

MCCOOK CITY COUNCIL

April 3, 2017

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, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on March 30, 2017, 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 Wayne Vogel, pastor of the Church of Christ. 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.**

City Manager Schneider informed the Council that he and Utilities Director Dutcher attended a climate study seminar this past week in Lincoln. The study included data from the McCook area, as well as areas of Kansas, Iowa, and Missouri. The study indicated the need for review of the City's current ordinances to prepare for potential drought years.

**3. Proclamations.**

- A. Proclaim the week of April 9- 15, 2017 as "National Public Safety Telecommunicators Week" and authorize the Mayor to sign.

Upon a motion by Councilmember McDowell, seconded by Councilmember Hepp, the Council voted to proclaim the week of April 9 - 15, 2017 as "National Public Safety Telecommunicators Week" and authorize the Mayor to sign. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

**4. Consent Agenda.**

- A. Approve the minutes of the March 20, 2017 regular City Council meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the March 20, 2017 regular City Council meeting. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- B. Approve the application for a Special Designated Liquor License submitted by Tyler Schmick, Schmick's Market Inc., Liquor License #IDK-084561, for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on April 29, 2017 from 3:00 P.M. to 1:00 A.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 Tyler Schmick, Schmick's Market Inc., Liquor License #IDK-084561, for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on April 29, 2017 from 3:00 P.M. to 1:00 A.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- C. Approve drawings and specifications for Water System Improvements on South 8th Street to South 3<sup>rd</sup> Street and west on South 3rd Street to South 9th Street and set date to receive bids for April 25, 2017 at 2:00 P.M.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve drawings and specifications for Water System Improvements on South 8th Street to South 3<sup>rd</sup> Street and west on South 3rd Street to South 9<sup>th</sup> Street and set date to receive bids for April 25, 2017 at 2:00 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- D. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for an After Hours Meet & Greet to be held at 601 Norris Avenue, Suite "B", on June 1, 2017 from Noon to 11:00 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 the McCook Chamber of Commerce for an After Hours Meet & Greet to be held at 601 Norris Avenue, Suite "B", on June 1, 2017 from Noon to 11:00 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- E. Authorize Century Link to occupy city right of way for the installation of underground communication cable along the north side of South Street 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 Century Link to occupy city right of way for the installation of underground communication cable along the north side of South Street and authorize the Mayor to sign the Application to Occupy Right of Way. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- F. Approve the request from the Hillcrest Nursing Home Foundation to utilize city streets and

walking trails for their 2017 21.3 Mile Relay Run on Saturday, June 10, 2017.

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 2017 21.3 Mile Relay Run on Saturday, June 10, 2017. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon NAY: None. Motion approved.

H. Approve and authorize the Mayor to sign the Certificate of Completion and release for the Six Place Hangar Project at McCook Ben Nelson Regional Airport.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve and authorize the Mayor to sign the Certificate of Completion and release for the Six Place Hangar Project at McCook Ben Nelson Regional Airport. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

## **5. Regular Agenda.**

4G. Reminder that the Nebraska Choice Gas Program selection period is April 13 - 27, 2017.

Councilmember Weedon reviewed the Choice Gas Program, encouraged all to make a selection, and reviewed the advantages to the City by the selection of ACE as your provider.

Upon a motion by Councilmember Calvin, seconded by Mayor Gonzales, the Council voted to accept the reminder that the Nebraska Choice Gas Program selection period is April 13 - 27, 2017. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

A. Introduce and approve, upon its first reading, Ordinance No. 2017-2948 providing for the amendment of Chapter 91 - Fire Prevention; Fireworks; Poisonous or Flammable Gas; Explosives; adding Section 91.23 Outdoor Fireplaces; of the City of McCook Code of Ordinances; creating specific rules relating to the construction and use of residential Fire Pits in McCook.

Mayor Gonzales introduced Ordinance No. 2017-2948 by title. The Clerk read the Ordinance by title:

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 91 - FIRE PREVENTION; FIREWORKS; POISONOUS OR FLAMMABLE GAS; EXPLOSIVES; ADDING SECTION 91.23 OUTDOOR FIREPLACES; OF THE CITY OF MCCOOK CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2017-2948 was introduced and read by title only. Motion was made by Councilmember Weedon, seconded by Councilmember Calvin, to approve Ordinance No. 2017-2948 on its first reading. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2017-2948 approved on its first reading.

B. Council Comments.

Councilmember Weedon stated that he had received a compliment to Building Official Barry Mooney, they appreciated all of his assistance, positive attitude, thanked him for what he does for the City of McCook.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:01 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer