

MCCOOK CITY COUNCIL
July 7, 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: Councilmembers Gonzales, Calvin, Hepp, McDowell.

Absent: Mayor Berry.

City Officials present: City Manager Schneider, 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 July 3, 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.

Council Vice President Gonzales 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 - WAYNE VOGEL, CHURCH OF CHRIST.

Jim Allen, member of the Church of Christ was present for the invocation.

(2) PLEDGE OF ALLEGIANCE.

Councilmember Calvin led the Council and audience in the Pledge of Allegiance.

(3) CITIZEN'S COMMENTS.

William Cassidy addressed the Council regarding the need for a skating rink to have something for the younger crowds to do.

Valerie Lea Holtorf addressed the Council regarding Dashabout Shuttle that she has operated since 1993. As with all federal and state programs funding has been reduced, she will not be able to continue to operate with the .56 per mile reimbursement. She is willing to ask the state to reconsider their proposal, but would like to know if the City wants to continue the shuttle.

(4) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

There were no Mayor's announcements or recognitions.

(5) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE JUNE 16, 2014 REGULAR CITY COUNCIL

MEETING.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve the minutes of the June 16, 2014 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM B APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY KAHSHOE ENTERPRISES, LLC, LIQUOR LICENSE #C-097936, FOR A BAND/CONCERT DURING THE RED WILLOW COUNTY FAIR, TO BE HELD AT THE KIPLINGER ARENA, 1408 WEST 5TH STREET, ON JULY 25 AND 26, 2014, FROM 7:00 P.M. TO 1:00 A.M. EACH DAY.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve the application for a Special Designated Liquor License submitted by Kahshoe Enterprises, LLC, Liquor License #C-097936, for a band/concert during the Red Willow County Fair, to be held at the Kiplinger Arena, 1408 West 5th Street, on July 25 and 26, 2014, from 7:00 P.M. to 1:00 A.M. each day. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM C RATIFY THE CORRECT AMOUNT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NUMBER 13-ED-004 AS \$108,000, SAID CORRECTED AMOUNT INCLUDES \$3,000 FOR ADMINISTRATIVE EXPENSES.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to ratify the correct amount of Community Development Block Grant (CDBG) Number 13-ED-004 as \$108,000, said corrected amount includes \$3,000 for administrative expenses. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM D APPROVE MILLER & ASSOCIATES AS THE GENERAL ADMINISTRATOR OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE 2014 DOWNTOWN IMPROVEMENTS FOR THE LUMP SUM FEE OF \$19,500.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve Miller & Associates as the General Administrator of the Community Development Block Grant (CDBG) for the 2014 Downtown Improvements for the lump sum fee of \$19,500. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM E APPROVE MILLER & ASSOCIATES AS THE GENERAL ADMINISTRATOR OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE BOOE MACHINERY CDBG ED LOAN FOR THE LUMP SUM FEE OF \$3,000.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve Miller & Associates as the General Administrator of the Community Development Block Grant (CDBG) for the Booe Machinery CDBG ED Loan for the lump sum fee of \$3,000. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM F RECEIVE AND FILE THE CLAIMS FOR THE MONTH OF JUNE 2014 AS PUBLISHED ON JULY 7, 2014.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to receive and file the claims for the month of June 2014 as published on July 7, 2014. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM G APPROVE AND AUTHORIZE THE MAYOR TO SIGN A PROFESSIONAL ENGINEERING AGREEMENT WITH MILLER & ASSOCIATES, CONSULTING ENGINEERS, P.C., FOR THE DESIGN AND CONSTRUCTION INSPECTION FOR THE REPLACEMENT OF THE MOTOR CONTROL CENTER IN THE BIO DISC BUILDING AND THE RENOVATION OF THE DIGESTER HEAT EXCHANGER AT THE WASTE WATER TREATMENT PLANT.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve and authorize the Mayor to sign a Professional Engineering Agreement with Miller & Associates, Consulting Engineers, P.C., for the design and construction inspection for the replacement of the Motor Control Center in the Bio Disc building and the renovation of the digester heat exchanger at the Waste Water Treatment Plant. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM H APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION AND PAY APPLICATION 4-FINAL FOR THE CATION LAGOON AND IMPROVEMENTS.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve and authorize the Mayor to sign the Certificate of Substantial Completion and Pay Application 4-Final for the Cation Lagoon and Improvements. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM I APPROVE AND AUTHORIZE THE MAYOR TO SIGN CHANGER ORDER NO. 1, CERTIFICATE OF SUBSTANTIAL COMPLETION, AND PAY APPLICATION 2-FINAL FOR THE 16" TRANSMISSION MAIN REPLACEMENT.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve and authorize the Mayor to sign Changer Order No. 1, Certificate of Substantial Completion, and Pay Application 2-Final for the 16" Transmission Main Replacement. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM J APPROVE THE REQUEST FROM THE MCCOOK AREA CHAMBER OF COMMERCE FOR THE USE OF THE PARKING LOT AT EAST "D" STREET AND EAST 1ST STREET, ON JULY 18, 2014 DURING CRAZY DAYS.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve the request from the McCook Area Chamber of Commerce for the use of the parking lot at East "D" Street and East 1st Street, on July 18, 2014 during Crazy Days. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

REGULAR AGENDA

- (6) APPROVE THE REQUEST OF THE MCCOOK YMCA TO UTILIZE BARNETT PARK AND CITY STREETS FOR A RIVER BED RUN SCHEDULED FOR AUGUST 2, 2014 BEGINNING AT 7:00 A.M.

Councilmember Gonzales stated that because he is the Director of the McCook YMCA he would be abstaining from consideration of this item.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to Approve the request of the McCook YMCA to utilize Barnett Park and city streets for a River Bed Run scheduled for August 2, 2014 beginning at 7:00 A.M. The motion passed upon the following roll call vote: YEA: Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry. ABSTAIN: Gonzales.

- (7) APPROVE THE AREA IN KELLEY PARK THAT IS DIRECTLY WEST OF BOLLES CANYON AND IMMEDIATELY NORTH OF EAST "M" STREET AS AN APPROVED SITE FOR THE CONSTRUCTION OF A SKATE PARK.

Upon a motion by Councilmember Gonzales, seconded by Councilmember McDowell, the Council voted to approve the area in Kelley Park that is directly west of Bolles Canyon and immediately north of East "M" Street as an approved site for the construction of a Skate Park. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

- (8) RATIFY THE NOMINATIONS OF THE MAYOR FOR THE SALES TAX COMMITTEE AND DISCUSS POTENTIAL MEETING TIMES FOR THE SALES TAX COMMITTEE IN ORDER TO FORMULATE THE SALES TAX BALLOT LANGUAGE.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to ratify the nominations of the Mayor of Wayne Michaelis, Sharleen Riemenschneider, Sharyn Skiles, Jim Ulrich, and Jim Coady to the Sales Tax Ballot Language Committee. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

- (9) COUNCIL COMMENTS.

Council comments included a welcome to newly hired City Manager Nate Schneider, congratulating the skateboard group upon the selection of a site, and if there were any fireworks related calls over the holiday.

- (10) ADJOURNMENT.

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

Mike Gonzales, Council Vice President

ATTEST:

Lea Ann Doak, City Clerk