

MCCOOK CITY COUNCIL  
July 17, 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, Weedin.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, 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 July 13, 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. 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.**

Mike Roth, inquired about the installation of sidewalks along North Highway 83, more people are walking in that area with the addition of businesses. In years past residents were required to install sidewalks, it is only seems fair to enforce to all.

**2. Announcements & Recognitions.**

Utilities Director Dutcher gave an update of the Water Watch which remains in effect.

City Manager Schneider reminded the Council of the special meeting to be held on August 14. A Planning Commission meeting is also scheduled for that evening at 5:15 P.M. The special meeting will start at 6:30 P.M., or immediately following the Planning Commission meeting.

**3. Consent Agenda.**

A. Approve the minutes of the July 3, 2017 regular City Council meeting.

Upon a motion by Councilmember Weedin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the July 3, 2017 regular City Council meeting. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion approved.

B. Receive and file the claims for the month of June 2017 as published July 11, 2017.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to receive and file the claims for the month of June 2017 as published July 11, 2017. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

- C. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5<sup>th</sup> Street, on August 5, 2017 from 2:00 P.M. to 1:00 A.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 Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5<sup>th</sup> Street, on August 5, 2017 from 2:00 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.

- D. Approve the St. Patrick Catholic Church request to close portions of East 4<sup>th</sup> and East "G" Streets and to utilize city property for their Annual Fall Festival on September 16 and 17, 2017.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to approve the St. Patrick Catholic Church request to close portions of East 4<sup>th</sup> and East "G" Streets and to utilize city property for their Annual Fall Festival on September 16 and 17, 2017. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

#### **4. Regular Agenda.**

- A. Further discussion regarding a request from Luke and Shar Laverack, owners of Club Paradise, regarding the permitting of retail sales or dispensing of alcoholic liquor for consumption, on the premises, later than 1:00 A.M. and prior to 2:00 A.M. on any day.

Police Chief Brown had contacted other communities that currently have the 2:00 A.M. time and found that they had little issues and that most do not stay open daily until that time.

City Manager Schneider noted that material received from Project Extra Mile expressing concern over the hours of sales was included in the packet and that some conditions could be included in the ordinance, such as only allowing the 2:00 A.M. on weekends.

Discussion included that it was the owner's responsibility to make a good business decision, whether it would be profitable for them; it was the owner's responsibility to make sure that patrons were not served too much; restrictions or no restrictions; and that contacts had been received from a few who opposed the 2:00 A.M. time.

It was the consensus of the Council to bring back for consideration provisions for the 2:00 A.M. time, with no restrictions.

- B. Council Comments.

Council comments regarded the very successful Crazy Days activities, the car show and street dance were fun for the youth, young adults, as well as the seniors.

- C. An Executive Session may be held upon a majority vote of the Council for the annual evaluation of the job performance of City Manager Nathan A. Schneider.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the council voted to move into an executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 6:57 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

Mayor Gonzales stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the annual evaluation of the job performance of City Manager Nathan A. Schneider. The Council will reconvene in public session following this closed session.

City Attorney Mustion and City Clerk Doak were included in the executive session.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to move out of an executive session at 7:13 P.M. The yeas and nays were called and the vote was as follows: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion approved.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:14 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer