

MCCOOK CITY COUNCIL  
May 19, 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, Co-Interim City Manager/Public Works Director Potthoff; Deputy City Clerk Schmidt, Police Chief Brown, Utilities Director Dutcher, Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 16, 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 - KC HARRYMAN, FIRST ASSEMBLY OF GOD CHURCH.

KC Harryman, pastor of the First Assembly of God 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.

Cathy McDowell, Director of Prairie Plains CASA thanked the City, Public Works Director Kyle Potthoff, and the entire Parks Department for their hard work in making CASA's 1<sup>st</sup> Annual Night Disc Golf tournament a success.

- (4) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Public Works Director Potthoff reminded and encouraged people to complete the Recreational Survey which is available on the McCook Daily Gazette's website and the City of McCook's website. Deadline to submit is May 30th.

- (5) APPROVE THE PROCLAMATION DESIGNATING MAY 18 - 24, 2014 AS "EMERGENCY MEDICAL SERVICES WEEK" AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Hepp, the Council voted to approve the proclamation designating May 18 - 24, 2014 as "Emergency Medical Services Week" and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

(6) PUBLIC HEARING:

ITEM A PUBLIC HEARING - REQUEST FOR A SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A BUILDING TO BE USED FOR COMMERCIAL PURPOSES IN AN AGRICULTURAL (AG) DISTRICT, LOCATED WITHIN THE TWO MILE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA; APPLICANT - RICHARD CAPPEL, WITH THE CITY ATTORNEY TO ACT AS HEARING OFFICER.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the request for a special exception to allow the construction of a building to be used for commercial purposes in an Agricultural (AG) District, located within the two mile extra-territorial jurisdiction of the City of McCook, Red Willow County, Nebraska; Applicant - Richard Cappel, with the City Attorney to act as Hearing Officer. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

The City Attorney offered and received into evidence Exhibit #1, City Manager's Report prepared for the May 19, 2014 City Council meeting; Exhibit #2, City Manager's Report prepared for the May 12, 2014 Planning Commission meeting; Exhibit #3, Notice of Hearing published; Exhibit #4, the ownership listing who received such notice by mail; Exhibit #5, Land Use Application submitted by Richard J. Cappel; Exhibit #6, Findings and Determinations of McCook City Council; Exhibit #7, Minutes of the May 12, 2014 Planning Commission meeting.

Richard Cappel presented his request to the Council. His request is to construct a 150' x 80' steel building consisting of an office, shop and storage to lease. Cappel indicated there are two restrooms and containment in the plans, there are 3 acres behind the proposed building which addresses any parking issues, and he already has prospective leasers.

Alan Bishop spoke in support of the project, but asked who the prospective leaser might be. Cappel indicated there is an oil company supplier interested in leasing the new building. Bishop suggested that, in consideration of that and, if approved, Council reconsider the truck washing facility previously proposed by Randy and Curtis Lashley.

There being no one else present to comment, upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to adjourn the public hearing and to reconvene as a City Council. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM B APPROVE THE REQUEST FOR A SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A BUILDING TO BE USED FOR COMMERCIAL PURPOSES IN AN AGRICULTURAL (AG) DISTRICT, LOCATED IN BLOCK TWO (2), CAPPEL INDUSTRIAL PARK, RED WILLOW COUNTY, NEBRASKA, ON THE SOUTH SIDE OF ROAD 716; WITHIN THE TWO MILE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF MCCOOK; APPLICANT - RICHARD CAPPEL; THAT THE GRANTING OF THE SPECIAL EXCEPTION WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST;

AND THAT SATISFACTORY PROVISIONS AND ARRANGEMENTS HAVE BEEN MADE BY THE APPLICANT CONCERNING SPECIAL EXCEPTION CONSIDERATIONS A - I.

Councilmember Gonzales introduced a motion to approve the Special Exception request from Richard J. Cappel to allow the construction of a building to be used for commercial purposes in an Agricultural (AG) District, located in Block Two (2), Cappel Industrial Park, Red Willow County, Nebraska, on the south side of Road 716; within the two mile extra-territorial jurisdiction of the City of McCook; Applicant - Richard Cappel; that the granting of the special exception will not adversely affect the public interest; and that satisfactory provisions and arrangements have been made by the applicant concerning the following issues:

- a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;
- c) refuse and service areas, with particular attention to the items in a) and b) above;
- d) utilities, with reference to locations, availability and compatibility;
- e) screening and buffering with reference to type, dimensions and character;
- f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;
- g) required yard and other open space;
- h) general compatibility with adjacent properties and other property in the district.
- I) Compatibility with existing and future land use plan in the McCook Comprehensive Plan.

City Attorney Schneider noted that this is a special exception request and not a rezoning request.

The motion was seconded by Councilmember Calvin, and passed by the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM C PUBLIC HEARING - PROPOSED REZONE OF BLOCK ONE (1), LOTS TWENTY-EIGHT (28), TWENTY-NINE (29), THIRTY (30), THIRTY-ONE (31), AND THIRTY-TWO (32), SOUTH MCCOOK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FROM RESIDENTIAL MEDIUM DENSITY (RM) TO BUSINESS COMMERCIAL (BC); PROJECT SPONSOR - JASON MICHAELIS; LAND OWNER - DONNA BUTLER, WITH THE CITY ATTORNEY TO ACT AS HEARING OFFICER.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed rezone of Block One (1), Lots Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), and Thirty-two (32), South McCook Addition to the City of McCook,

Red Willow County, Nebraska from Residential Medium Density (RM) to Business Commercial (BC); Project Sponsor - Jason Michaelis; Land Owner - Donna Butler, with the City Attorney to act as Hearing Officer. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report prepared for the May 19, 2014 City Council meeting; Exhibit #2 - Proposed Ordinance No. 2014-2904; Exhibit #3 - City Manager's Report prepared for the May 12, 2014 Planning Commission meeting; Exhibit #4 - Notice of Hearing published; Exhibit #5 - the ownership listing who received such notice by mail; Exhibit #6 - the site map with the proposed location indicated; Exhibit #7 - the Land Use Application submitted by Jason Michaelis, Project Sponsor and Donna Butler, Land Owner; and Exhibit #8 - the site map with the proposed location indicated by an asterisk (\*); Exhibit #9 - Findings and Determinations of McCook City Council; and, Exhibit #10 - Minutes of the May 12, 2014 Planning Commission meeting.

Jason Michaelis presented his request to the Council. He is wanting to build a 40' x 60' building with the possibility of adding a second floor in the future for residential. He is requesting Lots 28 through 32 be rezoned from Residential Medium Density (RM) to Business Commercial (BC) as Business Commercial allows for such use. He has signed a purchase agreement for this area contingent to the approval of the rezone request.

Discussion was had regarding the residential homes in the area, parking and traffic concerns on South Street, other businesses and buildings in the area.

There being no one else present to comment, upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to adjourn the public hearing and to reconvene as a City Council. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM D                    INTRODUCE AND APPROVE ORDINANCE NO. 2014-2904 PROVIDING FOR THE REZONE OF BLOCK ONE (1), LOTS TWENTY-EIGHT (28), TWENTY-NINE (29), THIRTY (30), THIRTY-ONE (31), AND THIRTY-TWO (32), SOUTH MCCOOK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FROM RESIDENTIAL MEDIUM DENSITY (RM) TO BUSINESS COMMERCIAL (BC); PROJECT SPONSOR - JASON MICHAELIS; LAND OWNER - DONNA BUTLER.

Mayor Berry introduced Ordinance No. 2014-2904 by title. The Deputy Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING ORDINANCE NO. 2013-2897 BY CHANGING THE ZONING CLASSIFICATION OF BLOCK ONE (1), LOTS TWENTY-EIGHT (28), TWENTY-NINE (29), THIRTY (30), THIRTY-ONE (31), AND THIRTY-TWO (32), SOUTH MCCOOK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FROM RESIDENTIAL MEDIUM DENSITY (RM) TO BUSINESS COMMERCIAL (BC); PROVIDED FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

The motion was made by Mayor Berry, seconded by Councilmember McDowell, that the number and title of said Ordinance be approved. Upon roll call vote the following Councilmembers voted

YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

Ordinance No. 2014-2904 was read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember Gonzales, to approve Ordinance No. 2014-2904 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2014-2904 approved on its first reading.

ITEM E PUBLIC HEARING - PROPOSED REDEVELOPMENT PLAN FROM ATR, L.L.C. FOR REDEVELOPMENT AREA 2013 AS TO ITS CONFORMITY WITH THE GENERAL PLAN FOR THE DEVELOPMENT OF THE CITY AS A WHOLE.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed Redevelopment Plan from ATR, L.L.C. for Redevelopment Area 2013 as to its conformity with the general plan for the development of the City as a whole. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

The City Attorney offered and received into evidence Exhibit #1, City Manager's Report prepared for the May 19, 2014 City Council meeting; Exhibit #2, Notice of Hearing published; Exhibit #3, the ownership listing who received such notice by mail; Exhibit #4, proposed Resolution No. 2014-07; Exhibit #5, Redevelopment Contract and Plan; Exhibit #5.A. Exhibit A to Redevelopment Contract and Plan; Exhibit #5.B. Exhibit B to Redevelopment Contract and Plan; Exhibit #5.C. Exhibit C to Redevelopment Contract and Plan; Exhibit #6, Minutes of the May 12, 2014 McCook Planning Commission.

Adam Siegfried, member of ATR presented his request to the council. He explained that they would like to open by the first of the year. Discussion was had concerning construction and size of a new sewer line.

Rex Nelson, Director of McCook Economic Development Corporation spoke in support of the project commenting that, from an economic development perspective, the project is appropriate for the use of TIF funding.

There being no one else present to comment, upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to adjourn the public hearing and to reconvene as a City Council. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM F APPROVE RESOLUTION NO. 2014-07 APPROVING A REDEVELOPMENT PLAN OF THE CITY OF MCCOOK, NEBRASKA; AND RELATED MATTERS FOR THE PURPOSE OF THE DEVELOPMENT OF AT, LLC

Upon a motion by Councilmember Gonzales, seconded by Councilmember Hepp, the Council voted to approve Resolution No. 2014-07 approving a Redevelopment Plan of the City of McCook, Nebraska; and related matters for the purpose of the development of AT, LLC The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

(7) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE MAY 5, 2014 REGULAR CITY COUNCIL MEETING, THE MAY 6, 2014 AND MAY 8, 2014 SPECIAL CITY COUNCIL MEETINGS.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the minutes of the May 5, 2014 regular City Council meeting, the May 6, 2014 and May 8, 2014 special City Council meetings. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM B RECEIVE AND FILE THE CLAIMS FOR THE MONTH OF APRIL 2014 AS PUBLISHED ON MAY 9, 2014.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Receive and file the claims for the month of April 2014 as published on May 9, 2014. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM C APPROVE THE APPLICATION FOR CENTURY LINK TO OCCUPY CITY RIGHT-OF-WAY FOR THE PURPOSE OF INSTALLING AN UNDERGROUND PHONE CABLE AND AUTHORIZE THE MAYOR TO SIGN THE APPLICATION.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the application for Century Link to occupy city right-of-way for the purpose of installing an underground phone cable and authorize the Mayor to sign the application. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM E RECOMMEND APPROVAL TO THE NEBRASKA LIQUOR CONTROL COMMISSION THE APPLICATION FOR AN ADDITION TO LIQUOR LICENSE SUBMITTED BY BLAINE M. BUDKE, CLUB PARADISE - LICENSE # IB-105106, LOCATED AT 1006 WEST "B" STREET, MCCOOK, NEBRASKA.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Recommend approval to the Nebraska Liquor Control Commission the application for an addition to Liquor License submitted by Blaine M. Budke, Club Paradise - License # IB-105106, located at 1006 West "B" Street, McCook, Nebraska. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM F APPROVE THE REQUEST FROM THE YOUNG PROFESSIONALS GROUP, AN ORGANIZATION OF THE MCCOOK AREA CHAMBER OF COMMERCE, TO HOST THEIR "COLOR ME CRAZY" FUN RUN UTILIZING CITY STREETS ON SATURDAY, JULY 19, 2014 FROM 6:45 A.M. TO NOON.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the request from the Young Professionals Group, an organization of the McCook Area Chamber of Commerce, to host their "Color Me Crazy" Fun Run utilizing city streets on Saturday, July 19, 2014 from 6:45 A.M. to noon. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM G APPROVE THE ENCROACHMENT AGREEMENT WITH PANHANDLE

