

MCCOOK CITY COUNCIL  
May 3, 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. at the Heritage Senior Center.

Present: Mayor Berry; Councilmembers Kircher, Anderson, Calvin, Gonzales; City Attorney Schneider; City Manager Fritsch; City Clerk-Treasurer Doak.

Absent: None.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on April 29, 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.

Mayor Berry 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 - CLARK BATES, MCCOOK CHRISTIAN CHURCH.

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

(2) CITIZEN'S FORUM.

No one was present for citizen's forum.

(3) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

There were no Mayor's announcements or recognitions.

(4) APPROVE THE PROCLAMATION DESIGNATING THE WEEK BEGINNING ON MOTHER'S DAY, MAY 9 THROUGH MAY 15, 2010 AS "NURSING HOME WEEK" IN THE CITY OF MCCOOK AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Anderson, the Council voted to approve the proclamation designating the week beginning on Mother's Day, May 9 through May 15, 2010 as "Nursing Home Week" in the City of McCook and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(5) LARRY EISENMENGER, MNB INSURANCE, PRESENTATION TO THE CITY.

Larry Eisenmenger, MNB Insurance, presented the City a check in the amount of \$18,699.36 for the City's portion of their Safety Dividend Program.

(6) PUBLIC HEARING:

ITEM A PUBLIC HEARING - PROPOSED ACQUISITION OF BLOCK THREE (3), FIRST BISON ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FOR FUTURE CEMETERY DEVELOPMENT.

Upon a motion by Councilmember Kircher, seconded by Councilmember Anderson, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed acquisition of Block Three (3), First Bison Addition to the City of McCook, Red Willow County, Nebraska for future cemetery development with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - Notice of Public Hearing published April 23, 2010; Exhibit #2 - Corrected Notice of Public Hearing published April 26, 2010; Exhibit #3 - the Purchase Agreement executed by Marilyn J. Schaffer, and Eileen L. Hubert. The City Attorney noted that the executed agreement had been amended in Section 9 in the third line to read "Sellers/Buyer shall have the right to rescind this agreement."

Public Works Director Kyle Potthoff stated that the purchase price is \$80,000 and that the land will be used for future development of Riverview Cemetery. It is proposed to use a portion of the Perpetual Care Funds to finance the purchase. The parcel will provide approximately 4,000 burial spaces.

There being no one else present to comment, upon a motion by Councilmember Kircher, seconded by Councilmember Anderson, 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: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM B ADOPT AND AUTHORIZE THE MAYOR TO SIGN RESOLUTION NO. 2010-08 APPROVING THE TERMS AND CONDITIONS OF THE PURCHASE AGREEMENT BETWEEN THE CITY OF MCCOOK, MARILYN J. SCHAFFER, AND EILEEN L. HUBERT, TRUSTEE OF THE EILEEN L. HUBERT TRUST FOR THE PURCHASE OF BLOCK THREE (3), FIRST BISON ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FOR THE PURCHASE PRICE OF EIGHTY-THOUSAND DOLLARS (\$80,000.00).

Upon a motion by Councilmember Kircher, seconded by Councilmember Gonzales, the Council voted to adopt and authorize the Mayor to sign Resolution No. 2010-08 approving the terms and conditions of the Purchase Agreement between the City of McCook, Marilyn J. Schaffer, and Eileen L. Hubert, Trustee of the Eileen L. Hubert Trust for the purchase of Block Three (3), First Bison Addition to the City of McCook, Red Willow County, Nebraska for the purchase price of Eighty-Thousand Dollars (\$80,000.00). The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(7) CONSENT AGENDA:

Councilmember Anderson requested that Item E, Item F, Item I, and Item J be removed from the Consent Agenda and placed on the Regular Agenda.

ITEM A APPROVE THE MINUTES OF THE APRIL 19, 2010 REGULAR CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve the minutes of the April 19, 2010 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM B APPROVE CLOSURE OF EAST "G" STREET FROM 9:00 A.M. TO 7:00 P.M., ON JUNE 5, 2010, FOR THE SINNERS SANCTIFIED MOTORCYCLE MINISTRY FUN RUN.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve closure of East "G" Street from 9:00 A.M. to 7:00 P.M., on June 5, 2010, for the Sinners Sanctified Motorcycle Ministry Fun Run. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM C APPROVE RESOLUTION NO. 2010-07 ADOPTING THE FRANKLIN, FURNAS, HARLAN, AND RED WILLOW COUNTIES MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve Resolution No. 2010-07 adopting the Franklin, Furnas, Harlan, and Red Willow Counties Multi-jurisdictional Hazard Mitigation Plan. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM D RECEIVE AND FILE THE MINUTES OF THE APRIL 6, 2010 SENIOR CENTER ADVISORY BOARD, THE APRIL 8, 2010 AIRPORT ADVISORY COMMISSION MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to receive and file the minutes of the April 6, 2010 Senior Center Advisory Board, the April 8, 2010 Airport Advisory Commission meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM G RATIFY THE MAYOR'S APPOINTMENTS TO THE:

- LIBRARY BOARD - APPOINT KAY NEUHAUS TO REPLACE BERNADINE WOOD - TERM EXPIRES JUNE 2011,
- PARKS ADVISORY BOARD - APPOINT TRACY LOKER TO REPLACE SUE BEEBE - TERM EXPIRES MAY 2013,
- TREE ADVISORY BOARD - REAPPOINT LEIGH FARRELL AND MARY PATE - TERMS EXPIRE APRIL, 2015 AND APPOINT CLOYD CLARK TO REPLACE JANELLA HAGER - TERM EXPIRES APRIL 2010.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to ratify the Mayor's appointments to the Library Board - appointing Kay Neuhaus to replace Bernadine Wood - term expires June 2011; Parks Advisory Board - appointing Tracy Loker to replace Sue Beebe - term expires May 2013; Tree Advisory Board - reappointing Leigh Farrell and Mary Pate - terms expire April, 2015 and appointing Cloyd Clark to replace Janella Hager - term expires April 2010. The motion passed upon

the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM H ADOPT RESOLUTION NO. 2010-09 APPROVING THE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF MCCOOK, MCCOOK PUBLIC SCHOOLS, DISTRICT NO. 17, AND MID-PLAINS COMMUNITY COLLEGE AREA, MCCOOK CAMPUS FOR THE CREATION OF A COMPREHENSIVE MARKETING PLAN PROMOTING THE CITY OF MCCOOK AND ASSOCIATED ENTITIES AND APPOINTING THE CITY'S REPRESENTATIVES TO ITS ADMINISTRATIVE BOARD.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to adopt Resolution No. 2010-09 approving the Interlocal Cooperation Agreement with the City of McCook, McCook Public Schools, District No. 17, and Mid-Plains Community College Area, McCook Campus for the creation of a comprehensive marketing plan promoting the City of McCook and associated entities and appointing the City's representatives to its Administrative Board. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM K RECEIVE AND FILE THE PROPOSED BUDGET CALENDAR FOR FY 2010-2011.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to receive and file the Proposed Budget Calendar for FY 2010-2011. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM L APPROVE AN INCREASE OF \$3,489.00 TO THE CONTRACT WITH ENVIRONMENTAL SERVICES, INC. FOR THE ABATEMENT OF ASBESTOS ON PROPERTIES INCLUDED IN THE CITY OF MCCOOK'S CDBG - NSP GRANT NO. 094ND45 FOR CHANGE ORDER NO. 1 IN THE AMOUNT OF \$2,925.00 - 1003 EAST "C" STREET; CHANGE ORDER NO. 2 IN THE AMOUNT OF \$300.00 - 203 E 6<sup>TH</sup> STREET; AND CHANGE ORDER NO. 3 IN THE AMOUNT OF \$264.00 - 1303 EAST "B" STREET.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to approve an increase of \$3,489 to the contract with Environmental Services, Inc. for the abatement of asbestos on properties included in the City of McCook's CDBG - NSP Grant No. 094ND45 for Change Order No. 1 in the amount of \$2,925 - 1003 East "C" Street; Change Order No. 2 in the amount of \$300 - 203 E 6<sup>th</sup> Street; and Change Order No. 3 in the amount of \$264 - 1303 East "B" Street. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

### REGULAR AGENDA

ITEM 7E AUTHORIZE THE CITY OF MCCOOK FIRE DEPARTMENT TO ACCEPT AN ASSISTANCE TO FIREFIGHTERS GRANT (AFG) IN THE AMOUNT OF \$32,447, WHICH INCLUDES THE CITY'S SHARE OF \$1,622.

Upon a motion by Councilmember Anderson, seconded by Mayor Berry, the Council voted to authorize the City of McCook Fire Department to accept an Assistance to Firefighters Grant (AFG) in the amount of \$32,447, which includes the City's share of \$1,622. The motion passed upon the following roll call vote:

YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM 7F APPROVE BID SPECIFICATIONS AND DOCUMENTS FOR THREE (3) NEW AMBULANCE COTS AND ONE (1) NEW CHAIR STAIR AND SET THE DATE TO RECEIVE BIDS AS MAY 25, 2010 AT 2:00 P.M.

Upon a motion by Councilmember Anderson, seconded by Councilmember Gonzales, the Council voted to approve bid specifications and documents for Three (3) New Ambulance Cots and One (1) New Chair Stair and set the date to receive bids as May 25, 2010 at 2:00 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

ITEM 7I ADOPT RESOLUTION NO. 2010-10 ACCEPTING THE JOINT PROMOTION COOPERATION ACT AGREEMENT BETWEEN THE MCCOOK ECONOMIC DEVELOPMENT CORPORATION; MCCOOK AREA CHAMBER OF COMMERCE; COMMUNITY HOSPITAL OF MCCOOK; RED WILLOW COUNTY LODGING TAX BOARD; AND THE HERITAGE SQUARE COMMITTEE OF THE MCCOOK COMMUNITY FOUNDATION FOR THE CREATION OF A COMPREHENSIVE MARKETING PLAN PROMOTING THE CITY OF MCCOOK AND THE ASSOCIATED ENTITIES.

Upon a motion by Councilmember Anderson, seconded by Mayor Berry, the Council voted to adopt Resolution No. 2010-10 accepting the Joint Promotion Cooperation Act Agreement between the McCook Economic Development Corporation; McCook Area Chamber of Commerce; Community Hospital of McCook; Red Willow County Lodging Tax Board; and the Heritage Square Committee of the McCook Community Foundation for the creation of a comprehensive marketing plan promoting the City of McCook and the associated entities. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

Mayor Berry and Councilmember Gonzales were appointed the City's representatives to this newly created Administrative Board.

ITEM 7J APPROVE DRAWINGS AND SPECIFICATIONS FOR DEMOLITION OF BUILDING AT 204 NORRIS AVENUE AND SET DATE TO RECEIVE BIDS FOR JUNE 1, 2010 AT 2:00 P.M.

Richard Stacey, of Miller & Associates, addressed questions from the Council regarding the proposed specifications.

Upon a motion by Councilmember Anderson, seconded by Councilmember Gonzales, the Council voted to approve drawings and specifications for Demolition of Building at 204 Norris Avenue and set date to receive bids for June 1, 2010 at 2:00 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

(8) CONSIDER THE REQUEST FROM CUB SCOUT PACK 147 TO SHUT DOWN AND UTILIZE A CITY STREET ON MAY 15, 2010 TO RUN THEIR SOAP BOX DERBY CARS ON.

Mayor Berry introduced a motion to approve the request from Cub Scout Pack 147 to shut down and utilize West "M" Street from 5th Street West to 10th Street West on May 15, 2010 to run their soap box derby cars on. Councilmember Anderson seconded the motion.

Rob Mockry, representing the Cub Scouts, was present to address the request.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to amend the motion adding "pending the receipt of a Certificate of Insurance, that the street be closed from 9:00 A.M. until 11:00 A.M., and that the hill from 5th Street West to Westridge be used for the race." The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

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

- (9) APPROVE ORDINANCE NO. 2010-2836 AMENDING CHAPTER 3, ARTICLE 9, SECTIONS 901- 912, OF THE MCCOOK MUNICIPAL CODE; REGARDING THE CITY AUDITORIUM AND ITS USE; ALLOWING THE USE OR POSSESSION OF ALCOHOLIC BEVERAGES ON SAID PREMISES UPON APPROVAL OF A SPECIAL DESIGNATED LIQUOR LICENSE BY THE CITY COUNCIL UPON ITS THIRD AND FINAL READING.

Ordinance No. 2010-2836 now came up for third and final reading. Ordinance No. 2010-2836 was read by title only and thereafter Councilmember Gonzales moved for final passage of the Ordinance, which motion was seconded by Councilmember Calvin. The Mayor then stated the question: "Shall Ordinance No. 2010-2836 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Mayor Berry, seconded by Councilmember Kircher, the Council voted to publish Ordinance No. 2010-2836 in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

- (10) APPROVE ORDINANCE NO. 2010-2837 PROVIDING FOR THE AMENDMENT OF SECTION A OF APPENDIX IV OF THE MCCOOK MUNICIPAL CODE, 1981 REVISED; SETTING THE BUILDING USE FEES FOR THE CITY AUDITORIUM UPON ITS THIRD AND FINAL READING.

Ordinance No. 2010-2837 now came up for third and final reading. Ordinance No. 2010-2837 was read by title only and thereafter Councilmember Anderson moved for final passage of the Ordinance, which motion was seconded by Councilmember Calvin. The Mayor then stated the question: "Shall Ordinance No. 2010-2837 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to publish Ordinance No. 2010-2837 in the McCook Daily Gazette, a legal newspaper, one time as required by law.

The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

- (11) AWARD THE BID FOR THE 2010 ARMOR COATING PROJECT TO B & H PAVING OF SCOTT CITY, KANSAS IN THE AMOUNT OF \$3.325 PER GALLON, THAT BEING THE LOWEST RESPONSIBLE BID.

Pursuant to instruction given by the City Council on April 5, 2010, a Notice to Bidders was published asking for sealed bids for the 2010 Armor Coating Project. The following bids were received:

B & H Paving, Inc. - Scott City, Kansas  
\$3.325 per gallon

Figgins Construction - Red Cloud, Nebraska  
\$3.63 per gallon

Upon a motion by Councilmember Anderson, seconded by Councilmember Gonzales, the Council voted to award the bid for the 2010 Armor Coating Project to B & H Paving of Scott City, Kansas in the amount of \$3.325 per gallon, that being the lowest responsible bid. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

- (12) AWARD THE BID FOR THE 2010 STREET IMPROVEMENTS, ASPHALT PAVING CONTRACT TO PAULSEN INC. IN THE AMOUNT OF \$516,509.39, THAT BEING THE LOWEST RESPONSIBLE BID; IN ADDITION, ACCEPT THE OFFERED ALTERNATE FOR "SPR" ASPHALT FOR A DEDUCT OF \$23,624.14.

Pursuant to instruction given by the City Council on April 5, 2010, a Notice to Bidders was published asking for sealed bids for the 2010 Street Improvements, Asphalt Paving. The following bids were received:

Paulsen, Inc - Cozad, Nebraska  
Asphalt Paving - Total Base Bid - \$516,509.39  
Elizabeth Reconstruction - No Bid

Werner Construction Co. - Hastings, Nebraska  
Asphalt Paving - Total Base Bid - \$587,742.11  
Elizabeth Reconstruction - Total Base Bid - \$61,262.50

Western Engineering Co. - North Platte, Nebraska  
Asphalt Paving - Total Base Bid - \$589,679.50  
Elizabeth Reconstruction - No Bid

Hall Bros. Recycling, Inc. - Salina, Kansas  
Asphalt Paving - No Bid  
Elizabeth Reconstruction - \$222,142.50

Public Works Director Kyle Potthoff and City Engineer Greg Wolford presented the bids to the Council. The 2010 Street Improvements were bid as two separate contracts, the asphalt paving and the Elizabeth Lane Reconstruction. This contract is the asphalt paving and is well under the estimate of \$624,000.

The primary reason for the lower bid is the cost of asphalt itself, which is more than \$20 per ton less than was paid last year.

Paulsen, Inc. has offered a further deduct by utilizing a modified mix that is now being promoted by the Nebraska Department of Roads (NDOR). This mix has been used successfully in the City of Lincoln as well as by the NDOR on construction bypasses around the State. The primary difference between the specified mix (SP-4) and this mix is in the aggregate gradations and in lime filler content. Mr. Wolford stated that his firm has been working with the State on an overlay for the Law Enforcement Training Center's driving track in Grand Island and this is the recommended mix for that project. Based on their research, he felt that the offered deduction is a good option and should be accepted.

City Staff is further reviewing the bids for the Elizabeth Reconstruction project to analyze the large difference in price and the product that each firm proposed. A recommendation will be presented at the May 17, 2010 meeting.

Upon a motion by Councilmember Anderson, seconded by Councilmember Gonzales, the Council voted to award the bid for the 2010 Street Improvements, Asphalt Paving Contract to Paulsen Inc. in the amount of \$516,509.39, that being the lowest responsible bid; in addition, accept the offered alternate for "SPR" Asphalt for a deduct of \$23,624.14. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

- (13) AWARD THE BID FOR THE WEST HIGHWAY 6 & 34 SIDEWALK TO J L CONSTRUCTION, INC. OF MCCOOK IN THE AMOUNT OF \$82,000.00, THAT BEING THE LOWEST RESPONSIBLE BID.

Pursuant to instruction given by the City Council on April 5, 2010, a Notice to Bidders was published asking for sealed bids for the West Highway 6 & 34 Sidewalk Project. The following bids were received:

BSB Construction - Curtis, Nebraska  
Total Base Bid - \$88,527.20

J L Construction - McCook, Nebraska  
Total Base Bid - \$82,000.00

Public Works Director Kyle Potthoff and City Engineer Greg Wolford presented the bids to the Council noting that these bids are over the estimate, primarily due to the cost of the pedestrian crossing being installed across the highway on the east side of the intersection with North Highway 83. The estimate for that was \$15,000. The price for this item in the J L Construction proposal is \$32,400. J L Construction has a long history with the City for successful projects and being the low bidder should be awarded this work if the project is to proceed.

Upon a motion by Councilmember Anderson, seconded by Councilmember Kircher, the Council voted to award the bid for the West Highway 6 & 34 Sidewalk to J L Construction, Inc. of McCook in the amount of \$82,000.00, that being the lowest responsible bid. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

- (14) DIRECT STAFF TO PREPARE BID DOCUMENTS FOR THE DEMOLITION OF WEST WARD SCHOOL AND TO MOVE FORWARD WITH THE BIDDING PROCESS TO COMPLETE THE PROJECT.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to direct staff to prepare bid documents for the demolition of West Ward School and to move forward with the bidding process to complete the project. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

#### RECONSIDER CONSENT AGENDA ITEM 7B

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to reconsider Consent Agenda Item 7B, stating that it has been brought to the attention of staff that the wrong date was included in the letter of request from the Sinners Sanctified Motorcycle Ministry Group. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

Upon a motion by Mayor Berry, seconded by Councilmember Gonzales, the Council voted to amend the date of the request in Consent Agenda Item 7B to June 12, 2010, contingent to no conflict with use of the bandshell. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

The Mayor then stated the question: "Shall the motion as previously approved, 'The closure of East "G" Street from 9:00 A.M. to 7:00 P.M., on June 5, 2010, for the Sinners Sanctified Motorcycle Ministry Fun Run', be approved as amended?" The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Calvin, Gonzales. NAY: None.

#### (15) CONTINUED MUNICIPAL FACILITIES UPDATE AND DISCUSSION.

City Manager Fritsch informed the Council that a meeting has been scheduled with Prochazka and Associates on May 26, 2010 for review of the proposed facilities in regards to possible areas to reduce costs. Councilmember Anderson and Councilmember Gonzales have been invited since they had attended earlier meetings with the Architects.

Mayor Berry will contact the County to see if they are interested in becoming a partner in the proposed facilities to meet their jail needs.

The Council set an Open House at the Public Safety Center on Thursday, May 13, 2010 from 6:00 P.M. to 8:00 P.M. Tours of the facility will be conducted and the public will be able to answer the same questions posed at the April 29, 2010 special City Council meeting.

#### (16) COUNCIL COMMENTS.

Councilmember Gonzales extended congratulations to all graduates and encouraged them to have a great time, be smart, and stay safe.

Councilmember Calvin thanked Stacy Priebe, City Staff, and the many volunteers for their efforts in making City-Wide Cleanup project a success.

Bruce Baker was welcomed as the new reporter for the McCook Daily Gazette.

#### (17) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:55 P.M.

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Dennis Berry, Mayor

ATTEST:

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Lea Ann Doak, City Clerk