

MCCOOK CITY COUNCIL
May 16, 2016
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, Weedon.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown, Utilities Director Dutcher, Fire Chief Harpham, Building Inspector Mooney, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 12, 2016, 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. Invocation was provided by Father Brethour, pastor of St. Patrick's Catholic Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

1. Citizen's Comments.

There were no citizen's comments.

2. Announcements & Recognitions.

There were no announcements or recognitions.

3. Public Hearings:

- A. Public Hearing - modifying the zoning designation of Lots 7 - 12, Block 8, Brown's Park Addition to the City of McCook, (a/k/a 305 East 12th Street), from Business Commercial (BC) to Residential Medium (RM) Density District.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on modifying the zoning designation of Lots 7 - 12, Block 8, Brown's Park Addition to the City of McCook, (a/k/a 305 East 12th Street), from Business Commercial (BC) to Residential Medium (RM) Density District with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report dated May 16, 2016 (1 page); Exhibit #2 - Notice of Public Hearing published (1 page); Exhibit #3 - Land Use

Action Request Form from the applicants (4 pages); Exhibit #4 - Joint Tenancy Warranty Deed executed July 26, 2012 (1 page); Exhibit #5 - Area plat map (1 page); Exhibit #6 - listing of those receiving notice of public hearing (1 page); Exhibit #7 - Findings and Determinations of McCook City Council (2 pages); Exhibit #8 - minutes of the May 9, 2016 Planning Commission meeting (2 pages); and Exhibit #9 - proposed Ordinance No. 2016-2933 (1 page).

City Manager Schneider reviewed the following information presented in his City Manager's Report: "An application to modify the zoning designation of property located at 305 East 12th Street and legally described as Lots 7 - 12, Block 8, Brown's Park Addition to the City of McCook, has been received. The applicants, Rob and Barbara Pinkal are requesting to change the zoning designation from Business Commercial to Residential Medium Density. The reason for the request is to allow the applicants to proceed with a building permit for a house and garage. The applicants purchased the property in 2012. Historically, this property did have a residence on it. It was demolished in approximately 2010 or 2011. The real estate at issue currently is flanked to the east and west by Business Commercial zones. The property is adjacent to Residential districts to the north. On review of the area, there is a combination of business and residential structures. A change from Business commercial to Residential Medium Density District would not negatively impact the layout of the area. Staff recommends approval of the application."

There being no one else present to comment, upon a motion by Councilmember Calvin, seconded by Councilmember Weedon, 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: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- B. Introduce and approve Ordinance No. 2016-2933 providing for the rezone of Block Eight (8), Lots Seven (7) through twelve (12), Brown's Park Addition to the City of McCook, Red Willow County, Nebraska, (a/k/a) from Business Commercial (BC) to Residential Medium Density (RM) District.

Mayor Gonzales introduced Ordinance No. 2016-2933 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING ORDINANCE NO. 2013-2897 BY CHANGING THE ZONING CLASSIFICATION OF BLOCK EIGHT (8), LOTS SEVEN (7) THROUGH TWELVE (12), BROWN'S PARK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FROM BUSINESS COMMERCIAL (BC) TO RESIDENTIAL MEDIUM DENSITY (RM); PROVIDED FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2933 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember McDowell, to approve Ordinance No. 2016-2933 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2016-2933 approved on its first reading.

- C. Public Hearing - Report from the McCook Economic Development Corporation regarding the Citizen's Advisory Committee meeting held April 25, 2016.

Upon a motion by Councilmember Calvin, seconded by Councilmember Gonzales, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on a report from the McCook Economic Development Corporation regarding the Citizen's

Advisory Committee meeting held April 25, 2016 with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated May 16, 2016 (1 page); Exhibit #2 - Notice of Public Hearing published (1 page); Exhibit #3 - LB840 Program information (11 pages); and Exhibit #4 - minutes of the January 25, 2016 Economic Development Plan Citizen's Advisory Review Committee meeting.

Committee Chairman Troy Bruntz and McCook Economic Development Corporation Executive Director Kirk Dixon reviewed the presented information with the Council.

There being no one else present to comment, upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, 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: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

D. Receive and file the minutes of the January 25, 2016 Economic Development Plan Citizen's Advisory Review Committee meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the council voted to receive and file the minutes of the January 25, 2016 Economic Development Plan Citizen's Advisory Review Committee meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

Upon a motion by Mayor Gonzales, seconded by Councilmember Hepp, the Council voted to recess as a City Council and convene as the McCook Community Development Agency for consideration of the CDA Agenda. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

COMMUNITY DEVELOPMENT AGENCY

A regular meeting of the Community Development Agency of the City of McCook, Nebraska was held on Monday, May 16, 2016, in the City Council Chambers at the McCook Municipal Center, 505 West "C" Street, McCook, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act. Each member of Agency was also given advance notice of the meeting as acknowledged. Additionally, reasonable efforts were made to provide advance notice of the time, date and place of the meeting to all news media requesting the same.

Mayor Gonzales presided and City Clerk Doak recorded the proceedings. The meeting was called to order at 6:50 P.M. and on roll call the following Agency Members were present: Gonzales, Hepp, Calvin, McDowell, Weedin; the following Agency Members were absent: None. A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Mayor publicly announced that a copy of the Open Meetings Act is posted by the entrance to the Council Chambers and is available for public review.

1. Approve the minutes of the March 21, 2016 Community Development Agency regular meeting.

Upon a motion by Agency Member Calvin, seconded by Agency Member Hepp, the Agency voted to approve the minutes of the March 21, 2016 Community Development Agency regular meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

2. Approve Amendment No. 1 to the Redevelopment Contract between the City of McCook, Nebraska and North Pointe Properties, L.L.C.

Upon a motion by Agency Member Gonzales, seconded by Agency Member Calvin, the Agency voted to approve Amendment No. 1 to the Redevelopment Contract between the City of McCook, Nebraska and North Pointe Properties, L.L.C. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

3. Adjournment.

There being no further business to come before the Agency, Mayor Gonzales declared the meeting adjourned at 7:00 P.M.

Upon a motion by Councilmember Weedin, seconded by Councilmember Hepp, the Council voted to recess as the McCook Community Development Agency and reconvene as the McCook City Council at 7:00 P.M.

4. Proclamations.

- A. Approve the proclamation designating May 15 - 21, 2016 as “Emergency Medical Services Week” and authorize the Mayor to sign.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to approve the proclamation designating May 15 - 21, 2016 as “Emergency Medical Services Week” and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

- B. Approve the proclamation designating the week of May 15 - 21, 2016 as “National Public Works Week” and authorize the Mayor to sign.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the proclamation designating the week of May 15 - 21, 2016 as “National Public Works Week” and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

McCook Economic Development Executive Director Kirk Dixon recognized the Public Works Department for the amazing job that they do, having a great city, starts with a great public works department.

5. Consent Agenda.

Councilmember McDowell requested that Item E, Item F, and Item G be removed from the Consent Agenda and placed on the Regular Agenda.

- A. Approve the minutes of the May 2, 2016 regular City Council meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted

to approve the minutes of the May 2, 2016 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- B. Approve the request from the Hillcrest Nursing Home Foundation to utilize city streets and walking trails for their 2016 21.3 Mile Relay Run on Saturday, June 11, 2016.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the request from the Hillcrest Nursing Home Foundation to utilize city streets and walking trails for their 2016 21.3 Mile Relay Run on Saturday, June 11, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- C. Receive the minutes of the May 9, 2016 Planning Commission meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to receive the minutes of the May 9, 2016 Planning Commission meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- D. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, a dance/reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on May 28, 2016 from 4:00 P.M. to 11:59 P.M.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, a dance/reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on May 28, 2016 from 4:00 P.M. to 11:59 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- H. Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for a Business after hours/Networking affair to be held at American Agricultural Laboratory, 700 West "D" Street, on June 14, 2016 from 4:00 P.M. to 10:00 P.M.; with alternate dates of June 15, 2016, June 20, 2016, and June 21, 2016.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for a Business after hours/Networking affair to be held at American Agricultural Laboratory, 700 West "D" Street, on June 14, 2016 from 4:00 P.M. to 10:00 P.M.; with alternate dates of June 15, 2016, June 20, 2016, and June 21, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- I. Authorize Great Plains Communications to occupy city right of way for the installation of underground fiber optic cable and authorize the Mayor to sign the Application to Occupy Right of Way.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to authorize Great Plains Communications to occupy city right of way for the installation of underground fiber optic cable 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, Weedon. NAY: None.

- J. Receive and file the claims for the month of April 2016 as published May 16, 2016.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to receive and file the claims for the month of April 2016 as published May 16, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

6. Regular Agenda.

5E. Adopt Resolution No. 2016-10 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Employee Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock.

Councilmember McDowell wanted to clarify that the three plans were 401K plans and not defined benefit plans.

Upon a motion by Councilmember McDowell, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2016-10 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Employee Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

5F. Adopt Resolution No. 2016-12 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Police Employees Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock.

Upon a motion by Councilmember McDowell, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2016-12 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Police Employees Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

5G. Adopt Resolution No. 2016-11 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Firefighters Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock.

Upon a motion by Councilmember McDowell, seconded by Councilmember Calvin, the Council voted to adopt Resolution No. 2016-11 relieving CPI Qualified Plan Consultants from their duties as administrator of the City of McCook Firefighters Retirement Plan, entering into an agreement with Benefit Plans, Inc. to serve as the administrator, and entering into a Service Agreement with John Hancock. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

A. Approve a request by Chris and Annette Wagner, 1411 East 5th Street, to occupy a portion of the sewer easement the city has through the Wagner property providing certain construction standards are met.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to approve a request by Chris and Annette Wagner, 1411 East 5th Street, to occupy a portion

of the sewer easement the city has through the Wagner property providing certain construction standards are met. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

- B. Approve and execute a lease and airport use agreement with Boutique Air and provide information on tentative operation hours.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedin, the Council voted to approve and execute a lease and airport use agreement with Boutique Air and provide information on tentative operation hours. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

- C. Introduce and approve on first reading, Ordinance No. 2016-2928, which updates and amends §150 *et seq.* of the McCook Code of Ordinances, Building Codes and Regulations, which includes the adoption of the 2012 International Building, Residential, Plumbing, Mechanical, Fuel and Gas, Property Maintenance, Existing Building and Energy Conservation Codes, with modifications, as well as to update and amend code provisions specific to the building inspector, unsafe buildings, mobile homes, building moving, electricity, and licensing/certification.

Mayor Gonzales introduced Ordinance No. 2016-2928 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA REPEALING CHAPTER 150: BUILDING CODES AND REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA IN ITS ENTIRETY; REPLACING WITH UPDATED CHAPTER 150: BUILDING CODES AND REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA; INCLUDING THE ADOPTION BY REFERENCE THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE AND ADOPTING THE AMENDMENTS TO EACH; INCLUDING THE ADOPTION OF UPDATED SECTIONS PERTAINING TO THE BUILDING INSPECTOR, UNSAFE BUILDINGS, MOBILE HOMES, BUILDING MOVING, ELECTRICITY, AND PENALTY; AND ADDING SECTIONS REGARDING CONTRACTOR'S LICENSING; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2928 was introduced and read by title only. Councilmember Calvin moved that the statutory rule requiring reading on three different days be suspended. Councilmember McDowell seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Mayor Gonzales moved for final passage of the Ordinance, which was seconded by Councilmember Hepp. The Mayor then stated the question: "Shall Ordinance No. 2016-2928 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion carried. The passage and adoption of said Ordinance, having been concurred in by a majority of all members of the Council, the Mayor declared the

Ordinance lawfully passed and adopted upon publication as required by law.

- D. Introduce and approve on first reading, Ordinance No. 2016-2931 which updates and amends §151.01 of the McCook Code of Ordinances, Zoning, to reflect the Zoning Regulations update and modification.

Mayor Gonzales introduced Ordinance No. 2016-2931 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE AMENDMENT OF MCCOOK ZONING ORDINANCE NO. 2013-2897; PROVIDING FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2931 was introduced and read by title only. Mayor Gonzales moved that the statutory rule requiring reading on three different days be suspended. Councilmember Calvin seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Mayor Gonzales moved for final passage of the Ordinance, which was seconded by Councilmember McDowell. The Mayor then stated the question: "Shall Ordinance No. 2016-2931 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion carried. The passage and adoption of said Ordinance, having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

- E. Introduce and approve on first reading, Ordinance No. 2016-2932 which updates and amends §152.01 of the McCook Code of Ordinances, Subdivisions, to reflect the Subdivision Regulations update and modification.

Mayor Gonzales introduced Ordinance No. 2016-2932 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES SECTION 152.01 - SUBDIVISION REGULATIONS ADOPTED BY REFERENCE; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2932 was introduced and read by title only. Councilmember Weedin moved that the statutory rule requiring reading on three different days be suspended. Mayor Gonzales seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Mayor Gonzales moved for final passage of the Ordinance, which was seconded by Councilmember Hepp. The Mayor then stated the question: "Shall Ordinance No. 2016-2932 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin,

McDowell, Weedon. NAY: None. Motion carried. The passage and adoption of said Ordinance, having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

- F. Introduce and approve on first reading, Ordinance No. 2016-2930 which amends Chapter 91 of the McCook Code of Ordinances to include a prohibition against maintaining an electrical wire in a street, alley, sidewalk or building which would interfere with the McCook Fire Department's ability to perform fire safety services.

Mayor Gonzales introduced Ordinance No. 2016-2930 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 91: FIRE PREVENTION; FIREWORKS; POISONOUS OR FLAMMABLE GAS; EXPLOSIVES; ADDING SECTION 91.22 - INTERFERENCE WITH FIRE DEPARTMENT BY ELECTRICAL WIRES PROHIBITED; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2930 was introduced and read by title only. Mayor Gonzales moved that the statutory rule requiring reading on three different days be suspended. Councilmember Calvin seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Councilmember Calvin moved for final passage of the Ordinance, which was seconded by Councilmember McDowell. The Mayor then stated the question: "Shall Ordinance No. 2016-2930 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion carried. The passage and adoption of said Ordinance, having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

G. Council Comments.

Council comments included thanking McCook voters for the vote of confidence in their approval of the continuation of the LB840 program; thanking the Public Works Department for the work that they do in the maintenance of parks, streets, and islands; noted that three articles regarding McCook and individuals from McCook were in the May Nebraska Life Magazine; and that the Goodwill Industry truck was again parked in the Sears parking lot.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:50 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer