

MCCOOK CITY COUNCIL
June 15, 2015
6:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 6:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Hepp, Calvin, McDowell, Weedin.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion; City Clerk Doak, Utilities Director Dutcher, 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 June 11, 2015, 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 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 - BRAD BAUER, OUR SAVIOR LUTHERAN CHURCH AND ST. ALBAN'S EPISCOPAL CHURCH.

Brad Bauer, pastor of Our Savior Lutheran Church and St. Alban's Episcopal Church, 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.

Jerry Reitz, 808 W 4, presented information regarding possible renovation of the Jaycee Ball Park, noting that McCook will be hosting the Legion District tournament this year. He requested that the Council consider utilizing uncommitted sales tax dollars for these renovations, which he estimated to cost around \$100,000.

(4) ANNOUNCEMENTS & RECOGNITIONS.

City Manager Schneider informed the Council that negotiations with both the Fire and Police Unions has started and he will be meeting with them this coming week.

(5) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE JUNE 1, 2015 REGULAR CITY COUNCIL MEETING.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to approve the minutes of the June 1, 2015 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

ITEM B RECEIVE AND FILE THE CLAIMS FOR THE MONTH OF MAY 2015 AS PUBLISHED JUNE 8, 2015.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to receive and file the claims for the month of May 2015 as published June 8, 2015. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

ITEM C APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY LOOP BREWING CO., LIQUOR LICENSE #LK-093351, FOR A RECEPTION TO BE HELD AT THE RED WILLOW COUNTY COMMUNITY BUILDING, 1400 WEST 5TH STREET, ON JULY 11, 2015 FROM 3:00 P.M. TO 1:00 A.M.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to approve the application for a Special Designated Liquor License submitted by Loop Brewing Co., Liquor License #LK-093351, for a reception to be held at the Red Willow County Community Building, 1400 West 5th Street, on July 11, 2015 from 3:00 P.M. to 1:00 A.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

ITEM D APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY SCHMICK'S MARKET INC., LIQUOR LICENSE #IDK-084561, FOR A FUND RAISER TO BE HELD AT THE ALICE ARENA, WEST 5TH AND "O" STREETS, ON JULY 23, 2015 FROM 5:00 P.M. TO 11:59 P.M.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to approve the application for a Special Designated Liquor License submitted by Schmick's Market Inc., Liquor License #IDK-084561, for a fund raiser to be held at the Alice Arena, West 5th and "O" Streets, on July 23, 2015 from 5:00 P.M. to 11:59 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

ITEM E ADOPT RESOLUTION NO. 2015-14 ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT TO WAIVE RECEIPT OF THE NON-PRIMARY ENTITLEMENT FUNDS APPORTIONED TO THE MCCOOK BEN NELSON REGIONAL AIRPORT IN FISCAL YEAR 2012 AND TRANSFERRING THESE FUNDS TO ANOTHER NEBRASKA AIRPORT AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2015-14 adopting and approving the execution of an agreement to waive receipt of the non-primary entitlement funds apportioned to the McCook Ben Nelson Regional Airport in

Fiscal Year 2012 and transferring these funds to another Nebraska airport and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM F AUTHORIZE CENTURYLINK TO OCCUPY CITY RIGHT-OF-WAY FOR THE INSTALLATION OF UNDERGROUND TELEPHONE CABLE ALONG THE SOUTH SIDE OF EAST "J" STREET AND AUTHORIZE THE MAYOR TO SIGN THE APPLICATION TO OCCUPY RIGHT-OF-WAY.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to authorize CenturyLink to occupy city right-of-way for the installation of underground telephone cable along the south side of East "J" Street and authorize the Mayor to sign the Application to Occupy Right-of-Way. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM G AUTHORIZE THE ENCROACHMENT AGREEMENT WITH PARKER HANNIFIN CORPORATION FOR THE PURPOSE OF INSTALLING ONE UNDERGROUND MONITORING WELL ALONG THE NORTHERN PROPERTY LINE OF BARNETT PARK, DIRECTLY SOUTH OF THE VACANT LOT AT APPROXIMATELY 314 SOUTH STREET AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to authorize the Encroachment Agreement with Parker Hannifin Corporation for the purpose of installing one underground monitoring well along the northern property line of Barnett Park, directly south of the vacant lot at approximately 314 South Street and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM H APPROVE THE ENCROACHMENT AGREEMENT WITH QWEST CORPORATION D/B/A CENTURYLINK QC FOR THE PURPOSE OF INSTALLING UNDERGROUND TELEPHONE CABLE ALONG THE NORTH PROPERTY LINE, IN THE WEST SIDE OF KELLEY PARK AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to approve the Encroachment Agreement with Qwest Corporation d/b/a CenturyLink QC for the purpose of installing underground telephone cable along the north property line, in the west side of Kelley Park and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM I AUTHORIZE CENTURYLINK TO OCCUPY CITY RIGHT-OF-WAY FOR THE INSTALLATION OF UNDERGROUND TELEPHONE CABLE ALONG THE WEST SIDE OF WEST 5TH STREET AND AUTHORIZE THE MAYOR TO SIGN THE APPLICATION TO OCCUPY RIGHT-OF-WAY.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to authorize CenturyLink to occupy city right-of-way for the installation of underground telephone cable along the west side of West 5th Street and authorize the Mayor to sign the Application to Occupy Right-of-Way. The motion passed upon the following roll call vote: YEA: Gonzales,

Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM J RECEIVE AND FILE THE REPORT OF THE SURPLUS CITY PROPERTY AUCTION HELD ON MAY 29, 2015.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to receive and file the report of the surplus city property auction held on May 29, 2015. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM K ADOPT RESOLUTION NO. 2015-16 ESTABLISHING A PLAN FOR THE CITY OF MCCOOK PUBLIC TRANSIT WHEREBY POLICY WILL BE ENACTED IN ORDER TO COMPLY WITH TITLE VI OF THE FEDERAL CIVIL RIGHTS ACT.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2015-16 establishing a plan for the City of McCook Public Transit whereby policy will be enacted in order to comply with Title VI of the Federal Civil Rights Act. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

REGULAR AGENDA

(6) ADOPT RESOLUTION NO. 2015-15 AUTHORIZING THE CITY OF MCCOOK TO PARTICIPATE IN A MULTI-HAZARD-MITIGATION PLAN.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2015-15 authorizing the City of McCook to participate in a Multi-Hazard-Mitigation Plan. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

(7) COUNCIL COMMENTS.

Council comments included the success of the Buffalo Commons Storytelling Festival held this past weekend, thanks to many volunteers and that the Superhero Dash 5K Run/Walk sponsored by the McCook Evangelical Free Church youth group on Saturday had 38 contestants, both events were well attended.

(8) AN EXECUTIVE SESSION MAY BE HELD UPON A MAJORITY VOTE OF THE COUNCIL FOR THE ANNUAL EVALUATION OF THE JOB PERFORMANCE OF CITY MANAGER NATHAN A. SCHNEIDER.

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to move into executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 6:50 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

Mayor Gonzales announced that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the annual evaluation of the job performance of City Manager Nathan A.

Schneider. The Council will reconvene in public session following this closed session.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Weeding, the Council voted to move out of executive session at 7:48 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

(9) ADJOURNMENT.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:49 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk