

McCook City Council
February 19, 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:

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, 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 15, 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 Jeremy Labrie, 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.

Fire Chief Harpham introduced Colton Molcyk as the City's newest firefighter/paramedic.

City Manager Schneider announced that a Comprehensive Plan, Zoning and Subdivision Ordinances Steering Committee is scheduled for February 20, 2024 at 6:00 P.M. in the upstairs training room and a Board of Zoning Adjustment meeting is scheduled for February 21, 2024 at noon in the City Council Chambers.

2. Presentations.

2.A. Presentation of the Annual Cashflow Analysis for the Water and Wastewater Utility Funds, as prepared by PFM Financial Advisors, LLC.

Matt Stoffel, PFM Financial Advisors, LLC, was present via zoom. He reviewed the Water and Wastewater Utility Funds Cashflow Analysis with the Council. Rate increases of 8.5% for water

and 7.5% for sewer were proposed.

3. Public Hearings.

- 3.A. Public Hearing - Request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Weedon, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the February 19, 2024 City Council meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Corrected Notice of Hearing published, correcting date of City Council meeting (1 page); Exhibit #4 - Notice of Hearing mailed and posted (1 page); Exhibit #5 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #6 - Land Use Action Request Form and attachments (16 pages); Exhibit #7 - City of McCook Zoning Ordinance Article 24, Special Exceptions (1 page); Exhibit #8 - Findings and Determinations of McCook City Council (2 pages); Exhibit #9 - Variance Application for front yard setback requirement (21 pages); Exhibit #10 - Variance Application for off-street parking requirements (14 pages); Exhibit #11 - Letter dated February 8, 2024 from the High Plains Historical Society, Linda Buck, Site Manager, endorsing the request by the Community Hospital Association (1 page); and Exhibit #12 - Minutes of the February 12, 2024 Planning Commission meeting (3 pages).

City Manager Schneider reviewed the information presented in Exhibit #1 and noted that recommended approval should include that it be conditioned to the two requested variances being approved by the Board of Zoning Adjustment.

Sean Wolfe, Community Hospital CFO and Matt Clouse, W Design Associates, reviewed the request with the Council. Community Hospital was contacted by UMC and UNK regarding the need to provide housing to students that are in the community completing internships, medical residencies and other training programs. The special exception is requested to allow a non-mixed use, multi-family only building with apartments on the first and second floor of the structure without any retail space. The surrounding neighborhood is a mix of commercial, multi-family and residential. This property is on the edge of full commercial, the rectilinear design helps with the transition of uses and fits into the urban surrounds. The materials used are a modern look, and will fit into the newly

created art district, as well as create a connection between private housing and the public spaces, like Norris Alley. Two variance requests have been submitted for the project. The first for permission to use the city parking lot and on-street parking to fulfill the off-street parking requirements, since the property is in the Central Business District, which is exempt from the off-street parking requirements; and the second to allow for a front yard setback from 20'0" to 10'0". Approval has been received from the adjacent property owners.

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

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

- 3.B. Approve the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditioned on the Board of Zoning Adjustment granting the two variance requests.

Council members were asked to complete the Special Exception Consideration Form. They must feel that all considerations A - I are met before approving the motion.

Motion to approve the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditioned on the Board of Zoning Adjustment granting the two variance requests. 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. Consent Agenda.

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

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

- 4.A. Approve the minutes of the February 5, 2024 regular City Council meeting and the February 13, 2024 joint City Council and Airport Advisory Commission meeting.
- 4.B. Award the bid for the 2024 Armor Coating Project to Topkote Inc. of Yankton, South Dakota in the amount of \$5.297 per gallon, that being the lowest best bid.

- 4.C. Award the bid for McCook Business Park Phase II grading and paving project to Gerih Concrete & Construction in the amount of \$588,393.98, that being the lowest best bid.
- 4.D. Receive and file the claims for the month of January 2024, published February 13, 2024.
- 4.E. Receive and file the Financial Report for the period ending January 31, 2024.
- 4.F. Accept the minutes of the February 12, 2024 Planning Commission meeting.
- 4.G. Approve proposed lease agreement for leasing 68 acres of farmable land located in the City of McCook Well Field and set the date to open bids for March 6, 2024 at 2:00 P.M.

5. Regular Agenda.

- 5.A. Recommend to the Department of Transportation to accept the proposal from Denver Air Connection to operate 12 nonstop round trips per week from McCook Ben Nelson Regional Airport to Denver International Airport for a 2-year contract as recommended by the Airport Advisory Commission.

Motion to recommend to the Department of Transportation to accept the proposal from Denver Air Connection to operate 12 nonstop round trips per week from McCook Ben Nelson Regional Airport to Denver International Airport for a 4-year contract as recommended by the Airport Advisory Commission. This motion, made by Taylor and seconded by Weedin, passed.

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

- 5.B. Council Comments.

Mayor Taylor read a note from Sehnert's thanking the City for changing the process for approval of Special Designated Liquor Licenses. It has helped streamline the process for them, making it less stressful.

- 5.C. 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 6:50 P.M. This motion, made by Calvin and seconded by Weedin, 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 closed session.

Motion to come out of executive session at 7:30 P.M. This motion, made by Calvin and seconded by Taylor, passed.

Taylor: YEA, Calvin: YEA, Weedon: 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 7:31 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer