

MCCOOK CITY COUNCIL

June 1, 2009

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: Mayor Berry; Councilmembers Kircher, Grant, Rogers; City Attorney Schneider; City Manager Fritsch; City Clerk Doak.

Absent: Councilmember Anderson.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 28, 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 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 - MARY HENDRICKS, ST. ALBAN'S EPISCOPAL CHURCH.

Pastor Hendricks was present to give the Invocation.

- (2) CITIZEN'S FORUM.

Gene E. Morris addressed the Council regarding the possibility of the City reopening and operating the Broken Tee Golf Course that closed last year.

- (3) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

There were no Mayor's announcements or recognitions.

- (4) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE MAY 18, 2009 REGULAR CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the minutes of the May 18, 2009 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

ITEM B RECEIVE AND FILE THE MINUTES OF THE APRIL 8, 2009 LIBRARY ADVISORY BOARD MEETING AND THE MAY 5, 2009 SENIOR CENTER ADVISORY BOARD MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to receive and file the minutes of the April 8, 2009 Library Advisory Board meeting and the May 5, 2009 Senior Center Advisory Board meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

ITEM C APPROVE RESOLUTION NO. 2009-10 APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH THE NEBRASKA DEPARTMENT OF AERONAUTICS FOR PROJECT NO. P01 TO BE SUBMITTED BY THE DEPARTMENT TO THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN FEDERAL ASSISTANCE FOR THE UPDATE OF THE AIRPORT LAYOUT PLAN FOR MCCOOK REGIONAL AIRPORT AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve Resolution No. 2009-10 approving the execution of an Agency Agreement with the Nebraska Department of Aeronautics for Project No. P01 to be submitted by the Department to the Federal Aviation Administration to obtain Federal Assistance for the update of the Airport Layout Plan for McCook Regional Airport and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

ITEM D RECOMMEND APPROVAL TO THE NEBRASKA LIQUOR CONTROL COMMISSION THE APPLICATION FROM THE LOOKING GLASS LLC, DBA "FARR'S LOOKING GLASS LOUNGE", LOCATED AT 110 -112 NORRIS AVENUE, FOR AN ADDITION TO LIQUOR LICENSE #IB-51075 OF A SIDEWALK CAFE APPROXIMATELY 50' X 25' TO BE LOCATED AT THE BACK OF THEIR PROPERTY; AND THAT THE AREA BE PROPERLY FENCED AND GATED TO ALLOW EGRESS FROM THE SITE.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to recommend approval to the Nebraska Liquor Control Commission the application from The Looking Glass LLC, dba "Farr's Looking Glass Lounge", located at 110 -112 Norris Avenue, for an addition to Liquor License #IB-51075 of a Sidewalk Cafe approximately 50' x 25' to be located at the back of their property; and that the area be properly fenced and gated to allow egress from the site. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

ITEM E APPROVE SUPPLEMENTAL LEASE AGREEMENT NUMBER 3 TO LEASE NUMBER GS-06P-30018 BETWEEN THE CITY OF MCCOOK AND GSA FOR AN ADDITIONAL 180 SQUARE FEET OF OFFICE SPACE AT THE FIRE STATION LOCATED AT MCCOOK REGIONAL AIRPORT TO BE USED BY THE TRANSPORTATION SECURITY ADMINISTRATION AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve Supplemental Lease Agreement Number 3 to Lease Number GS-06P-30018 between the City of McCook and GSA for an additional 180 square feet of office space at the Fire Station located at McCook Regional Airport to be used by the Transportation Security Administration and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

REGULAR AGENDA

- (5) DISCUSS THE ANIMAL CONTROL REVIEW COMMITTEE RECOMMENDATIONS AND AUTHORIZE THE CREATION OF DRAFT VERSIONS OF ANIMAL CONTROL ORDINANCES.

Councilmember Grant introduced a motion to authorize the City Attorney to prepare the necessary Animal Control Ordinances incorporating the recommendations from the Animal Control Review Committee. Councilmember Rogers seconded the motion.

Judy and George Wortley attended the meeting with their dog, Sophie, who was recently bitten by a pit bull while they were out on a walk. Sophie was on a leash when the pit bull jumped a fence and attacked her, biting her nine times that had to be stitched up by a veterinary. The attack was unprovoked. Mrs. Wortley stated that they were not upset or angry but were very concerned that this could happen again. What if this had been a child? Dogs like this should not be allowed in the City. She encourage the Council to proceed with the ordinances putting stricter restrictions in place.

The Mayor then stated the question: "Shall the motion on the floor be approved?" The motion passed upon the following roll call vote: YEA: Berry, Kircher, Grant, Rogers. NAY: None. ABSENT: Anderson.

- (6) DIRECT STAFF TO NEGOTIATE A NEW CONTRACT WITH RED WILLOW COUNTY TO INCREASE FEES CHARGED FOR 24-HOUR PER DAY RADIO DISPATCH FACILITY SERVICES.

Upon a motion by Mayor Berry, seconded by Councilmember Rogers, the Council voted to direct staff to negotiate a new contract with Red Willow County to increase fees charged for 24-hour per day radio dispatch facility services. The motion passed upon the following roll call vote: YEA: Berry, Grant, Rogers. NAY: Kircher. ABSENT: Anderson.

- (7) COUNCIL COMMENTS.

Mayor Berry recognized the Track, Golf, and Tennis teams on their successful seasons, as well as the Journalism Team for its fifth consecutive State Championship.

- (8) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:10 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk