

McCook City Council
June 6, 2022
5:30 P.M. Central

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Calvin, Weedon, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Library Director Crocker, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 2, 2022, 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. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

1. Announcements & Recognitions.

City Manager Schneider stated that a Planning Commission meeting is scheduled for June 13, 2022 at 5:15 P.M.

2. Public Hearings.

2.A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held May 23, 2022.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on a report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held May 23, 2022 with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Weedon, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

The City Attorney offered and received Exhibit #1 - the City Manager's Report dated June 6, 2022 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the May 23, 2022 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (10 pages); and Exhibit #4 - the minutes of the January 24, 2022 Economic Development Plan Citizen's Advisory Review Committee (3 pages) into evidence and took comment from city staff before opening to the public for comment.

Charlie McPherson, McCook Economic Development Director, and Sean Wolfe, president of the Economic Development Plan Citizen's Advisory Review Committee, reviewed the information presented in Exhibit #3 and answered questions from the Council.

With no one else present to comment, motion to adjourn the public hearing and reconvene as a City Council. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

2.B. Receive and file the minutes of the January 24, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to receive and file the minutes of the January 24, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Gonzales, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3. Consent Agenda.

Motion to approve the consent agenda. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3.A. Approve the minutes of the May 16, 2022 regular City Council meeting.

3.B. Declare the listed abandoned and unclaimed vehicles and property as surplus city property to be disposed of in the appropriate legal manner.

3.C. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for a Fair Concert to be held in the Red Willow County Outdoor Arena & Grandstands, 1412 West 5th Street, on July 22, 2022 from 9:00 A.M. to 1:00 A.M., with an alternate location of the Alice Kiplinger Building, 1412 West 5th Street.

3.D. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for Farrell's Sip 'n Shop event to be held at Farrell's Hallmark Shop, 116 West "B" Street, on July 8, 2022 from 1:00 P.M. to 8:00 P.M.

- 3.E. Approve the application for a Special Designated Liquor License submitted by HoJo's Hideaway, Liquor License #CK-069997, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on July 9, 2022 from 5:00 P.M. to 12:00 A.M.
- 3.F. Receive and file the minutes of the March 9, 2022 Library Advisory Board meeting.
- 3.G. Authorize Great Plains Communications to occupy city right-of-way for the installation of underground fiber optic cable and 8 flush to the ground vaults beginning approximately 192' west of the intersection of East 4th Street and East "D" street; then moving east along East "D" Street to the alley between East 6th Street and East 7th Street; then moving south down alley to East "C" Street; then moving east along East "C" Street to East 11th Street; then moving north on East 11th Street to an existing vault and south on East 11th Street to the alley between East "B" Street and East "C" Street; then turning east down the alley to East 13th Street to an existing vault and authorize the Mayor to sign the Application to Occupy Right-of-Way.
- 3.H. Approve and authorize the Mayor to sign the FY2022-2023 contract with West Central Nebraska Area Agency on Aging (WCNAAA) for the purpose of defining and specifying the separate and mutual responsibilities of each in the management, operation, support, monitoring and evaluation of the McCook Heritage Senior Center.

4. Regular Agenda.

- 4.A. Ratify the emergency purchase of one used Ford F-550 Commercial 4 X 4 Brush Truck for the Fire Department from Brindlee Mountain Fire Apparatus, LLC at a cost of \$57,750 due to the ongoing supply chain issues.

Motion to ratify the emergency purchase of one used Ford F-550 Commercial 4 X 4 Brush Truck for the Fire Department from Brindlee Mountain Fire Apparatus, LLC at a cost of \$57,750 due to the ongoing supply chain issues. This motion, made by Calvin and seconded by Muehlenkamp, passed. Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

- 4.B. Receive and file a report regarding the McCook Swimming Pool Committee's swimming pool recommendation.

Grant Norgaard, Pool Committee Chair, presented the recommendation from the Pool Committee. Their selection (Concept 3+) was presented to the Council. Kyle McCawley was present via zoom to answer questions from the Council and public.

Pool Committee members, Natalie Smith, Jan Smith, and Jody Crocker were also present to address any questions from the Council.

- 4.C. Select a date to hold a joint meeting of the McCook City Council and McCook Planning Commission to discuss annexation with property owners south of McCook Industrial Park,

along Ravenswood Road, and property owners adjacent to West 3rd Street, north of West 2nd Street.

It was the consensus of the Council to set June 27, 2022 at 5:30 P.M. in the McCook Municipal Center upstairs training room for a joint meeting of the City Council and Planning Commission to discuss annexation with property owners in the areas proposed to be annexed.

4.D. Deny the request from Scott Snyder to purchase property owned by the City of McCook, described as Block 2 of the Hundt Subdivision.

Motion to deny the request from Scott Snyder to purchase property owned by the City of McCook, described as Block 2 of the Hundt Subdivision. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.E. Discuss and approve the 2022-2023 budget schedule.

Motion to approve the 2022-2023 budget schedule. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.F. Receive and file an update from the City Attorney, Nathaniel J. Mustion, regarding ongoing discussions with local municipalities with respect to the establishment of a regional land bank.

City Attorney Mustion gave an update regarding the establishment of a regional land bank, noting that he had not received a commitment from North Platte and that Cambridge, Oxford and Beaver City have committed.

It was the consensus of the Council to move forward with the process of development of the land bank.

4.G. Council Comments.

There were no council comments.

4.H. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.

Motion to go into executive session for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57 at 6:59 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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 purpose of the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57. The Council will reconvene in public session following this closed session.

City Attorney Schneider, City Attorney Mustion, City Clerk Doak, and Police Chief Smith were included in the closed session.

Motion to come out of executive session at 7:51 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.I. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to litigation as evidenced by communication of notice of appeal from SBA Towers IV, LLC of the special exception granted to Parallel Infrastructure for a telecommunications tower.

I move to go into executive session for the protection of public interest for a strategy session with respect to litigation as evidenced by communication of notice of appeal from SBA Towers IV, LLC of the special exception granted to Parallel Infrastructure for a telecommunications tower at 7:51 p.m. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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 protection of public interest for a strategy session with respect to litigation as evidenced by communication of notice of appeal from SBA Towers IV, LLC of the special exception granted to Parallel Infrastructure for a telecommunications tower. The Council will reconvene in public session following this closed session.

City Attorney Schneider, City Attorney Mustion, and City Clerk Doak were included in the closed session.

Motion to come out of executive session at 7:54 p.m. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

Adjournment.

There being no further business to come before the Council, Mayor Gonzales declared the meeting

adjourned at 7:54 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer