

MCCOOK CITY COUNCIL
April 18, 2011
7:30 P.M.

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 Gonzales, Kircher, Calvin, Hilker; City Attorney Schneider; City Manager Fritsch; City Clerk-Treasurer Doak.

Absent: None.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on April 14, 2011, 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.

- (1) INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - EMMANUEL REINBOLD, FIRST NAZARENE CHURCH.

Clark Bates, pastor of the McCook Christian Church, was present for the invocation.

- (2) CITIZEN'S FORUM.

No one was present for Citizen's Forum.

- (3) MAYOR'S ANNOUNCEMENTS & RECOGNITIONS.

Police Chief Brown introduced Brad Burmaster as a new member of the Police Department. He transferred to McCook from a department in Kansas and has completed his Nebraska Certification.

- (4) PROCLAMATIONS:

ITEM A APPROVE THE PROCLAMATION DESIGNATING APRIL 29, 2011 AS "ARBOR DAY" IN THE CITY OF MCCOOK AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Calvin, seconded by Councilmember Kircher, the Council voted to approve the proclamation designating April 29, 2011 as "Arbor Day" in the City of McCook and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

ITEM B APPROVE THE PROCLAMATION DESIGNATING THE WEEK OF MAY 1 - 7, 2011 AS "DRINKING WATER WEEK" AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hilker, the Council voted to approve the proclamation designating the week of May 1 - 7, 2011 as "Drinking Water Week" and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

(5) CONSENT AGENDA:

Councilmember Kircher requested that Item F be removed from the Consent Agenda and placed on the Regular Agenda.

City Manager Fritsch requested that Item D be removed from the Consent Agenda and placed on the Regular Agenda.

ITEM A APPROVE THE MINUTES OF THE APRIL 4, 2011 REGULAR CITY COUNCIL MEETING AND THE APRIL 11, 2011 SPECIAL CITY COUNCIL MEETING.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to approve the minutes of the April 4, 2011 regular City Council meeting and the April 11, 2011 special City Council meeting. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

ITEM B APPROVE THE PROJECT APPLICATION FOR FEDERAL ASSISTANCE FOR REIMBURSEMENT OF EXPENSES INCURRED DURING THE EASEMENT ACQUISITION AT MCCOOK BEN NELSON REGIONAL AIRPORT AND AUTHORIZE THE MAYOR TO SIGN.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to approve the Project Application for Federal Assistance for reimbursement of expenses incurred during the easement acquisition at McCook Ben Nelson Regional Airport and authorize the Mayor to sign. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

ITEM C RECEIVE AND FILE THE MINUTES OF THE SENIOR CENTER ADVISORY BOARD DATED MARCH 1, 2011.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to receive and file the minutes of the Senior Center Advisory Board dated March 1, 2011. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

ITEM E RECEIVE AND FILE THE FINANCIAL REPORT FOR THE QUARTER ENDING MARCH 31, 2011.

Upon a motion by Mayor Berry, seconded by Councilmember Calvin, the Council voted to receive and file the Financial Report for the quarter ending March 31, 2011. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

REGULAR AGENDA

ITEM 5D APPROVE THE APPLICATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE SUBMITTED BY THE MCCOOK AREA CHAMBER

OF COMMERCE FOR THE WAYNE BOYER TIMED EVENT SHOWDOWN TO BE HELD AT THE KIPLINGER ARENA, 1408 WEST 5TH STREET, ON MAY 20, 2011 FROM 6:00 P.M. TO 1:00 A.M.; MAY 21, 2011 FROM 1:00 P.M. TO 6:00 P.M.; AND MAY 22, 2011 FROM 1:00 P.M. TO 4:00 P.M.

City Manager Fritsch informed the Council that he had received notification from the Chamber that they will not be needing the May 22 date and that they will be using the Sheriff's Posse for patrolling of the event.

Councilmember Kircher introduced a motion to approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for the Wayne Boyer Timed Event Showdown to be held at the Kiplinger Arena, 1408 West 5th Street, on May 20, 2011 from 6:00 P.M. to 1:00 A.M.; May 21, 2011 from 1:00 P.M. to 6:00 P.M.; and May 22, 2011 from 1:00 P.M. to 4:00 P.M. Mayor Berry seconded the motion.

Upon a motion by Councilmember Kircher, seconded by Councilmember Hilker, the Council voted to amend the motion by deleting May 22, 2011 and its times. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. 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, Gonzales, Kircher, Calvin, Hilker. NAY: None. Motion carried.

ITEM 5F APPROVE THE RECOMMENDATION OF THE CITY OF MCCOOK TREE ADVISORY BOARD TO INCREASE THE MAXIMUM AMOUNTS FOR THE TREE REBATE PROGRAM FROM \$50.00 TO \$75.00 FOR SHADE AND ORNAMENTAL TREES AND FROM \$75.00 TO \$100.00 FOR THE FOCUS TREE.

Upon a motion by Councilmember Kircher, seconded by Councilmember Gonzales, the Council voted to approve the recommendation of the City of McCook Tree Advisory Board to increase the maximum amounts for the Tree Rebate Program from \$50.00 to \$75.00 for shade and ornamental trees and from \$75.00 to \$100.00 for the focus tree. The motion passed upon the following roll call vote: YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

It was the consensus of the Council to have the Tree Advisory Board consider allowing the planting of the trees in the backyard too during the next rebate session.

(6) INTRODUCE AND APPROVE UPON ITS FIRST READING ORDINANCE NO. 2011-2855 PROVIDING FOR THE REVISION OF THE CODE OF ORDINANCES OF THE CITY OF MCCOOK, NEBRASKA, TO REPEAL PRIOR ORDINANCES, TO REQUIRE FILING, AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilmember Kircher introduced Ordinance No. 2011-2855 entitled:

AN ORDINANCE TO REVISE ALL CODE OF ORDINANCES OF THE CITY OF MCCOOK, NEBRASKA, TO REPEAL PRIOR ORDINANCES, TO REQUIRE FILING, AND TO PROVIDE AN EFFECTIVE DATE.

The motion was made by Councilmember Kircher, seconded by Councilmember Calvin, that the number and title of said Ordinance be approved. Upon roll call vote the following Councilmembers

voted YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None.

Ordinance No. 2011-2855 was read by title only. Motion was made by Councilmember Kircher, seconded by Councilmember Calvin, to approve Ordinance No. 2011-2855 on its first reading. Upon roll call vote the following Councilmembers voted YEA: Berry, Gonzales, Kircher, Calvin, Hilker. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2011-2855 approved on its first reading.

(7) MUNICIPAL FACILITIES UPDATE.

City Manager Fritsch informed the Council that our architects, Prochaska and Associates, have been working to complete the contract document with Sampson Construction for Construction Manager for the new facilities. Plans are to present the contract at the next meeting for Council approval. They have also met to begin review of the proposed plans.

(8) COUNCIL COMMENTS.

There were no Council Comments.

(10) ADJOURNMENT.

There being no further business to come before the Council, Mayor Berry declared the meeting adjourned at 7:45 P.M.

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer