

McCook City Council  
April 16, 2018  
6:30 PM Central

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 April 12, 2018, 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 Acknowledgement 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 Jeff Donelan of the McCook Evangelical Free 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.**

There were no citizen's comments.

**2. Announcements & Recognitions.**

City Manager Schneider informed the Council that he and Public Works Director Potthoff attended a meeting in Scottsbluff regarding Essential Air Service. Funding is good for McCook this year and next, but costs of the program have increased significantly, so communities may have to get creative to offset the increases. Discussion included educating the community about the service and possible small matches from the communities who receive the subsidies. Boutique Air is the current provider for the City of McCook.

**3. Presentation.**

3.A. Accept from Denise Broomfield, Agent MNB Insurance Services, a safety dividend refund in the amount of \$40,405.81 from EMC Insurance Company for the City's participation in the program and direct staff to apply towards the reduction of current insurance costs.

Denise Broomfield of MNB Insurance presented the City with a safety dividend refund in the amount of \$40,405.81 for its participation in the program.

Motion to accept from Denise Broomfield, Agent MNB Insurance Services, a safety dividend refund in the amount of \$40,405.81 from EMC Insurance Company for the City's participation in the program and direct staff to apply towards the reduction of current insurance costs. This motion, made by Weedon and seconded by McDowell, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

#### **4. Proclamation.**

4.A. Approve the proclamation designating April 27, 2018 as "Arbor Day" in the City of McCook and authorize the Mayor to sign.

Motion to approve the proclamation designating April 27, 2018 as "Arbor Day" in the City of McCook and authorize the Mayor to sign. This motion, made by Calvin and seconded by Hepp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

#### **5. Consent Agenda.**

Motion to approve the consent agenda. This motion, made by Calvin and seconded by Weedon, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

5.A. Approve the minutes of the April 2, 2018 regular City Council meeting and the April 9, 2018 special City Council meeting.

5.B. Receive and file the claims for the month of March 2018 as published April 16, 2018.

5.C. Receive and file the Financial Report for the period ending March 31, 2018.

5.D. 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 June 9, 2018 from 4:00 P.M. to 1:00 A.M.

5.E. Approve financing of Self-Contained Breathing Apparatus (SCBA) with the amount to be financed at \$127,451.

5.F. Receive and file the Annual Water Quality Report for the McCook Public Water System.

5.G. Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce and the McCook Economic Development Corporation for a reception/mixer to be held at the Community Hospital - Prairie Room, 1301 East "H" Street, on May 17, 2018 from 8:00 A.M. to 1:00 A.M.

**6. Regular Agenda.**

6.A. Ordinance No. 2018-2964 adopting and imposing a city sales and use tax of one and one-half percent (1 ½%) upon the same transactions within the corporate limits of the City of McCook, Red Willow County, Nebraska, on which the State of Nebraska is to impose such a tax.

The Clerk read the ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA, ADOPTING AND IMPOSING A CITY SALES AND USE TAX OF ONE AND ONE-HALF PERCENT (1 ½%) UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, ON WHICH THE STATE OF NEBRASKA IS TO IMPOSE SUCH A TAX; TO PROVIDE FOR THE ADMINISTRATION, ASSESSMENT, COLLECTION, CLAIMS, REMEDIES, PENALTIES, AND DISPOSITION OF SUCH SALES AND USE TAX; TO REPEAL ALL ORDINANCES AND OTHER PROVISIONS IN CONFLICT THEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

6.A.2. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.

Ordinance No. 2018-2964 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended. This motion, made by Calvin and seconded by McDowell, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

6.A.3. Final passage of Ordinance No. 2018-2964.

I move for final passage of Ordinance No. 2018-2864. This motion, made by Calvin and seconded by McDowell, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

Mayor Gonzales announcement that Ordinance No. 2018-2964 is declared lawfully passed and adopted upon publication as required by law.

6.B. Set a date(s) for next town hall - strategic planning session(s).

The Council set the date for the next town hall - strategic planning session on May 10, 2018

at 6:30 P.M. in the City Council Chambers.

6.C. Council Comments.

Council thanked City Staff for the excellent job that they did cleaning streets, sidewalks, and the airport during the recent spring blizzard.

**Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 6:54 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer