

MCCOOK CITY COUNCIL  
July 6, 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 July 1, 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 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 - STEVE BALES, 1<sup>ST</sup> CONGREGATIONAL CHURCH.

Steve Bales, pastor of the 1<sup>st</sup> Congregational 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) CONSENT AGENDA:

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

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

ITEM A APPROVE THE MINUTES OF THE JUNE 21, 2010 REGULAR CITY COUNCIL MEETING.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the minutes of the June 21, 2010 regular City Council meeting. The motion passed upon the

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

ITEM C APPROVE THE REQUESTS FROM WAGNER AUTO GROUP TO CLOSE THE 200 BLOCK OF WEST 2<sup>ND</sup> STREET AND THE 200 BLOCK OF EAST 1<sup>ST</sup> STREET BEGINNING FRIDAY, JULY 16, 2010 AT 5:00 P.M. TO 5:00 P.M. ON SATURDAY, JULY 17, 2010 FOR AN AUTO SALE.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the requests from Wagner Auto Group to close the 200 block of West 2<sup>nd</sup> Street and the 200 block of East 1<sup>st</sup> Street beginning Friday, July 16, 2010 at 5:00 P.M. to 5:00 P.M. on Saturday, July 17, 2010 for an auto sale. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM D AWARD DEMOLITION CONTRACTS FOR RESIDENTIAL/COMMERCIAL STRUCTURES TO P & G EXCAVATING FOR TWO (2) ADDRESSES (508 SOUTH STREET AND 305 EAST 12<sup>TH</sup> STREET) IN THE AMOUNT OF \$13,000.00, AND TO MARIS GENERAL CONSTRUCTION, LLC FOR THREE (3) ADDRESSES (25 SOUTH STREET, 504 SOUTH STREET, AND 102 SOUTH 6<sup>TH</sup> STREET) IN THE AMOUNT OF \$36,700.00, THAT BEING THE LOWEST RESPONSIBLE BIDS.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to award Demolition Contracts for residential/commercial structures to P & G Excavating for two (2) addresses (508 South Street and 305 East 12<sup>th</sup> Street) in the amount of \$13,000.00, and to Maris General Construction, LLC for three (3) addresses (25 South Street, 504 South Street, and 102 South 6<sup>th</sup> Street) in the amount of \$36,700.00, that being the lowest responsible bids. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM E APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY TASTE OF TEXAS BBQ, INC., LICENSE #IK-54088, FOR THE CHAMBER MIXER EVENT TO BE HELD AT TRI STATE SPAS, 1006 WEST "B" STREET, ON JULY 22, 2010 FROM 5:00 P.M. TO 9:00 P.M.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the application for a Special Designated Liquor License submitted by Taste of Texas BBQ, Inc., License #IK-54088, for the Chamber Mixer event to be held at Tri State Spas, 1006 West "B" Street, on July 22, 2010 from 5:00 P.M. to 9:00 P.M. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM F APPROVE THE REQUEST FROM THE PEACE LUTHERAN CHURCH TO CLOSE THE ALLEY IN THE 400 BLOCK OF EAST 6<sup>TH</sup> STREET FROM JULY 19 THROUGH JULY 23, 2010 FOR VACATION BIBLE SCHOOL.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the request from the Peace Lutheran Church to close the alley in the 400 block of East 6<sup>th</sup> Street from July 19 through July 23, 2010 for Vacation Bible School. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM G ADOPT RESOLUTION NO. 2010-17 APPROVING THE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ROADS AND THE CITY OF MCCOOK FOR

PROJECT NO. STP-6-2(122), STATE CONTROL NO. 70881, CULBERTSON - MCCOOK.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2010-17 approving the agreement between the Nebraska Department of Roads and the City of McCook for Project No. STP-6-2(122), State Control No. 70881, Culbertson - McCook. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM H AWARD BID TO LAND CONSTRUCTION, INC. IN THE AMOUNT OF \$96,880.00, THAT BEING THE LOWEST RESPONSIBLE BID, FOR DEMOLITION OF BUILDING AT 304 WEST 4<sup>TH</sup> STREET.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to award bid to Land Construction, Inc. in the amount of \$96,880.00, that being the lowest responsible bid, for demolition of Building at 304 West 4<sup>th</sup> Street. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM I APPROVE THE GRANT OF LICENSE BETWEEN THE CITY OF MCCOOK AND MARK A. AND ELIZABETH A. WILCOX AND SOURCE GAS DISTRIBUTION, LLC, FOR A PORTION OF THE CITY RIGHT-OF-WAY TO BE USED FOR OFF-STREET PARKING.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the Grant of License between the City of McCook and Mark A. and Elizabeth A. Wilcox and Source Gas Distribution, LLC, for a portion of the City right-of-way to be used for off-street parking. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM K APPROVE THE REQUEST FROM THE RED WILLOW COUNTY FAIR BOARD FOR EXTRA TRASH CANS, FOUR BLEACHERS, EIGHT PICNIC TABLES, AND THE CITY WATER TRUCK FOR THE WEEK OF THE FAIR, JULY 28 - AUGUST 1, 2010, AND AUTHORIZE THE MAYOR TO SIGN THE INDEMNIFICATION AGREEMENT.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the request from the Red Willow County Fair Board for extra trash cans, four bleachers, eight picnic tables, and the City water truck for the week of the fair, July 28 - August 1, 2010, and authorize the Mayor to sign the Indemnification Agreement. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM L APPROVE THE BID SPECIFICATIONS FOR THE PAINTING OF THE CITY OF MCCOOK MUNICIPAL SWIMMING POOL AND SET THE DATE TO OPEN BIDS AS JULY 27, 2010 AT 2:30 P.M.

Upon a motion by Councilmember Anderson, seconded by Councilmember Calvin, the Council voted to approve the bid specifications for the painting of the City of McCook Municipal Swimming Pool and set the date to open bids as July 27, 2010 at 2:30 P.M. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

## REGULAR AGENDA

ITEM 4B      APPROVE CHANGE ORDER #1 FOR THE WEST HIGHWAY 6 & 34 SIDEWALK PROJECT IN THE AMOUNT OF \$4,891.90.

Public Works Kyle Potthoff and Aaron Peterson, W Design Associates, stated that the change order was a result of revisions to the pedestrian crossing at the intersection of Hwy 6 & 34 and Hwy 83 as requested by the Nebraska Department of Roads (NDOR). The changes requested include relocating the crossing closer to the intersection, changing the pedestrian "Walk" sign to a pedestrian "Walk with Countdown" sign and adding a Blankout sign which indicate to drivers a "No Right Turn" condition when the pedestrian crossing is activated. All these changes requested by NDOR are good safety enhancements for the project and with the net cost to the City being a net reduction of \$34.00, since NDOR District 7 has agreed to pay the cost of the Blankout Sign in the amount of \$4,926.41.

Upon a motion by Councilmember Gonzales, seconded by Councilmember Anderson the Council voted to approve Change Order #1 for the West Highway 6 & 34 Sidewalk Project in the amount of \$4,891.90. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

ITEM 4J      ADOPT RESOLUTION NO. 2010-18 EXPRESSING SINCERE THANKS AND APPRECIATION TO THE MCCOOK MAIN STREET CONSORTIUM FOR THEIR GENEROUS MONETARY DONATION TO THE CITY OF MCCOOK FOR USE IN THE DEVELOPMENT OF THE DOWNTOWN AREA.

Upon a motion by Councilmember Kircher, seconded by Councilmember Gonzales, the Council adopted Resolution No. 2010-18 expressing sincere thanks and appreciation to the McCook Main Street Consortium for their generous monetary donation to the City of McCook for use in the development of the downtown area. The motion passed upon the following roll call vote: YEA: Kircher, Anderson, Calvin, Gonzales. NAY: None. ABSENT: Berry.

(5)      CONTINUED MUNICIPAL FACILITIES UPDATE AND DISCUSSION.

City Manager Fritsch presented a preliminary floor plan prepared by Prochaska & Associates. The proposed layout incorporates the facility into one structure. Proposed ballot language will be presented at the July 19 meeting for Council consideration.

(6)      PRESENTATION OF THE FY 2010/2011 PRELIMINARY ANNUAL BUDGET AND CONDUCT BUDGET WORKSHOP.

A review of the FY 2010/2011 Preliminary Annual Budget was conducted. Administration Departments, the Special Revenue Fund, the Debt Service Fund, the Community Development Fund, the Economic Development Fund, the Agency Fund, the Internal Service Fund, the Enterprise Fund, the Capital Improvement Fund, and proposed sales tax projects were discussed.

(7)      COUNCIL COMMENTS.

Councilmember Gonzales congratulated the Bison 2010 Committee on a job well done. It was an excellent weekend. He noted that he had received a number of compliments on how nice the parks looked.

(8) ADJOURNMENT.

There being no further business to come before the Council, Council Vice President declared the meeting adjourned at 9:15 P.M.

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Aaron Kircher  
Council Vice President

ATTEST:

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Lea Ann Doak  
City Clerk