

MCCOOK CITY COUNCIL
February 3, 2014
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 Attorney Schneider, City Manager Hancock, City Clerk-Treasurer Doak, Police Chief Isaac Brown, Utilities Director Jesse Dutcher, Fire Chief Marc Harpham, and Public Works Director Kyle Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on January 30, 2014, 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 - BRUCE LESTER, MCCOOK EVANGELICAL FREE CHURCH.

Bruce Lester, pastor of the Evangelical Free Church, was present for the invocation.

- (2) PLEDGE OF ALLEGIANCE.

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

- (3) CITIZEN'S COMMENTS.

No one was present for Citizen's Comments.

- (4) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Mayor Berry reminded all of the Farewell Coffee to be held for City Manager Hancock on Tuesday, February 4, 2014 from 2:00 P.M. until 4:00 P.M.

- (5) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE JANUARY 20, 2014 REGULAR CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Hepp, the Council voted to approve the minutes of the January 20, 2014 regular City Council meeting. The motion passed upon the

following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM B APPROVE THE FRENCHMAN VALLEY MUTUAL AID ASSOCIATE MUTUAL AID AGREEMENT AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Hepp, the Council voted to approve the Frenchman Valley Mutual Aid Associate Mutual Aid Agreement and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM C ADOPT RESOLUTION NO. 2014-02 DESIGNATING THE REPRESENTATIVES OF THE CITY OF MCCOOK TO THE PUBLIC ALLIANCE FOR COMMUNITY ENERGY (ACE) BOARD OF DIRECTORS.

Upon a motion by Mayor Berry, seconded by Councilmember Hepp, the Council voted to adopt Resolution No. 2014-02 designating the representatives of the City of McCook to the Public Alliance for Community Energy (ACE) Board of Directors. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM D APPOINT LEA ANN DOAK AS BOARD MEMBER TO REPRESENT THE CITY ON THE REWARD BOARD OF DIRECTORS.

Upon a motion by Mayor Berry, seconded by Councilmember Hepp, the Council voted to appoint Lea Ann Doak as Board Member to represent the City on the REWARD Board of Directors. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

REGULAR AGENDA

(6) APPROVE THE LEASE BETWEEN THE CITY OF MCCOOK AND THE SOUTHWEST NEBRASKA COMMUNITY THEATER ASSOCIATION TO OCCUPY AND USE A PORTION OF THE CITY AUDITORIUM.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to approve the lease between the City of McCook and the Southwest Nebraska Community Theater Association to occupy and use a portion of the City Auditorium. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, McDowell. NAY: None. ABSTAIN: Hepp.

(7) AUTHORIZE THE PROPOSED REVISIONS OF THE DOWNTOWN REVITALIZATION COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

Councilmember Hepp introduced a motion to authorize the proposed revisions of the Downtown Revitalization Community Development Block Grant application. Councilmember McDowell seconded the motion.

Discussion occurred regarding the following proposed revisions from the Downtown Planning Committee: in lieu of the parking facility improvements within the downtown area and to encourage civic, entertainment, and commerce activities, the committee recommended that the project include a pavilion structure over the downtown parking facility at East 1st and "D" Street; a walkway to

Norris Avenue from the parking facility be explored; that the Norris and "B" crosswalk improvements should be maintained, and that the West 1st and "B" improvements and East 1st and "B" improvements could be eliminated.

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

(8) CONSIDER AND PROVIDE DIRECTION TO STAFF REGARDING THE PROCESS FOR RECRUITMENT AND EVALUATION OF A NEW CITY MANAGER.

It was the consensus of the Council to have staff continue with the same process as used during the hiring of City Manager Hancock.

(9) COUNCIL COMMENTS.

Councilmember Calvin requested that an update of the Library project be included on the February 17 agenda.

Mayor Berry complemented Public Works Director Potthoff and his staff for an excellent job during the previous storm utilizing pre-treatment on the streets.

(10) AN EXECUTIVE SESSION MAY BE HELD UPON A MAJORITY VOTE OF THE COUNCIL FOR PROTECTION OF THE PUBLIC INTEREST FOR DISCUSSION REGARDING DEPLOYMENT OF SECURITY PERSONNEL OR DEVICES WITH RESPECT TO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTHWEST NEBRASKA PUBLIC HEALTH DEPARTMENT, MCCOOK COMMUNITY HOSPITAL, AND THE CITY OF MCCOOK/FIRE DEPARTMENT.

Upon a motion by Councilmember Calvin, seconded by Councilmember Gonzales, the Council voted to move into executive session for protection of the public interest for discussion regarding deployment of security personnel or devices with respect to a Memorandum of Understanding between the Southwest Nebraska Public Health Department, McCook Community Hospital, and the City of McCook/Fire Department at 7:51 P.M. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

Mayor Berry stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for protection of the public interest for discussion regarding deployment of security personnel or devices with respect to a Memorandum of Understanding between the Southwest Nebraska Public Health Department, McCook Community Hospital, and the City of McCook/Fire Department. The Council will reconvene in public session following this closed session.

City Attorney Schneider, City Manager Hancock, City Clerk Doak, Public Works Director Potthoff, and Fire Chief Harpham were included in the executive session.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to move out of executive session at 8:12 P.M. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

(11) AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN SOUTHWEST NEBRASKA PUBLIC HEALTH

DEPARTMENT, MCCOOK COMMUNITY HOSPITAL, AND THE CITY OF MCCOOK/FIRE DEPARTMENT.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to authorize the City Manager to execute the Memorandum of Understanding between Southwest Nebraska Public Health Department, McCook Community Hospital, and the City of McCook/Fire Department. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

(12) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:13 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk