

## **MCCOOK CITY COUNCIL**

### **REGULAR MEETING**

**Monday, April 15, 2024**  
**5:30 PM - City Council Chambers**

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Jeff Kelley, Memorial Methodist Church.

Pledge of Allegiance.

Call to Order.

**1. Announcements & Recognitions.**

**2. Presentation.**

- A. McCook Lodge #135/McCook Masonic Bodies presentation regarding the upcoming McCook Aquatic Park cornerstone ceremony scheduled for May 18, 2024 at 1:00 P.M.

**3. Public Hearings.**

- A. Public Hearing - Request for a special exception by Brian and Jessica Luke to locate a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at #1 Club House Drive; Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska.

- 1. Adjourn the Public Hearing.

- B. Approve the application for a special exception by Brian and Jessica Luke to allow a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM), said property located at #1 Club House Drive; legally described as Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska, finding Special Exception considerations A-I are satisfied.

- C. Public Hearing - Regarding the Redevelopment Plan for the R Perry Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.

- 1. Adjourn the Public Hearing.

- D. Meeting of the Community Development Agency - recess as City Council and convene meeting.

- 1. Call to Order and Roll Call.
  - 2. Open Meetings Act Announcement.
  - 3. Adopt Resolution No. CDA 2024-01 recommending approval of a Redevelopment Plan for the R Perry Redevelopment Project in the City of McCook, Nebraska, to the McCook City Council.
  - 4. Recess as a Community Development Agency.

- E. Adopt Resolution No. 2024-06 approving the R Perry Redevelopment Project Redevelopment Plan for the City of McCook, Nebraska.
  - 1. Recess as a City Council.
- F. Adopt Resolution No. CDA 2024-02 authorizing and approving a Redevelopment Agreement for the R Perry Redevelopment Project, including the use of TIF for the Redevelopment Project.
  - 1. Adjourn the McCook Community Development Agency.
- G. Approve Resolution No. 2024-07 approving the Redevelopment Agreement between the City of McCook/CDA and R Perry Construction.

**4. Proclamations.**

- A. Approve the proclamation designating April 26, 2024 as "Arbor Day" in the City of McCook and authorize the Mayor to sign.
- B. Approve the proclamation designating the week of April 21 - 27, 2024 as "Public Transit Week" in the City of McCook and authorize the Mayor to sign.

**5. Consent Agenda.**

*\*The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Council member or public in attendance, be considered as a separate item under the Regular Agenda.*

- A. Approve the minutes of the April 1, 2024 regular City Council meeting.
- B. Accept the minutes of the April 8, 2024 Planning Commission meeting.
- C. Receive and file the Financial Report for the period ending March 31, 2024.
- D. Receive and file the claims for the month of March 2024, published April 12, 2024.
- E. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit, cable and new ground level vaults at North Pointe subdivision.
- F. Approve an application from Pinpoint Communications, Inc. of Cambridge, Nebraska, to occupy city right-of-way for the purpose of installing underground conduit, vaults, and pedestals for fiber optic cable at North Pointe subdivision.
- G. Approve an application from Nebraska Public Power District to occupy city right-of-way for the purpose of installing underground electrical cable and conduit at North Pointe subdivision.

H. Approve an application from Century Link to occupy city right-of-way for the purpose of installing an underground fiber optic cable and two ground level vaults, service for 201 West 4th Street.

I. Adopt Resolution No. 2024-08 granting a Waiver of Payment in Lieu of Taxes to the McCook Housing Agency.

**6. Regular Agenda.**

A. Ordinance No. 2024-3079 amending the City of McCook's Code of Ordinances by removing Chapter 93 and amending Sections 95.01, 95.02, 95.03, and 95.04 in Title IX: General Regulations.

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.
3. Final passage of Ordinance No. 2024-3079.
4. Chairperson declaration after vote and passage, if approved under suspension of the rule.

B. Approve and enter into a Nuisance Abatement Agreement with West Central Nebraska Development District, Inc. (WCNDD).

C. Adopt Resolution No. 2024-09 approving the appointment of West Central Nebraska Development District, Inc. (WCNDD) to act as Nuisance Officer for the City of McCook.

D. Authorize City Staff to proceed with filing a Complaint to Foreclose the special assessment on Original Town Addition, Block 10, Lot 4 (commonly referred to as 406 E 1st Street).

E. Ordinance No. 2024-3076 providing for the amendment of Chapter 38: Appendix E, Water Department Rates and Fees.

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2024-3076 upon its third and final reading.
3. Chairperson declaration after vote and passage.

F. Ordinance No. 2024-3077 providing for the amendment of Chapter 38: Appendix D, Sewer Department Rates and Fees.

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2024-3077 upon its third and final reading.
3. Chairperson declaration after vote and passage.

G. Council Comments.

- 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 real estate purchase for Sports Complex.
  - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
  - 2. Close Executive Session.
- 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 potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.
  - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
  - 2. Close Executive Session.
- J. Authorize City Staff to proceed with necessary actions to abate nuisance at 1111 West "H" Street, McCook, Nebraska.

**Adjournment.**