

AGENDA

MCCOOK CITY COUNCIL REGULAR MEETING

Monday, July 6, 2009
7:30 P.M. - City Council Chambers

Call to Order and Roll Call.

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 Kircher, Rogers, Grant, Anderson; City Attorney Schneider; City Manager Fritsch; City Clerk Doak.

Absent: Mayor Berry.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 2, 2009, 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 Kircher announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

ITEM NO. 1 Invocation - the McCook Ministerial Association - Steve Bales, 1st Congregational Church.

No one was present for invocation.

ITEM NO. 2 Citizen's Forum.

*The Council welcomes your input. You may address the Council at this time on items that are not on tonight's agenda.

No one was present for Citizen's Forum.

ITEM NO. 3 Mayor's Announcements & Recognitions.

Senior Services Director Sue Chipman informed the Council that she had received two plaques. One plaque was from the Nebraska Association of Transit Providers, their Pioneer Spirit Award, which was given to the City for being the first transit system in the State to build a transit facility with federal funds. The other plaque was from the Federal Transit Administration, Region 7, was a Special Recognition Award presented to her for successfully completing the construction of the McCook Public Transit System Facility on time and within budget.

ITEM NO. 4 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.***

Councilmember Rogers requested that Item I be removed from the Consent Agenda and placed on the Regular Agenda.

ITEM A Approve the minutes of the June 15, 2009 regular City Council meeting.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the minutes of the June 15, 2009 regular City Council Meeting. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM B Receive and file report on the update of the Assistance to Firefighters Grant (AFG), the Fire Station Construction Grant and the initial design of a municipal fire station.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to receive and file report on the update of the Assistance to Firefighters Grant (AFG), the Fire Station Construction Grant and the initial design of a municipal fire station. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM C Receive and file confirmation of a grant award from the Nebraska Department of Environmental Quality in the amount of \$72,993.00 for the purchase of a new baler to be used at the City of McCook's Recycling Center.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to receive and file confirmation of a grant award from the Nebraska Department of Environmental Quality in the amount of \$72,993.00 for the purchase of a new baler to be used at the City of McCook's Recycling Center. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM D

Approve the bid specifications for the Waste Hauling from the McCook Transfer Station to J Bar J Landfill and set the date to open bids as July 27, 2009 at 2:00 P.M.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the bid specifications for the Waste Hauling from the McCook Transfer Station to J Bar J Landfill and set the date to open bids as July 27, 2009 at 2:00 P.M. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM E

Award the bid for the Agricultural Land Lease at McCook Regional Airport to Meyers Brothers in the amount of \$15,440.00 annually for a period of three (3) years.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to award the bid for the Agricultural Land Lease at McCook Regional Airport to Meyers Brothers in the amount of \$15,440.00 annually for a period of three (3) years. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM F

Approve the Internal Control Policy for the City of McCook.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the Internal Control Policy for the City of McCook. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM G

Approve Resolution No. 2009-12 adopting the Nebraska Department of Roads Local Public Agency Guidelines Manual and identifying Kyle Potthoff as the Responsible Charge Person for Federally Funded Projects and authorize the Mayor to Sign.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the

Council voted to approve Resolution No. 2009-12 adopting the Nebraska Department of Roads Local Public Agency Guidelines Manual and identifying Kyle Potthoff as the Responsible Charge Person for Federally Funded Projects and authorize the Mayor to Sign. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM H

Approve the Financial Management Systems Certification and authorize the Mayor to sign.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the Financial Management Systems Certification and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM J

Approve the request from the Red Willow County Fair Board for extra trash cans, two bleachers, twelve picnic tables, and the City Water Truck for the week of the fair, July 29 through August 2, 2009, and authorize the Mayor to sign the Indemnification Agreement.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the request from the Red Willow County Fair Board for extra trash cans, two bleachers, twelve picnic tables, and the City Water Truck for the week of the Fair, July 29 through August 2, 2009, and authorize the Mayor to sign the Indemnification Agreement. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM K

Receive and file minutes of the April 9, 2009 Tree Advisory Board meeting, the April 13, 2009 Parks Advisory Board meeting, and the June 2, 2009 Senior Center Advisory Board meeting.

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to receive and file minutes of the April 9, 2009 Tree Advisory Board meeting, the April 13, 2009 Parks Advisory Board meeting, and the June 2, 2009 Senior Center Advisory Board meeting. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM L

Approve the request from the McCook Area Chamber of Commerce to block off West "C" Street from Norris Avenue to 1st Street West on Saturday, July 18, 2009, from 7:00 A.M. until 5:00 P.M. for "Crazy Days".

Upon a motion by Councilmember Rogers, seconded by Councilmember Grant, the Council voted to approve the request from the McCook Area Chamber of Commerce to block off West "C" Street from Norris Avenue to 1st Street West on Saturday, July 18, 2009, from 7:00 A.M. until 5:00 P.M. for "Crazy Days". The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

REGULAR AGENDA

ITEM NO. 4 Approve Resolution No. 2009-11 amending the rates for the Ambulance service operated by the City of McCook.

Upon a motion by Councilmember Kircher, seconded by Councilmember Rogers, the Council voted to approve Resolution No. 2009-11 amending the rates for the ambulance service operated by the City of McCook. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM NO. 5 Presentation by Trenton Klimper on the construction of a War Memorial in Norris Park as his Eagle Scout project and approve the Parks Advisory Board's recommendation to allow the construction of a bronze memorial in the center circle of the park.

Councilmember Grant introduced a motion to approve the Parks Advisory Board's recommendation to allow Trenton Klimper's Eagle Scout Project to proceed with the construction of a bronze war memorial in the center circle of Norris Park. Motion was seconded by Councilmember Rogers.

Trenton Klimper informed the Council that he had selected three memorial options: (1) a bronze statue of an angel carrying a soldier up through the clouds; (2) a Granite stone with the five service emblems placed in each corner; and (3) a fiberglass sculpture of a World War I Soldier in combat gear. He had members of the community judge the three proposals and their top selection, and his recommendation to the Council, was the bronze memorial. The sculpture was created by Sondra Jonson from Cambridge. The original sculpture cost is estimated at \$20,000 - \$30,000, but the cost for the Norris Park memorial will be significantly lower at \$6,000 as Jonson will use the cast she made for a similar sculpture in Iowa.

The Council Vice President then stated the question: "Shall the motion on the floor be approved?" Upon roll call vote the following Councilmembers voted YEA: Kircher, Anderson, Grant, Rogers. NAY: None. ABSENT: Berry. Motion carried.

Introduce and approve upon its first reading, Ordinance No. 2009-2825,

ITEM NO. 6 amending Section 5-308, Speed Limits; Special, of the McCook Municipal Code; establishing the speed limit at 25 miles per hour between the 900 Block and the 1200 Block of East "H" Street.

Councilmember Grant introduced Ordinance No. 2009-2825 entitled:

AN ORDINANCE TO AMEND SECTION 5-308, SPEED LIMITS; SPECIAL, OF THE MCCOOK MUNICIPAL CODE; ESTABLISHING THE SPEED LIMIT AT 25 MILES PER HOUR BETWEEN THE 900 BLOCK AND THE 1200 BLOCK OF EAST "H" STREET; TO PROVIDE FOR THE REPEAL OF THE CURRENT SECTION 5-308 AND ANY OTHER CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion was made by Councilmember Kircher, seconded by Councilmember Grant, that the number and title of said Ordinance be approved. Upon roll call vote the following Councilmembers voted YEA: Kircher, Anderson, Grant, Rogers. NAY: None. ABSENT: Berry.

Ordinance No. 2009-2825 was read by title only. Motion was made by Councilmember Kircher, seconded by Councilmember Grant, to approve Ordinance No. 2009-2825 on its first reading.

Councilmember Kircher introduced a motion to establish the speed limit at 30 miles per hour. Motion died for lack of a second.

The Council Vice President then stated the question: Shall Ordinance No. 2009-2825 approved upon it's first reading, Upon roll call vote the following Councilmembers voted YEA: Anderson, Grant, Rogers. NAY: Kircher. ABSENT: Berry. Motion carried. Whereupon the Council Vice President declared said Ordinance No. 2009-2825 approved on its first reading.

ITEM NO. 7 Authorize the Mayor to direct convening of the McCook Board of Health for the inspection and review of the condition of properties located at 1303 East "B" Street, 508 East 2nd Street, 307 East 1st Street, and 309 East 12th Street for determination of the safety and nuisance risk of the properties and to make recommendation to the City Council regarding the properties.

Upon a motion by Councilmember Grant, seconded by Councilmember Anderson, the Council voted to authorize the Mayor to direct convening of the McCook Board of Health for the inspection and review of the condition of properties located at 1303 East "B" Street, 508 East 2nd Street, 307 East 1st Street, and 309 East 12th Street for determination of the safety and nuisance risk of the properties and to make recommendation to the City Council regarding the properties. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM NO. 8 Condemn and declare the residence at 1312 West 12th Street as a nuisance property due to neglect and disrepair, or has become uninhabitable under City Ordinances or State Statutes, or has become so unsightly as to depreciate the value of other properties in the neighborhood.

Upon a motion by Councilmember Grant, seconded by Councilmember Anderson, the Council voted to condemn and declare the residence at 1312 West 12th Street as a nuisance property due to neglect and disrepair, or has become uninhabitable under City Ordinances or State Statutes, or has become so unsightly as to depreciate the value of other properties in the neighborhood. The motion passed upon the following roll call vote: YEA: Kircher, Rogers, Anderson, Grant. NAY: None. ABSENT: Berry.

ITEM NO. 9 Presentation of the FY 2009/2010 Preliminary Annual Budget and conduct Budget Workshop.

Review of the General Fund Budget was conducted with Department Heads, Fire Chief Marc Harpham, Library Director Patty Hall, Public Works Director Kyle Potthoff, and Senior Services Director Sue Chipman.

The Council set the time of 6:30 P.M. for the Budget Workshop scheduled for July 13, 2009.

ITEM NO. 10 Council Comments.

There were no Council comments.

ITEM NO. 11 Adjournment.

There being no further business to come before the Council, Council Vice President Kircher declared the meeting adjourned at 8:40 P.M.

Aaron Kircher, Vice President

ATTEST:

Lea Ann Doak, City Clerk

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