

MCCOOK CITY COUNCIL
August 18, 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/City Attorney Schneider, City Clerk Doak, Police Chief Brown, Library Director Crocker, Utilities Director Dutcher, Fire Chief Harpham, Public Works Director Potthoff, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 14, 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 - KC HARRYMAN, 1ST ASSEMBLY OF GOD CHURCH.

No one 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.

There were no citizen's comments.

- (4) ANNOUNCEMENTS & RECOGNITIONS.

There were no announcements or recognitions.

- (5) ADVERTIZED PUBLIC HEARINGS:

- FY 2014/2015 ANNUAL BUDGET

Upon a motion by Councilmember Calvin, 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 FY 2014/2015 Annual Budget with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp,

McDowell. NAY: None. ABSENT: Berry.

The City Attorney offered and received into evidence Exhibit #1 - Notice of Public Hearing published and Exhibit #2 - the City Manager's Report prepared for the FY 2014/2015 Annual Budget hearing.

City Manager Schneider reviewed the budget transmittal letter with the Council.

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

- SET FINAL TAX REQUEST AT A DIFFERENT AMOUNT THAN THE PRIOR YEAR

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on setting the final tax request at a different amount than the prior year with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

The City Attorney offered and received into evidence Exhibit #1 - Notice of Hearing published and Exhibit #2 - the City Manager's Report prepared for the public hearing.

There being no one else present to comment, upon a motion by Councilmember Calvin, 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: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

- (6) INTRODUCE AND APPROVE ORDINANCE NO. 2014-2907 PROVIDING FOR THE ADOPTION OF THE BUDGET FOR FY 2014/2015 UPON ITS FIRST READING.

Councilmember Gonzales introduced Ordinance No. 2014-2907 by title. The Clerk read the Ordinance by title:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

Ordinance No. 2014-2907 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember McDowell, to approve Ordinance No. 2014-2907 on its first reading.

Lori Prestes and Mary Keslin, representatives of the McCook Humane Society requested that the Council consider raising the agreement cap of \$8,180 for the utility bills at the shelter. They have exceeded that amount the last two years and were already at the cap in May for the current year. It was the consensus of the Council to have staff work with the Humane Society to amend the current agreement to have cap of \$12,000 annually for utility bills at the shelter.

Discussion occurred regarding the possible use of some unallocated funds in sales tax revenues to pay down utility debt; that the General Fund reserve is extremely (less than one month's estimated expenses) and the need to establish a plan to increase it; and if the City does not have any definite

plans for a slide at the pool, should those sales tax dollars be earmarked for pool improvements.

The Council Vice President then stated the question: "Shall Ordinance No. 2014-2907 be approved on its first reading?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry. Motion carried. Whereupon the Council Vice President declared said Ordinance No. 2014-2907 approved on its first reading.

(7) INTRODUCE AND APPROVE ORDINANCE NO. 2014-2908 PROVIDING FOR THE ADOPTION OF THE 2014/2015 FISCAL YEAR EMPLOYEE CLASSIFICATION PAY PLAN UPON ITS FIRST READING.

Councilmember Gonzales introduced Ordinance No. 2014-2908 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2014/2015 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2014-2908 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember McDowell, to approve Ordinance No. 2014-2908 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry. Motion carried. Whereupon the Council Vice President declared said Ordinance No. 2014-2908 approved on its first reading.

(8) APPROVE INCREASE OF RESTRICTED FUNDS LIMIT BY AN ADDITIONAL 1% FOR UNUSED RESTRICTED FUNDS AUTHORITY.

Upon a motion by Councilmember McDowell, seconded by Councilmember Hepp, the Council voted to approve the increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

(9) INTRODUCE AND APPROVE ORDINANCE NO. 2014-2909 PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE MCCOOK MUNICIPAL CODE UPON ITS FIRST READING.

Councilmember Gonzales introduced Ordinance No. 2014-2909 by title. The Clerk read the Ordinance by title:

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2013-2894 AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ordinance No. 2014-2909 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember McDowell, to approve Ordinance

No. 2014-2909 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry. Motion carried. Whereupon the Council Vice President declared said Ordinance No. 2014-2909 approved on its first reading.

