

McCook City Council  
February 5, 2024  
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 Taylor, Councilmembers Calvin, Weedon, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Library Director Crocker, Utilities Director Fawver, Fire Chief Harpham, Police Chief Hodgson, 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 February 1, 2024, 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 Taylor 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 Kelley, Memorial Methodist Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

## **1. Announcements & Recognitions.**

City Manager Schneider informed the Council that a Planning Commission meeting is scheduled on February 12, 2024 at 5:15 P.M.; a joint meeting of the City Council and Airport Advisory Commission on February 13, 2024 at 6:00 P.M.; and the committee for the update of the Comprehensive Plan, Zoning and Subdivision ordinances will meet on February 20, 2024 at 6:00 P.M.

Public Works Director Potthoff introduced Colton Stevens as the newest Public Works Employee in the Ballpark. He started with the City in July 2023.

## **2. Public Hearings.**

- 2.A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review committee regarding meeting held January 22, 2024.

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 January 22, 2024 with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated February 5, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the January 22, 2024 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (9 pages); and Exhibit #4 - the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee (4 pages).

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 Muehlenkamp and seconded by Weedon, passed.

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

2.B. Accept the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to accept the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

### **3. Consent Agenda.**

Councilmember Calvin requested the Item J be removed from the Consent Agenda and placed on the Regular Agenda.

Councilmember Weedon requested the Item H be removed from the Consent Agenda and placed on the Regular Agenda.

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

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

3.A. Approve the minutes of the January 15, 2024 regular City Council meeting.

- 3.B. Accept the minutes of the July 18, 2023 and the October 17, 2023 Senior Center Advisory Board meeting.
- 3.C. Award bid for two (2) new current model year all-wheel drive or 4-wheel drive police interceptor/pursuit utility vehicles to Deveny Motors in the amount of \$80,828.00, that being the lowest responsive bid, for use by the Police Department.
- 3.D. Receive and file the Financial Report for the period ending December 31, 2023.
- 3.E. Approve the application for a Special Designated Liquor License submitted by Arapahoe Municipal Golf Course & County Club, Liquor License #IB-076467 for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on June 1, 2024 from 3:00 P.M. to 1:00 A.M.
- 3.F. Approve the LB840 Economic Revolving Loan Fund Program loan with HOKYL, LLC in the amount of \$100,000 with a term of 10 years and an interest rate of 4% and authorize the Mayor to sign all required documents.
- 3.G. Approve a Microenterprise Lending Program loan with Red Willow Properties, LLC in the amount of \$120,000 with a term of 10 years and an interest rate of 4% and authorize Mayor to sign all required documents.
- 3.I. Approve a Memorandum of Understanding between the City of McCook and the McCook Economic Development Corporation, Graff Charitable Foundation, McCook Community Foundation, and Community Hospital for the purpose of establishing the joint financial obligations of each entity relative to the Civic and Community Center Financing Fund grant application, said grant to be used for McCook Creative District preliminary planning purposes.
- 3.K. Award the bid for the 2024 Crack Sealing Project to Shelco Construction of Elsie, Nebraska in the amount of \$64,350.00, that being the lowest best bid.
- 3.L. Approve the selection of W Design and Associates for engineering services at McCook Regional Airport for airport improvement project engineering services for a period of five years from 2024 to 2028.

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

- 3.H. Approve an application for Lumen (Century Link) to occupy city right-of-way for the purpose of installing one new ground level vault & underground fiber optic duct and cable from the north-east corner of West 3rd and West "O" Streets to the west side of West 5th Street.

Motion to approve an application for Lumen (Century Link) to occupy city right-of-way for the purpose of installing one new ground level vault & underground fiber optic duct and cable from the

north-east corner of West 3rd and West "O" Streets to the west side of West 5th Street. This motion, made by Weedin and seconded by Calvin, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

- 3.J. Approve and enter into an Interlocal Agreement with West Central Nebraska Development District, Inc.

Motion to approve and enter into an Interlocal Agreement with West Central Nebraska Development District, Inc. This motion, made by Calvin and seconded by Taylor, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

- 4.A. Consider and approve the recommendation from the McCook Parks Advisory Board to construct a Disc Golf Course in Barnett Park.

David Brewster and Kaleb Taylor addressed the Council about the possible construction of a Disc Golf Course at Barnett Park. Their group approached city staff several months ago regarding their proposal. After addressing city concerns, they hired a designer with funding help from Community Hospital. The cost of design was \$10,000 and the estimated cost for construction is \$30,000. Their committee will fund raise the dollars to complete the project. The course will have 18 holes, be shorter and much more flat than the Kelley Park Course, but has been designed to have the potential to be challenging for even the most experienced players. Their goal is to provide a course that is more appealing to the younger players, as well as those that find the Kelley Park course a little difficult to navigate. This second course will allow for larger tournaments, with the potential to draw more participants creating a benefit to the local economy.

Jerry Ruzicka and Devin Rambali spoke in support of the project. Brian Calvin questioned what happens to any additional funds raised.

Motion to approve the recommendation from the McCook Parks Advisory Board to construct a Disc Golf Course in Barnett Park. After discussion, this motion, made by Calvin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

- 4.B. Discussion and update on the work completed to date by City staff regarding a potential UTV ordinance.

City Manager Schneider informed the Council that staff has continued to work on a potential UTV ordinance. Proposed Legislative Bill 66 will address the licensing issue and some of the city's concerns expressed during previous discussions. It was the consensus of the Council to hold off creating an ordinance until the final determination of LB66.

- 4.C. Update regarding the swimming pool project.

City Manager Schneider updated the Council on the pool project. Even with cold, muddy work conditions, work has continued to progress well and the original completion date is still possible.

#### 4.D. Council Comments.

Councilmember Weedin said the choice gas selection period for this year is April 4 - April 24, 2024. That's the period when you select your natural gas supplier, there is going to be eight suppliers this year. One of the suppliers is ACE, a nonprofit organization, which means at the end of the year, the profits go back to the communities. McCook received \$20,000 from ACE this year.

Councilmember Calvin thanked the Disc Golf group for their excellent presentation, it is great to hear from the younger generation.

#### 4.E. 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 real estate purchase for Sports Complex.

Motion to go into executive session for the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex at 6:30 P.M. This motion, made by Calvin and seconded by Taylor, passed.

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

Mayor Taylor 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 real estate purchase for a Sports Complex. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, City Clerk Doak, and Public Works Director Potthoff were included in the executive session.

Motion to come out of executive session at 7:10 P.M. This motion, made by Taylor and seconded by Calvin, passed.

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

#### 4.F. 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 potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.

Motion to go into executive session for the protection of public interest for a strategy session with respect to potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin at 7:11 P.M. This motion, made by Weedin and seconded by Rambali, passed.

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

Mayor Taylor 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 potential litigation - property located 1111 East "H" Street, Cindy and Ron Sabin. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, and City Clerk Doak were included in the executive session.

I move to come out of executive session at 7:33 P.M. This motion, made by Taylor and seconded by Muehlenkamp, passed.

Taylor: 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 Taylor declared the meeting adjourned at 7:34 P.M.

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Linda Taylor, Ex-officio Mayor  
and Council President

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer