESIGNATING MAY 15, 2013 "POLICE OFFICERS MEMORIAL DAY" AND THE WEEK OF MAY 12 - 17, 2013 AS "NATIONAL POLICE WEEK" AND AUTHORIZE THE MAYOR TO SIGN THE PROCLAMATION.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council approved the proclamation designating May 15, 2013 "Police Officers Memorial Day" and the week of May 12 - 17, 2013 as "National Police Week" and authorize the Mayor to sign the proclamation. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM NO.     6     Consent Agenda:

***\*The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Councilmember or public in attendance, be considered as a separate item under the Regular Agenda.***

ITEM A           Approve the minutes of the April 15, 2013 regular City Council meeting and the April 24, 2013 special City Council meeting.

ITEM B           Accept negotiated proposal from McCook Contracting, LLC, in the amount of \$669,880.00, for construction of an elevator and vestibule addition, including interior remodeling and paved parking, for the McCook Public Library and authorize the Mayor to execute the necessary paper work to award the contract.

ITEM C           Adopt Resolution No. 2013-14 approving Supplemental Agreement No. 1 between the Nebraska Department of Roads and the City of McCook for Project No. URB-6158(1), State Control No. 71151, East 7<sup>th</sup>/Seminole, East "H" Street to Park Avenue and authorize the Mayor to sign.

ITEM D           Adopt Resolution No. 2013-15 approving Supplemental Agreement No. 1 to the Federal Aid Transportation Fund Purchase-Sale Agreement between the Nebraska Department of Roads and the City of McCook and authorize the Mayor to sign.

ITEM E           Approve the request from the Young Professionals Group, an organization of the McCook Area Chamber of Commerce, to close off vehicular traffic in Barnett Park on Saturday, July 20, 2013 from 6:45 A.M. to Noon to host their "Color Me Crazy" fun run.

ITEM F           Approve Change Order No. 1 for Project No. URB-6154(1), CN: 71135, East

"H" Street from Norris Avenue to Airport Road in the amount of \$10,050.00 and authorize the Responsible Charge Person, Kyle Potthoff, to sign.

ITEM G Receive and file the minutes of the March 13, 2013 Library Advisory Board and the April 3, 2013 Building Code Review Committee meetings.

### **REGULAR AGENDA**

ITEM NO. 7 Presentation by McCook Economic Development Corporation (MEDC) Executive Director Rex Nelson on the 2013-2023 Community Housing Study - discuss and provide community guidance to Mr. Nelson.

ITEM NO. 8 Declare the properties located at 1200 West 4<sup>th</sup> Street and 1010 West 12<sup>th</sup> Street, McCook Nebraska as nuisance and unsafe properties and recommended by the McCook Board of Health on April 14, 2013 and direct staff to abate the nuisance issues as practical in the event the nuisance issues have not been abated.

ITEM NO. 9 Hear the appeal by John Hubert to reverse the decision of the Zoning Administration to deny an application for an Administrative Lot Line Adjustment/Lot Split at 71497 Ravenswood Road and either affirm or reverse the Zoning Administrator's decision.

ITEM NO. 10 Approval of the FY 2013-2014 Budget Calendar, selection of a Budget Retreat date, and discussion of budget projects.

ITEM NO. 11 Approve the Memorandum of Understanding relating to Tax Increment Financing between the City of McCook, Nebraska and North Pointe Properties, LLC.

ITEM NO. 12 Council Comments.

ITEM NO. 13 Adjournment.

(9) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:05 P.M.

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Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk

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