(10) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE AUGUST 4, 2014 REGULAR CITY COUNCIL MEETING AND THE AUGUST 11, 2014 SPECIAL CITY COUNCIL MEETING.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve the minutes of the August 4, 2014 regular City Council meeting and the August 11, 2014 special 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 REQUEST FROM BRUCE HOFFMAN, ON BEHALF OF THE NEBRASKA ARBORISTS ASSOCIATION AND THE NEBRASKA NURSERY AND LANDSCAPE ASSOCIATION, TO CLOSE THE SOUTH BOUND LANE OF NORRIS AVENUE BETWEEN "G" STREET AND "H" STREET FROM 2:00 P.M. AND 4:00 P.M. ON THURSDAY, SEPTEMBER 4, 2014, FOR THEIR WESTERN FIELD DAY.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve the request from Bruce Hoffman, on behalf of the Nebraska Arborists Association and the Nebraska Nursery and Landscape Association, to close the south bound lane of Norris Avenue between "G" Street and "H" Street from 2:00 P.M. and 4:00 P.M. on Thursday, September 4, 2014, for their Western Field Day. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM C RECEIVE AND FILE THE CLAIMS FOR THE MONTH OF JULY 2014 AS PUBLISHED ON AUGUST 12, 2014.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to receive and file the claims for the month of July 2014 as published on August 12, 2014. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM D APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY LOOP BREWING CO., LLC, LIQUOR LICENSE #I-093350, FOR A RECEPTION TO BE HELD AT THE RED WILLOW COUNTY COMMUNITY BUILDING, 1416 WEST 5TH STREET, ON SEPTEMBER 13, 2014, FROM 5:00 P.M. TO MIDNIGHT.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve the application for a Special Designated Liquor License submitted by Loop Brewing Co., LLC, Liquor License #I-093350, for a reception to be held at the Red Willow County Community Building, 1416 West 5th Street, on September 13, 2014, from 5:00 P.M. to midnight. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM E APPROVE THE APPLICATION FOR INTERCITY BUS ASSISTANCE SUBMITTED BY DASHABOUT ROADRUNNER, WITH THE CITY OF

MCCOOK TO SERVE AS THE SPONSORING ENTITY, FOR THE PERIOD OF JULY 1, 2014 THROUGH JUNE 30, 2015 AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve the application for Intercity Bus Assistance submitted by Dashabout Roadrunner, with the City of McCook to serve as the sponsoring entity, for the period of July 1, 2014 through June 30, 2015 and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM F APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY THE MCCOOK AREA CHAMBER OF COMMERCE FOR THE CHAMBER BUSINESS AFTER HOURS TO BE HELD AT MCCOOK NATIONAL BANK, 220 NORRIS AVENUE, ON SEPTEMBER 24, 2014 FROM 5:30 P.M. TO 7:00 P.M.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for the Chamber Business After Hours to be held at McCook National Bank, 220 Norris Avenue, on September 24, 2014 from 5:30 P.M. to 7:00 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

ITEM G APPROVE LOCAL AMENDMENT TO PROJECT AGREEMENT RTP2012(002) WITH THE NEBRASKA GAME AND PARKS COMMISSION, ALLOWING FOR AN EXTENSION OF TIME TO NOVEMBER 30, 2014 TO HAVE CONSTRUCTION COMPLETED FOR THE SOUTHVIEW WALKING TRAIL AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Calvin, the Council voted to approve Local Amendment to Project Agreement RTP2012(002) with the Nebraska Game and Parks Commission, allowing for an extension of time to November 30, 2014 to have construction completed for the Southview Walking Trail and authorize the Public Works Director to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, Hepp, McDowell. NAY: None. ABSENT: Berry.

REGULAR AGENDA

(11) COUNCIL COMMENTS.

Councilmember McDowell encouraged more citizens to attend the meetings on the budget.

Councilmember Gonzales thanked city paint crews that have been out late at night and early in the morning.

(12) ADJOURNMENT.

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

Mike Gonzales, Council Vice President

ATTEST:

Lea Ann Doak, City Clerk