GEOTECHNICAL & ENVIRONMENTAL, INC. (PG&E) FOR THE PURPOSE OF INSTALLING UNDERGROUND MONITORING WELLS BETWEEN WEST "A" STREET AND WEST "B" STREET AND WEST 7<sup>TH</sup> STREET AND WEST 8<sup>TH</sup> STREET IN THE CITY OF MCCOOK RIGHT-OF-WAY AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the encroachment agreement with Panhandle Geotechnical & Environmental, Inc. (PG&E) for the purpose of installing underground monitoring wells between West "A" Street and West "B" Street and West 7<sup>th</sup> Street and West 8<sup>th</sup> Street in the City of McCook right-of-way and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM H ADOPT RESOLUTION NO. 2014-06 APPROVING THE PROFESSIONAL SERVICES CONTRACT AGREEMENT BETWEEN THE CITY OF MCCOOK AND W DESIGN ASSOCIATES TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR STREET IMPROVEMENT PROJECT NO. URB-6158(1), CN: 71151, EAST 7<sup>TH</sup>/SEMINOLE, EAST "H" STREET TO PARK AVENUE AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Adopt Resolution No. 2014-06 approving the Professional Services Contract Agreement between the City of McCook and W Design Associates to provide construction engineering services for Street Improvement Project No. URB-6158(1), CN: 71151, East 7<sup>th</sup>/Seminole, East "H" Street to Park Avenue and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM I APPROVE THE AGREEMENTS BETWEEN THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE CITY OF MCCOOK FOR THE PURPOSE OF PROVIDING HOME DELIVERED MEALS, EXEMPT PUBLIC TRANSPORTATION, LOCAL MEDICAL TRANSPORTATION FOR APPOINTMENTS AND OTHER LOCAL TRANSPORTATION AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the agreements between the Nebraska Department of Health and Human Services and the City of McCook for the purpose of providing home delivered meals, exempt public transportation, local medical transportation for appointments and other local transportation and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM J APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE 2014/2015 CONTRACT WITH THE WEST CENTRAL NEBRASKA AREA AGENCY ON AGING (WCNAAA) FOR THE PURPOSE OF DEFINING AND SPECIFYING THE SEPARATE AND MUTUAL RESPONSIBILITIES OF EACH IN THE MANAGEMENT, OPERATION, SUPPORT, MONITORING, AND EVALUATION OF THE MCCOOK HERITAGE SENIOR CENTER.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve and authorize the Mayor to sign the 2014/2015 contract with the West Central Nebraska Area Agency on Aging (WCNAAA) for the purpose of defining and specifying the separate and mutual responsibilities of each in the management, operation, support, monitoring, and evaluation

of the McCook Heritage Senior Center. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM K APPROVE THE REQUEST OF ANN BROWN TO UTILIZE CITY STREETS AND NORRIS PARK BETWEEN THE HOURS OF 7:00 A.M. AND 9:30 P.M. ON JUNE 21, 2014, TO CONDUCT A 5K ROAD RACE AND HAVE CAKE WALKS, DUNK TANK, AND A BAND OR DJ IN NORRIS PARK IN CONJUNCTION WITH THE LONGEST DAY EVENT FOR THE ALZHEIMER'S ASSOCIATION.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to Approve the request of Ann Brown to utilize city streets and Norris Park between the hours of 7:00 A.M. and 9:30 P.M. on June 21, 2014, to conduct a 5K Road Race and have Cake Walks, Dunk Tank, and a band or DJ in Norris Park in conjunction with the Longest Day Event for the Alzheimer's Association. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

ITEM L RECEIVE AND FILE THE MINUTES OF THE MAY 12, 2014 PLANNING COMMISSION MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to receive and file the minutes of the May 12, 2014 Planning Commission meeting. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None.

### **REGULAR AGENDA**

ITEM 7D APPROVE CHANGE ORDER NO. 2 FOR THE MCCOOK LIBRARY ELEVATOR AND VESTIBULE ADDITION IN THE AMOUNT OF \$13,378.00 AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember McDowell, the Council voted to approve Change Order No. 2 for the McCook Library Elevator and Vestibule Addition in the amount of \$13,378.00 and authorize the Mayor to sign.

(8) INTRODUCE AND APPROVE UNDER SUSPENSION OF THE RULE ORDINANCE NO. 2014-2903 SETTING THE SALARY AND COMPENSATION OF NATHAN A. SCHNEIDER, CITY MANAGER OF THE CITY OF MCCOOK. ORDINANCE FOR CITY MANAGER COMPENSATION

Mayor Berry introduced Ordinance No. 2014-2903 by title. The Deputy Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA SETTING THE SALARY AND COMPENSATION OF THE CITY MANAGER OF THE CITY OF MCCOOK; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2014-2903 was introduced and read by title only. Mayor Berry moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gonzales seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for

consideration of said Ordinance.

Councilmember Gonzales moved for final passage of the Ordinance, which was seconded by Councilmember McDowell. The Mayor then stated the question: "Shall Ordinance No. 2014-2903 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Gonzales, Calvin, Hepp, McDowell. NAY: None. Motion carried. The passage and adoption of said Ordinance, having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

(9) COUNCIL COMMENTS.

Councilmember McDowell congratulated Community Hospital on their new Radiation Oncology Wing and said it is an attribute to the community.

Councilmember Gonzales thanked the Fire Department for inviting Council to the appreciation dinner hosted by the McCook Fire Department for its volunteers during this National EMS Week. He commented on how young many of the volunteers and was impressed that Life Team staff were in attendance.

(10) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:10 P.M.

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Dennis Berry, Mayor

ATTEST:

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Lea Ann Doak, City Clerk