

McCook City Council  
July 2, 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, Public Works Director Potthoff, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 28, 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. Clark Bates of the McCook Christian Church provided the invocation. 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.**

Lori Prestes, McCook Humane Society Director, presented a Certificate of Appreciation to the McCook Police Department for going the extra mile over the past three months that the shelter housed 21 animals for the court system. It put a tremendous burden on their staff and the local police department.

**2. Announcements & Recognitions.**

There were no announcements or recognitions.

**3. Consent Agenda.**

Motion to approve the consent agenda. This motion, made by Calvin and seconded by Hepp, passed.  
Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

- 3.A. Approve the minutes of the June 18, 2018 regular City Council meeting.
- 3.B. Approve the application for a Special Designated Liquor License submitted by Tyler Schmick, Schmick's Market Inc., Liquor License #IDK-084561, for a beer garden to be held at the Red Willow County Fairgrounds Grandstand/Arena, 1412 West 5th Street, on July 27, 2018 from 4:00 P.M. to 2:00 A.M.
- 3.C. Approve the request from the Prairie Roots Festival Committee for the use of Barnett Park, including the West Shelter House, electricity, permission to block off the park road in front of the West Shelter House, use of additional picnic tables, benches and trash cans for their Third Annual Prairie Roots Festival Food Brew and Music Event on Sunday, August 12, 2018.
- 3.D. Receive and file results of the Annual Reservoir Falloff Test, 5 Year Mechanical Integrity Test and Permit Renewal for the Class I Non-Hazardous Deep Injection Well.
- 3.E. Approve an addendum to the Fixed Base Operator Lease Agreement dated May 2, 2005, between, Griff Malleck, d/b/a Red Willow Aviation and the City of McCook.
- 3.F. Approve the application for a Special Designated Liquor License submitted by JBN, Inc., dba Hi Times Liquor Mart 1, Liquor License #DK-100025, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on October 20, 2018 from 12:00 P.M. to 1:00 A.M.
- 3.G. Approve the application for Century Link to occupy city right-of-way for the purpose of installing an underground fiber optic cable and authorize the Mayor to sign the application.

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

- 4.A. Approve a Staff modified request from Summer Molierno to allow for signs to be placed on City sidewalks, designating the parking stalls along the west side of West 1st Street, between B Street and C Street, as "classic car" parking spaces for the purpose of celebrating the one year anniversary of Galaxies Ice Cream, said event to occur on July 28, 2018 from 4:00 p.m. to 7:00 p.m.

The item was removed from the agenda upon the request of Ms. Molierno.

- 4.B. Discuss authorizing the use of city funds to pay for data collection to populate the City of McCook's GIS web page.

Discussion was held regarding the use of city funds to pay for data collection to populate the City of McCook's GIS web page. The item will be placed on the agenda of the July 18, 2018 meeting for approval. The estimated cost for the project would be \$70,000, which would be split evenly with the McCook Economic Development Corporation (MEDC), through the use of MEDC's LB840 fund.

This project is a perfect fit for the City's LB840 fund. A fully populated GIS web page would be a helpful tool for developers who are considering McCook as a potential build site.

Councilmembers Hepp and McDowell spoke in support of the project. Councilmember Weedon asked about future costs that would be associated with the project.

There will be ongoing maintenance and update costs.

4.C. Ordinance No. 2018-2963 providing for the amendment of Chapter 130 - General Offenses; Offenses Against Persons; Sexual Predators; Section 130.16 - Definitions, of the City of McCook, Nebraska Code of Ordinances.

The City Clerk read Ordinance No. 2018-2963 by title:

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 130 - GENERAL OFFENSES - OFFENSES AGAINST PERSONS - SEXUAL PREDATORS; SECTION 130.16 - DEFINITIONS, 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. 2018-2963 has been read by title and I move to approve upon its third and final reading. 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 stated that Ordinance No. 2018-2963 is declared lawfully passed and adopted upon publication as required by law.

4.D. Council Comments.

Councilmember McDowell thanked staff on the great job of cleaning up after the recent heavy rain that we experienced.

4.E. 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.

I move to go into executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 7:02 p.m. This motion, made by Calvin and seconded by Weedon, passed.  
Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA  
YEA: 5, NAY: 0

Mayor Gonzales announced for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of 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 Manager Schneider was included in the closed session.

I move to come out of executive session at 7:21 p.m. This motion, made by Calvin and seconded by Hepp, passed.

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

**Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:23 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer