

MINUTES

MCCOOK CITY COUNCIL

**Monday, June 15, 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: Mayor Berry; Councilmembers Kircher, Grant, Anderson; City Attorney Schneider; City Manager Fritsch; City Clerk Doak.

Absent: Councilmember Rogers.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 11, 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.

Mayor Berry announced that the meeting would be moving upstairs to the auditorium to accommodate the larger crowd and that a copy of the Open Meetings Act was posted on the back wall of the auditorium and available for public review.

ITEM NO. 1 INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - CLARK BATES, MCCOOK CHRISTIAN CHURCH.

Clark Bates, pastor of the McCook Christian Church, was present to give the invocation.

ITEM NO. 2 Citizen's Forum.

No one was present for Citizen's Forum.

ITEM NO. 3 Mayor's Announcements & Recognitions.

ITEM NO. 4 Consent Agenda:

Councilmember Kircher requested that Item F be removed from the Consent Agenda and placed on the Regular Agenda.

City Manager Fritsch requested that Item D be removed from the Consent Agenda and placed on the Regular Agenda.

ITEM A APPROVE THE MINUTES OF THE JUNE 1, 2009 REGULAR CITY COUNCIL MEETING.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve the minutes of the June 1, 2009 regular City Council Meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM B APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY THE MCCOOK AERIE #2769 FRATERNAL ORDER OF EAGLES, 805 EAST "B" STREET, FOR A FUND RAISER-DANCE-BEER GARDEN ON AUGUST 8, 2009 FROM 6 P.M. TO 10:00 P.M., WITH AN ALTERNATE DATE OF AUGUST 29, 2009.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve the application for a Special Designated Liquor License submitted by the McCook Aerie #2769 Fraternal Order of Eagles, 805 East "B" Street, for a fund raiser-dance-beer garden on August 8, 2009 from 6 P.M. to 10:00 P.M., with an alternate date of August 29, 2009. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM C APPROVE IN CONCEPT THE REQUESTS FOR THE BISON ALUMNI ALL-SCHOOL 2010 REUNION TO BE HELD JULY 2 - 5, 2010 AND AUTHORIZE STAFF TO MEET THE REUNION COMMITTEE TO FINALIZE REQUESTS TO BE BROUGHT BACK TO THE COUNCIL FOR APPROVAL.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve in concept the requests for the Bison Alumni All-School 2010 Reunion to be held July 2 - 5, 2010 and authorize staff to meet the Reunion Committee to finalize requests to be brought back to the Council for approval. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM E

OFFER A CONTRACT TO INTERSTATE IRRIGATION WITH A BID OF \$255,125 AS THE LOWEST RESPONSIBLE BIDDER FOR FURNISHING AND INSTALLING WATER AND SEWER EXTENSION FOR THE GUARD AND RESERVE READINESS CENTER AND AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY PAPER WORK TO AWARD THE CONTRACT.

Pursuant to instruction given by the City Council on May 18, 2009, a Notice to Bidders was published asking for sealed bids for furnishing and installing Water and Sewer Extension for the Guard and Reserve Readiness Center. The following bids were received:

Interstate Irrigation - Yuma, CO
Water/Sewer Base Bid w/Route A - \$377,145.00
Water/Sewer Base Bid w/Route B - \$255,125.00

VanKirk Bros - Sutton, NE
Water/Sewer Base Bid w/Route A - \$298,029.51
Water/Sewer Base Bid w/Route B - \$264,842.51

Midlands Contracting - Kearney, NE
Water/Sewer Base Bid w/Route A - \$314,471.00
Water/Sewer Base Bid w/Route B - \$276,985.00

BSB Construction - Curtis, NE
Water/Sewer Base Bid w/Route A - \$346,185.31
Water/Sewer Base Bid w/Route B - \$325,823.31

Myers Construction - Broken Bow, NE
Water/Sewer Base Bid w/Route A - \$384,547.00
Water/Sewer Base Bid w/Route B - \$329,734.00

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to offer a contract to Interstate Irrigation with a bid of \$255,125 as the lowest responsible bidder for furnishing and installing Water and Sewer Extension for the Guard and Reserve Readiness Center and authorize the Mayor to execute the necessary paper work to award the contract. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM G

APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE 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 Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve and authorize the Mayor to sign the 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, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM H RECEIVE AND FILE MEMORANDUM FROM FIRE CHIEF MARC HARPHAM EXPLAINING THE CITY'S DONATION OF SCBA'S TO OTHER AGENCIES.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to receive and file memorandum from Fire Chief Marc Harpham explaining the City's donation of SCBA's to other agencies. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

REGULAR AGENDA

ITEM 4D APPROVE THE BID SPECIFICATIONS AND CONTRACT DOCUMENTS FOR AIRPORT AGRICULTURAL LAND LEASE AND SET THE DATE TO RECEIVE BIDS AS JUNE 30, 2009 AT 2:00 P.M.

Upon a motion by Mayor Berry, seconded by Councilmember Anderson, the Council voted to approve the bid specifications and contract documents for Airport Agricultural Land Lease and set the date to receive bids as June 30, 2009 at 2:00 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM 4F APPROVE THE BID SPECIFICATION FOR ONE (1) NEW 1/2 TON 4 WHEEL DRIVE PICKUP AND SET THE DATE TO RECEIVE BIDS AS JULY 8, 2009 AT 2:00 P.M.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve the bid specifications for One (1) New 1/2 Ton 4 Wheel Drive Pickup and set the date to receive bids as July 8, 2009 at 2:00 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM NO. 5 CONSIDER APPROVAL OF THE RENAME OF THE AIRPORT FROM MCCOOK REGIONAL AIRPORT TO MCCOOK BEN NELSON REGIONAL AIRPORT.

Councilmember Grant introduced a motion to consider approval of the rename of the airport from McCook Regional Airport to McCook Ben Nelson Regional Airport. Motion was seconded by Councilmember Anderson and the following discussion occurred:

Councilmember Kircher expressed concerns that naming the airport after Senator Nelson could be a liability for the Senator, and could be used as a possible political tool against him in Washington. He added that he felt there were

legitimate risks and that he could not risk our funding or make it harder for Senator Nelson to support the airport. He noted that it is standard procedure for a request to go to the appropriate advisory board for consideration and questioned why this did not happen in this instance.

Steve Batty, Jerda Garey, Don Harpst, Jim Phinney, and Linda Taylor spoke in support of the proposed name change. Dick Trail spoke in opposition of the proposed name change. Members of the Airport Advisory Commission - Ken Allen, Doug Vap, and Mike Nielsen also addressed the Council regarding the proposed name change.

Councilmember Grant agreed that the City could name a street or a building after the Senator as suggested by several who addressed the Council, she felt that would be the least we could do, why would we do the least?

Mayor Berry stated he understood Councilmember Kircher's concerns and that he hates to bypass the Airport Advisory Commission, but noted that the renaming of the airport has become a community issue and as such the Council needed to address the request.

The Mayor then stated the question: "Shall the motion on the floor be approved?" Upon roll call vote the following Councilmembers voted YEA: Berry, Anderson, Grant. NAY: Kircher. ABSENT: Rogers. Motion carried.

ITEM NO. 6 There was no Council Comments.

ITEM NO. 7 EXECUTIVE SESSION FOR A STRATEGY SESSION WITH RESPECT TO
POTENTIAL PENDING LITIGATION REGARDING THE AIRPORT
AGRICULTURAL LAND LEASE WITH STEVEN E. FRITZ AND RENE FRITZ.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to move into executive session for a strategy session with respect to potential pending litigation regarding the Airport Agricultural Land Lease with Steven E. Fritz and Rene Fritz at 8:35 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to move out of executive session at 8:48 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant. NAY: None. ABSENT: Rogers.

ITEM NO. 8 ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:49 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk

[Return to Home Page](#)