

MCCOOK CITY COUNCIL

June 20, 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 Calvin, McDowell, Weedon.

Absent: Councilmember Hepp.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown and Utilities Director Dutcher.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 16, 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. 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.

Kay Flaska, member of the City of McCook Civil Service Commission, requested that due to an increase calls over the past year, the Council do a study and research the ability to hire additional personnel for the Fire Department.

2. Announcements & Recognitions.

Utilities Director Dutcher informed the Council of a leak on East 6th Street, between "B" and "C" Streets. They will have that block closed on Tuesday morning, from 8:00 A.M. until noon, to repair the leak.

3. Public Hearings.

- A. Conduct a public hearing on the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska.

Upon a motion by Councilmember Weedon, 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 the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control

Commission, to be located at 1301 North Highway 83, McCook, Nebraska with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report dated June 6, 2016 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 application and all attachments from the Nebraska Liquor Control Commission dated June 2, 2016 (68 pages); Exhibit #4 - Police Department Liquor Application Report (6 pages); and Exhibit #5 - Planning Department Liquor Application Report (2 pages).

City Manager Schneider stated that there was nothing apparent to keep the Council from recommending to the Liquor Control Commission approval of the application.

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

- B. Recommend approval to the Nebraska Liquor Control Commission the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to recommend approval to the Nebraska Liquor Control Commission the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

4. Consent Agenda.

- A. Approve the minutes of the June 6, 2016 regular City Council meeting.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedin, the Council voted to approve the minutes of the June 6, 2016 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

- B. Approve the application for a Special Designated Liquor License submitted by the Fraternal Order of Eagles, Liquor License #I-03700, for a Dance/Fund Raiser/Beer Garden to be held in the parking lot of the Eagles Club, 805 East "B" Street, on August 27, 2016, from 5:00 P.M. to 11:00 P.M.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedin, the Council voted to approve the application for a Special Designated Liquor License submitted by the Fraternal Order of Eagles, Liquor License #I-03700, for a Dance/Fund Raiser/Beer Garden to be held in the parking lot of the Eagles Club, 805 East "B" Street, on August 27, 2016, from 5:00 P.M. to 11:00 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

C. Receive and file the Financial Report for the period ending May 31, 2016.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedin, the Council voted to receive and file the Financial Report for the period ending May 31, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

5. Regular Agenda.

A. 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, from Business Commercial (BC) to Residential Medium Density (RM) District upon its third and final reading.

Considered upon its third and final reading, Ordinance No. 2016-2933 entitled:

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 read by title only and thereafter Councilmember Weedin moved for final passage of the Ordinance, which motion was seconded by Councilmember McDowell. The Mayor then stated the question: "Shall Ordinance No. 2016-2933 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

B. Council Comments.

The Council complimented the Library Staff and thanked them for all that they do and recognized all Public Safety personnel for all their efforts during the recent house fire which occurred during a severe electrical storm.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 6:40 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer