

MCCOOK CITY COUNCIL

July 5, 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, Hepp, McDowell, Weedin.

Absent: City Attorney Mustion.

City Officials present: City Manager Schneider, City Clerk Doak, Police Chief Brown, Utilities Director Dutcher, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 30, 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 Kyle Dellevoet, minister of discipleship at the McCook Christian 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.

No one was present for Citizen's Comments.

2. Announcements & Recognitions.

Public Works Director Potthoff informed the Council that Barnett Park was reopened today after a recent fish kill in one of the ponds. It is believed that the incident was likely related to oxygen levels in the water.

3. Consent Agenda.

A. Approve the minutes of the June 20, 2016 regular City Council meeting.

Upon a motion by Councilmember Weedin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the June 20, 2016 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

B. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a fund raiser/beer garden during the Aaron Lewis concert to be held at the Kiplinger Arena, West 5th & "O" Streets (1408 West 5th Street), on July 22, 2016, from 4:00 P.M. to 11:59 P.M.

Upon a motion by Councilmember Weedon, 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, for a fund raiser/beer garden during the Aaron Lewis concert to be held at the Kiplinger Arena, West 5th & "O" Streets (1408 West 5th Street), on July 22, 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.

- C. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a reception/fund raiser to be held at the Alice/Kiplinger Arena, West 5th & "O" Streets (1408 West 5th Street), on July 21, 2016, from 4:00 P.M. to 11:59 P.M.

Upon a motion by Councilmember Weedon, 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, for a reception/fund raiser to be held at the Alice/Kiplinger Arena, West 5th & "O" Streets (1408 West 5th Street), on July 21, 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.

- D. Approve the request from Van Diest Supply Company to connect to the McCook Public Water System.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to approve the request from Van Diest Supply Company to connect to the McCook Public Water System. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- E. Receive and file the results of the "A" Street Park survey.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to receive and file the results of the "A" Street Park survey. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- F. Receive and file results of the Annual Reservoir Falloff Test for the Class I Non-Hazardous Deep Injection Well.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to receive and file results of the Annual Reservoir Falloff Test for the Class I Non-Hazardous Deep Injection Well. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

4. Regular Agenda.

- A. Receive, file, and discuss modifications to the City of McCook Code of Ordinances, Chapter 38, Appendix M.

The following information was presented in the City Manager's Council Report: During Staff's review of the Building Codes, Chapter 38 Fee Schedule, Appendix M, was discussed. Staff noticed some additions that needed to be included in the fee schedule, including demolition permits, sign permits and contractor's license fees. Further, Staff believes some wording needs to be modified to

account for actual building occurrences, such as modifying the gas permit fee to a mechanical permit fee. Staff is also recommending an increase in the zoning variance fee, increasing the fee from \$25 to \$75. The reason for this increase is that Staff incurs publication costs and Staff to process the variance requests. Other similar application fees are \$75 (i.e. special exception requests). It doesn't make sense to have different fees for a similar requests when they entail similar costs.

- B. Introduce and approve on its first reading, Ordinance No. 2016-2934, which repeals Chapter 110: Licensing of Construction Contractors of the City of McCook Code of Ordinances in its entirety.

Mayor Gonzales introduced Ordinance No. 2016-2934 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA REPEALING CHAPTER 110: LICENSING OF CONSTRUCTION CONTRACTORS OF THE CITY OF MCCOOK CODE OF ORDINANCES IN ITS ENTIRETY; 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. 2016-2934 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember McDowell, to approve Ordinance No. 2016-2934 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. 2016-2934 approved on its first reading.

- C. Introduce and approve on its first reading, ordinance No. 2016-2935, amending Chapter 38: Fee Schedule, Appendix J: Occupation Taxes, of the Municipal Code of the City of McCook, Nebraska, repealing Paragraph C in its entirety.

Mayor Gonzales introduced Ordinance No. 2016-2935 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX J: OCCUPATION TAXES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA, REPEALING PARAGRAPH C IN ITS ENTIRETY; 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. 2016-2935 was introduced and read by title only. Motion was made by Councilmember Weedon, seconded by Councilmember Calvin, to approve Ordinance No. 2016-2935 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. 2016-2935 approved on its first reading.

- D. Council Comments.

Councilmember Weedon gave a report to the Council regarding the 19th year of the Choice Gas program.

City Manager Schneider informed the Council that after a recent review the City of McCook's Fire ISO rating has went from a 4 to a 3, 3 would be the best that a community of our size could achieve. This rating speaks highly of our Fire Department, Dispatchers, and Water Department.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 6:55 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer