

MINUTES

MCCOOK CITY COUNCIL

**Monday, September 8, 2009
7:30 P.M. - City Council Chambers**

Call to Order and Roll Call

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, Anderson, Grant, Rogers; City Attorney Schneider; City Manager Fritsch; City Clerk Doak.

Absent: None.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on September 4, 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.

ITEM NO. 1 INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - BRUCE LESTER, EVANGELICAL FREE CHURCH.

Jon Albrect, pastor of the McCook Harvest Church, was present for the invocation.

ITEM NO. 2 Citizen's Forum.

No one was present for Citizen's Forum.

ITEM NO. 3 Mayor's Announcements & Recognitions.

There were no Mayor's announcements or recognitions.

City Manager Fritsch informed the Council that Ms. Dotti Park has requested that Agenda Item No. 11A be continued for two weeks to allow her to schedule with her employer time off to attend the meeting.

ITEM NO. 4 PUBLIC HEARING:

ITEM A CONDUCT A PUBLIC HEARING ON THE APPLICATION OF RAFAEL AYALA; DBA "EL PUERTO #3" FOR A CLASS "I" (BEER WINE & DISTILLED SPIRITS, ON SALE) LIQUOR LICENSE LOCATED AT 309-311 NORRIS AVENUE.

Upon a motion by Councilmember Grant, seconded by Councilmember Anderson, 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 Rafael Ayala; dba "El Puerto #3" for a Class "I" (Beer Wine & Distilled Spirits, On Sale) Liquor License located at 309-311 Norris Avenue with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - Notice of Hearing published and Exhibit #2 - the Letter and Application Form from the Nebraska Liquor Control Commission.

No one was present to speak in favor or in opposition of the requested license.

Police Chief Ike Brown stated that he had nothing to add to the presented Police Department Report.

There being no one else present to comment, upon a motion by Councilmember Anderson, seconded by Councilmember Rogers, 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: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM B RECOMMEND APPROVAL TO THE NEBRASKA LIQUOR CONTROL COMMISSION THE APPLICATION OF RAFAEL AYALA; DBA "EL PUERTO #3" FOR A CLASS "I" (BEER, WINE, & DISTILLED SPIRITS, ON SALE ONLY) LIQUOR LICENSE LOCATED AT 309-311 NORRIS AVENUE.

Upon a motion by Councilmember Anderson, seconded by Councilmember Rogers, the Council voted to recommend approval to the Nebraska Liquor Control Commission the application of Rafael Ayala; dba "El Puerto #3" for a Class "I" (Beer, Wine, & Distilled Spirits, On Sale Only) Liquor License located at 309-311 Norris Avenue. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. 5 CONSENT AGENDA:

Councilmember Anderson 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 AUGUST 17, 2009 REGULAR CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the minutes of the August 17, 2009 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM C

ACCEPT THE ENVIRONMENTAL ASSESSMENT FINDING OF NO SIGNIFICANT IMPACT (FONSI) PREPARED BY REX NELSON, EXECUTIVE DIRECTOR OF THE MCCOOK ECONOMIC DEVELOPMENT CORPORATION, FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR A PORTION OF THE 21ST CENTURY SYSTEMS, INC. (21CSI) EXPANSION AND DATA CENTER AND AUTHORIZE THE MAYOR TO SIGN AS THE RESPONSIBLE ENTITY.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to accept the Environmental Assessment Finding of No Significant Impact (FONSI) prepared by Rex Nelson, Executive Director of the McCook Economic Development Corporation, for Community Development Block Grant funding for a portion of the 21st Century Systems, Inc. (21CSI) Expansion and Data Center and authorize the Mayor to sign as the responsible entity. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM D

RECEIVE AND FILE THE MINUTES OF THE AUGUST 4, 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 August 4, 2009 Senior Center Advisory Board meeting. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM E

APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY SCHMICK'S MARKET INC. FOR A FUND RAISER TO BE HELD AT THE FOX THEATER, 412 NORRIS AVENUE, ON SEPTEMBER 25, 2009 FROM 5:00 P.M. TO 9:00 P.M.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the application for a Special Designated Liquor License submitted by Schmick's Market Inc. for a fund raiser to be held at the Fox Theater, 412 Norris Avenue, on September 25, 2009 from 5:00 P.M. to 9:00 P.M. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson,

Grant, Rogers. NAY: None.

ITEM F

RATIFY THE MAYOR'S APPOINTMENTS TO THE:

AIRPORT ADVISORY COMMISSION - REAPPOINT DOUG SKILES AND MIKE KUGLER - TERMS EXPIRE NOVEMBER, 2012.

BUILDING ADVISORY AND APPEALS BOARD - REAPPOINT PAUL GOODENBERGER AND APPOINT JEFF GROSS - TERMS EXPIRE SEPTEMBER, 2012.

COMMUNITY REDEVELOPMENT AUTHORITY ADVISORY BOARD - REAPPOINT LINDA TAYLOR, RANDALL DATUS, STAN GOODWIN - TERMS EXPIRE NOVEMBER, 2012.

HOUSING AGENCY BOARD - REAPPOINT TERRY PETERSON - TERM EXPIRES NOVEMBER, 2009.

LIBRARY BOARD - REAPPOINT NANCY BURESH AND APPOINT CANDACE HAVELY - TERMS EXPIRE JUNE, 2013.

PARKS ADVISORY BOARD - REAPPOINT MICHELLE GONZALES AND HARRY SUGHROUE - TERMS EXPIRE MAY, 2012.

PLANNING COMMISSION - REAPPOINT DALE DUELAND AND APPOINT CHAD LYONS - TERMS EXPIRE SEPTEMBER, 2012 AND REAPPOINT BECKY KILPATRICK AS ALTERNATE - TERM EXPIRES MARCH, 2012.

SENIOR CITIZENS ADVISORY BOARD - REAPPOINT DEE MESSINGER, JOAN DIKE, CAROL BORGMAN, AND TRUDY NELSON - TERMS EXPIRE SEPTEMBER, 2011.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to ratify the Mayor's appointments to the Airport Advisory Commission - reappoint Doug Skiles and Mike Kugler - terms expire November, 2012; the Building Advisory and Appeals Board - reappoint Paul Goodenberger and appoint Jeff Gross - terms expire September, 2012; the Community Redevelopment Authority Advisory Board - reappoint Linda Taylor, Randall Datus, Stan Goodwin - terms expire November, 2012; the Housing Agency Board - reappoint Terry Peterson - term expires November, 2009; the Library Board - reappoint Nancy Buresh and appoint Candace Havelly - terms expire June, 2013; the Parks Advisory Board - reappoint Michelle Gonzales and Harry Sughrue - terms expire May, 2012; the Planning Commission - reappoint Dale Dueland and appoint Chad Lyons - terms expire September, 2012 and reappoint Becky Kilpatrick as Alternate - term expires March, 2012; and the Senior Citizens Advisory Board - reappoint Dee Messinger, Joan Dike, Carol Borgman, and Trudy Nelson - terms expire September, 2011. The motion passed upon the following roll call vote: YEA:

Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM G

APPROVE RESOLUTION NO. 2009-14 ADOPTING AND APPROVING THE EXECUTION OF AN AGENCY AGREEMENT BETWEEN THE CITY OF MCCOOK AND THE DEPARTMENT OF AERONAUTICS OF THE STATE OF NEBRASKA FOR PROJECT NO. 3-31-0052-11-2009 WHICH WILL CONDUCT A WILDLIFE HAZARD ASSESSMENT AT MCCOOK REGIONAL AIRPORT AS REQUIRED BY THE FAA AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve Resolution No. 2009-14 adopting and approving the execution of an Agency Agreement between the City of McCook and the Department of Aeronautics of the State of Nebraska for Project No. 3-31-0052-11-2009 which will conduct a Wildlife Hazard Assessment at McCook Regional Airport as required by the FAA and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM H

APPROVE THE MCCOOK UNITED WAY REQUEST TO CONDUCT THEIR ANNUAL HERITAGE DAYS ROAD RACE ON PUBLIC STREETS ON SEPTEMBER 26, 2009.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the McCook United Way request to conduct their Annual Heritage Days Road Race on public streets on September 26, 2009. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM I

APPROVE THE APPLICATION OF FEDERAL ASSISTANCE TO CONDUCT A YEAR LONG WILDLIFE HAZARD ASSESSMENT AT MCCOOK REGIONAL AIRPORT AS REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION AT A COST OF \$33,000 WITH 95% BEING FUNDED BY THE FEDERAL GOVERNMENT AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT, THE DRUG FREE WORKPLACE FORM AND SELECTION OF CONSULTANT FORM.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the application of Federal Assistance to conduct a year long Wildlife Hazard Assessment at McCook Regional Airport as required by the

Federal Aviation Administration at a cost of \$33,000 with 95% being funded by the Federal Government and authorize the Mayor to sign the agreement, the Drug Free Workplace Form and selection of Consultant Form. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM K APPROVE THE APPLICATION FOR INTERCITY BUS ASSISTANCE FOR DASHABOUT SHUTTLE AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve the Application for Intercity Bus Assistance for Dashabout Shuttle and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM L APPROVE INTERCITY BUS AGREEMENT NO. BUS-B732(210) WITH THE NEBRASKA DEPARTMENT OF ROADS AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve Intercity Bus Agreement No. BUS-B732(210) with the Nebraska Department of Roads and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM M APPROVE INTERCITY BUS AGREEMENT NO. BUS-B732(210) WITH DASHABOUT ROADRUNNER, INC. AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Grant, the Council voted to approve Intercity Bus Agreement No. BUS-B732(210) with Dashabout Roadrunner, Inc. and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

REGULAR AGENDA

ITEM 5B APPROVE THE REQUEST FOR PROPOSALS FOR GENERAL ADMINISTRATOR FOR AN ANTICIPATED COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (DED) AND SET THE DATE TO RECEIVE PROPOSALS AS NOON ON SEPTEMBER 21, 2009.

Upon a motion by Councilmember Anderson, seconded by Councilmember Rogers, the Council voted to approve the Request for Proposals for General

Administrator for an anticipated Community Development Block Grant from the Nebraska Department of Economic Development (DED) and set the date to receive proposals as Noon on September 21, 2009. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM 5J

APPROVE BOTH THE COOPERATIVE SERVICE AGREEMENT AND THE WORK AND FINANCIAL PLAN BETWEEN THE CITY OF MCCOOK AND THE UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE, WILDLIFE SERVICES FOR THE CONDUCTING OF A YEAR LONG WILDLIFE HAZARD ASSESSMENT AT MCCOOK REGIONAL AIRPORT AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to approve both the Cooperative Service Agreement and the Work and Financial Plan between the City of McCook and the United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services for the conducting of a year long Wildlife Hazard Assessment at McCook Regional Airport and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

Leah Holtorf, owner of the Dashabout Shuttle, addressed the Council regarding Agenda Item Nos. 5K, 5L, and 5M. She thanked the City for the 15 years of support and informed the Council that she would like to add some additional daily miles and would be asking the State for additional subsidy for these proposed miles. She will be asking the Council for a letter of support for these additional miles in the near future.

ITEM NO. 6

APPROVE THE USE OF GOATS INSIDE THE CITY LIMITS FOR THE PURPOSE OF A SHORT TERM CLEARING OPERATION AND DEMONSTRATION ON PROPERTY LOCATED AT THE EDGE OF THE CITY LIMITS AT WEST "J" STREET AND US HIGHWAY 83.

Councilmember Grant introduced a motion to approve the use of goats inside the City limits for the purpose of a short term clearing operation and demonstration on property located at the edge of the city limits at West "J" Street and US Highway 83. Councilmember Kircher seconded the motion.

Roger Stockton, with the Natural Resource Conservation Service, addressed the request with the Council. About 400 goats will be used to clean the seven acres that the Norris Institute plans to use for a prairie arboretum and learning center. Originally a planned burn was considered, but concerns were raised about smoke hindering visibility along the highway. The process called "mob grazing" encloses the goats in an electrified mesh fence that will be moved around the land, until the goats have finished. The goats will eat everything but grass and will strip the bark from trees. The animals will be monitored 24 hours a day by handlers and two herd dogs. Renting goats to clear land is rapidly becoming more widespread across the country, especially for hilly, hard-to-reach areas.

Upon a motion by Councilmember Grant, seconded by Councilmember Anderson, the Council voted to amend the motion to include the dates of "September 9 -19, 2009 and the month of April 2010. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

The Mayor then stated the question: "Shall the motion on the floor be approved as amended?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None. Motion carried.

ITEM NO. 7 INTRODUCE AND APPROVE UPON ITS FIRST READING ORDINANCE NO. 2009-2830 AMENDING CHAPTER 6, ARTICLE 2, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA RELATING TO IMMUNIZATION AGAINST RABIES.

Councilmember Grant introduced Ordinance No. 2009-2830 entitled:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA, AMENDING CHAPTER 6, ARTICLE 2, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA RELATING TO IMMUNIZATION AGAINST RABIES; REPEALING ALL OTHER CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion was made by Mayor Berry, seconded by Councilmember Kircher, that the number and title of said Ordinance be approved. Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

Ordinance No. 2009-2830 was read by title only. Motion was made by Mayor Berry, seconded by Councilmember Rogers, to approve Ordinance No. 2009-2830 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2009-2830 approved on its first reading.

ITEM NO. 8 APPROVE ORDINANCE NO. 2009-2827 PROVIDING FOR THE ADOPTION OF THE BUDGET FOR FY 2009-2010 UPON ITS THIRD AND FINAL READING.

Ordinance No. 2009-2827 now came up for third and final reading. Ordinance No. 2009-2827 was read by title only and thereafter Councilmember Kircher moved for final passage of the Ordinance, which motion was seconded by Councilmember Anderson.

Councilmember Kircher introduced a motion to use the \$41,000 of uncommitted Sales Tax revenue to buy down Water SRF debt. Councilmember Anderson seconded the motion. The motion failed upon the following roll call vote: YEA: Kircher, Anderson. NAY: Berry, Grant, Rogers.

The Mayor then stated the question: "Shall Ordinance No. 2009-2827 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to publish Ordinance No. 2009-2827 in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. 9 APPROVE ORDINANCE NO. 2009-2828 PROVIDING FOR THE ADOPTION OF THE 2009/2010 FISCAL YEAR EMPLOYEE CLASSIFICATION PAY PLAN UPON ITS THIRD AND FINAL READING.

Ordinance No. 2009-2828 now came up for third and final reading. Ordinance No. 2009-2828 was read by title only and thereafter Councilmember Kircher moved for final passage of the Ordinance, which motion was seconded by Councilmember Grant. The Mayor then stated the question: "Shall Ordinance No. 2009-2828 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Councilmember Kircher, seconded by Councilmember Grant, the Council voted to publish Ordinance No. 2009-2828 in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. 10 APPROVE ORDINANCE NO. 2009-2829 PROVIDING FOR THE AMENDMENT OF APPENDIX III, SOLID WASTE COLLECTION FEES, OF THE MCCOOK MUNICIPAL CODE, 1981 REVISED AND APPROVE UPON SUSPENSION OF THE RULE.

Ordinance No. 2009-2829 now came up for second reading. The motion was made by Councilmember Kircher that the statutory rule requiring reading on three different days be suspended. Councilmember Grant seconded the motion to suspend the rule and upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. 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.

Said Ordinance was then read by title only and thereafter Councilmember Kircher moved for final passage of the Ordinance, which was seconded by Councilmember Anderson. The Mayor then stated the question: "Shall Ordinance No. 2008-2829 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Berry, Kircher, Anderson, Grant, Rogers. 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 adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Upon a motion by Councilmember Grant, seconded by Councilmember Kircher, the Council voted to publish Ordinance No. 2008-2829, in the McCook Daily Gazette, a legal newspaper, one time as required by law. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. 11 RECOMMEND APPOINTMENTS BY THE MAYOR OF TWO CITY COUNCIL MEMBERS TO SIT ON A COMMITTEE TO REVIEW AND MAKE A FINAL RECOMMENDATION TO THE FULL CITY COUNCIL FOR INSURANCE BROKER SERVICES FOR WORKERS COMPENSATION, PROPERTY, AND CASUALTY SERVICES.

Upon a motion by Councilmember Kircher, seconded by Councilmember Rogers, the Council approved the Recommend appointment of Councilmember Anderson and Councilmember Grant to sit on a committee to review and make a final recommendation to the full City Council for Insurance Broker Services for Workers Compensation, Property, and Casualty services. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. CONSIDER AN APPEAL OF DOTTI D. PARK ON THE CITY OF MCCOOK
11A BOARD OF HEALTH DECISION REGARDING 305 EAST 12TH STREET DEALING WITH DEMOLITION OF ABANDONED STRUCTURES INCLUDING A MOBILE HOME, GARAGE, AND HOUSE; AND MAKE A DETERMINATION AS TO HOW TO PROCEED.

Upon a motion by Councilmember Kircher, seconded by Councilmember Anderson, the Council voted to postpone consideration of this item until the September 21, 2009 City Council meeting, due to the request of Dotti Park. The motion passed upon the following roll call vote: YEA: Berry, Kircher, Anderson, Grant, Rogers. NAY: None.

ITEM NO. 12 COUNCIL COMMENTS.

Councilmember Rogers announced his resignation from the Council, citing his inability to fully represent the citizens in the manner they should expect and certainly deserve. He stated it has been an honor to serve on the Council and that for the love of the City, he was resigning effective immediately.

ITEM NO. 13 ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 8:40 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk

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