

MCCOOK CITY COUNCIL  
March 1, 2010  
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 Kircher, Anderson, Calvin, Gonzales; City Attorney Schneider; City Manager Fritsch; City Clerk-Treasurer Doak.

Absent: Mayor Berry.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 26, 2010, 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.

(1) INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - LANCE CLAY, UNITED METHODIST CHURCH.

Lance Clay, pastor of the United Methodist Church, was present for the invocation.

(2) CITIZEN'S FORUM.

No one was present for Citizen's Forum.

(3) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Fire Chief Marc Harpham announced that Mike Schoenemann past his test and is now a Certified Paramedic. The staff is now 100% paramedics and five volunteers are paramedics.

(4) CONSENT AGENDA:

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

ITEM A APPROVE THE MINUTES OF THE FEBRUARY 15, 2010 REGULAR CITY COUNCIL MEETING AND THE FEBRUARY 19, 2010 SPECIAL CITY COUNCIL MEETING.

Upon a motion by Councilmember Kircher, seconded by Councilmember Gonzales, the Council voted to approve the minutes of the February 15, 2010 regular City Council meeting and the February 19, 2010 special City Council meeting. The motion passed upon the following roll call vote: YEA: Kircher,

Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

REGULAR AGENDA

ITEM 4B APPROVE THE APPLICATIONS FOR SPECIAL DESIGNATED LIQUOR LICENSES SUBMITTED BY TASTE OF TEXAS BBQ, INC., LIQUOR LICENSE #IK-54088, FOR A BEER GARDEN DURING THE MCCOOK AUTO RACING EVENTS TO BE HELD AT THE RED WILLOW COUNTY FAIRGROUNDS, WEST 5<sup>TH</sup> & "Q" STREETS, ON APRIL 2, 16, AND 30, 2010; MAY 7 AND 14, 2010; JUNE 11 AND 25, 2010; JULY 9, 23, AND 29, 2010; AND AUGUST 6 AND 20, 2010; FROM 6:30 P.M. TO 11:30 P.M.

Upon a motion by Councilmember Anderson, seconded by Councilmember Kircher, the Council voted to approve the applications for Special Designated Liquor Licenses submitted by Taste of Texas BBQ, Inc., Liquor License #IK-54088, for a Beer Garden during the McCook Auto Racing events to be held at the Red Willow County Fairgrounds, West 5<sup>th</sup> & "Q" Streets, on April 2, 16, and 30, 2010; May 7 and 14, 2010; June 11 and 25, 2010; July 9, 23, and 29, 2010; and August 6 and 20, 2010; from 6:30 P.M. to 11:30 P.M. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

(5) AUTHORIZE STAFF TO CLOSE THE WEST ENTRANCE TO PARK ROAD ON THE SOUTH SIDE OF THE LOWER SHELTER HOUSE IN KELLEY PARK TO THROUGH TRAFFIC AND ALLOW THE CONSTRUCTION OF A CUL-DE-SAC WITH THE ENTRANCE OFF OF EAST 5<sup>TH</sup> STREET.

Councilmember Kircher introduced a motion to maintain the park road on the south side of the lower shelter house in Kelley Park as is and to place a speed bump at each entrance to the park. Motion was seconded by Councilmember Anderson.

Val Kircher and Gene Morris spoke in support of maintaining the park road as is and expressed safety concerns. Mr. Morris suggested a crosswalk from the shelter house to the bridge and constructing a rolling speed bump.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Anderson, the Council voted to amend the motion by eliminating the two speed bumps, and inserting "to authorize staff to address other options for reduction of speed". The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

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

(6) DISCUSSION REGARDING POLICIES AND USE OF THE CITY AUDITORIUM FOR SPECIAL EVENTS.

Mark Friehe informed the Council that he was in the process of planning a wedding reception for his daughter and because of scheduling conflicts, could not find a facility large enough to accommodate 300-400 people, that would allow alcohol to be served. He did acknowledge concerns regarding potential problems and offered some preventative measures to the City, such as larger damage and clean-up deposits, using licensed caterers, and requiring additional security. Mr. Friehe requested that the

Council consider reviewing existing policies regarding use of the auditorium and to allow alcohol, but with stringent safeguards in place to ensure accountability for the use of the facility.

City Manager Kurt Fritsch advised the Council to look at it for the long-term, what is best for the auditorium. Allowing alcohol involves certain risks with potential damage, which could be offset by increasing security and damage deposits, requiring these fees in cash or by certified check, and that the alcohol must be provided through a licensed caterer. He also expressed concerns with the city competing with local businesses. The use of the auditorium should not be the low-cost option, whether alcohol is provided or not.

It was the consensus of the Council to have staff review the City's current policy regarding use of the auditorium and bring back suggestions for policy and fees for Council consideration at the March 15, 2010 meeting.

(7) COUNCIL COMMENTS.

There were no council comments.

(8) ADJOURNMENT.

There being no further business to come before the Council, Council Vice President Kircher declared the meeting adjourned at 9:00 P.M.

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Aaron Kircher  
Council Vice President

ATTEST:

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Lea Ann Doak, City Clerk