

McCook City Council
May 6, 2024
5:30 PM 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, Weedin, Muehlenkamp, Rambali.

Absent: Councilmember Weedin.

I move to excuse the absence of Councilmember Weedin. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

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 Public Works Assistant Debbie Thorpe.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 3, 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.

City Manager Schneider announced that a Parks Advisory Board meeting was scheduled for tomorrow, May 7, at noon.

2. Presentations.

- 2.A. Presentation from Sarah Schneider, Director of the McCook Area Chamber of Commerce, regarding the Chamber's upcoming events and the impact of the City of McCook's ACE contributions toward marketing McCook's community events.

Sarah Schneider, Director of the McCook Area Chamber of Commerce, gave an update on future events - Crazy Days, Bash on the Hills, Family Fun on the Bricks, Heritage Days, and Noel on Norris, planned by the Chamber.

3. Proclamations.

- 3.A. Approve a proclamation designating May 12 to May 18, 2024 as "National Skilled Nursing Care Week" and authorize the Mayor to sign.

Motion to approve a proclamation designating May 12 to May 18, 2024 as "National skilled Nursing Care Week" and authorize the Mayor to sign. This motion, made by Calvin and seconded by Rambali, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

- 3.B. Approve a proclamation designating May 5 through May 11, 2024 as "Professional Municipal Clerks Week" and authorize the Mayor to sign.

Motion to approve a proclamation designating May 5 through May 11, 2024 as "Professional Municipal Clerks Week" and authorize the Mayor to sign. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

4. Public Hearings.

- 4.A. Conduct a public hearing on the application of Taste of Texas BBQ, Inc.; dba "Taste of Texas BBQ", for Class "I" License #125223 - (Beer, Wine, Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 112 West 11th Street, McCook, Nebraska; replacing existing License #54088.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Taste of Texas BBQ, Inc.; dba "Taste of Texas BBQ", for Class "I" License #125223 - (Beer, Wine, Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 112 West 11th Street, McCook, Nebraska; replacing existing License #54088, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated May 6, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Notice of Receipt from NLCC - Kim Frederick indicating the form was received on April 5, 2024 (1 page); Exhibit #4 - Redacted application and all attachments (58 pages); Exhibit #5 - Police Department Report (6 pages); and Exhibit #6 - Recommendation to the Nebraska Liquor Control

Commission (1 page).

The applicant, Brian Williams, was present to address questions from the Council.

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

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

- 4.B. Recommend approval to the Nebraska Liquor Control Commission the application of Taste of Texas BBQ, Inc.; dba "Taste of Texas BBQ", for Class "I" License #125223 - (Beer, Wine, Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 112 West 11th Street, McCook, Nebraska; replacing existing License #54088.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Taste of Texas BBQ, Inc.; dba "Taste of Texas BBQ", for Class "I" License #125223 - (Beer, Wine, Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 112 West 11th Street, McCook, Nebraska; replacing existing License #54088. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

- 4.C. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held April 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 April 22, 2024 with the City Attorney to act as hearing officer. This motion, made by Muehlenkamp and seconded by Taylor, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated May 6, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the April 22, 2024 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (10 pages); and Exhibit #4 - the minutes of the January 22, 2024 Economic Development Plan Citizen's Advisory Review Committee (3 pages).

Charlie McPherson, McCook Economic Development Director, 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 Taylor, passed.

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

YEA: 4, NAY: 0, ABSENT: 1

- 4.D. Accept the minutes of the January 22, 2024 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to accept the minutes of the January 22, 2024 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Rambali, passed.

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

YEA: 4, NAY: 0, ABSENT: 1

5. Consent Agenda.

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

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

YEA: 4, NAY: 0, ABSENT: 1

- 5.A. Approve the minutes of the April 15, 2024 regular City Council meeting.
- 5.B. Approve the request from the McCook Arts Council/Creative District to close Norris Avenue from the north side of "D" Street to the South Side of "E" Street on May 16, June 20, July 18, August 15, September 19, and October 17 from 4:00 P.M. to 10:00 P.M. for their Third Thursday Events.
- 5.C. Approve the request from Tricia Wagner to close the following streets for the 8th Annual Cruisin' the Bricks Cruise Night and Car Show on Saturday, June 22 from 7:30 A.M. to 7:30 P.M - West 2nd Street from "B" Street to halfway between West "C" Street and West "D" Street (including the intersection at West 2nd and "C" Street) and West "C" Street from West 1st Street to West 3rd Street(including alleys and the intersection of West 2nd Street and West "C" Street; and on Saturday, June 22 from 7:00 P.M. TO 8:30 P.M. - West "C" Street from Norris Avenue to West 1st Street (including the alley), East "C" Street from Norris Avenue to East 1st Street (including the alley), and turning off the traffic signal at the intersection of Norris Avenue and "C" Street.
- 5.D. Accept the minutes of the January 16, 2024 Senior Center Advisory Board meeting.
- 5.E. Ratify the Mayor's appointments to the Airport Advisory Commission - appointing Katrina Frey to fill the remaining term of Griff Malleck - term expires November 2026.
- 5.F. Approve Change Order No. 1 in the amount of (\$697.25) for the Business Park Phase II Water & Sewer Project and authorize the Mayor to sign.
- 5.G. Approve compensation amount paid to the paid-on-call members of the City of McCook Fire Department to \$20.00 per call and \$20.00 per training session attended.

6. Regular Agenda.

- 6.A. Presentation from Debbie Thorpe regarding the City of McCook's recent nuisance abatement efforts.

Debbie Thorpe, Public Works Assistant, gave a presentation highlight a few of the PRT's efforts over the past five years.

- 6.B. Council Comments.

There were no council comments.

- 6.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 6:28 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

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.

Included in the executive session were City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, City Clerk Doak, Public Works Director Potthoff, MEDC Executive Director Charlie McPherson.

I move to come out of executive session at 7:01 P.M. This motion, made by Calvin and seconded by Taylor, passed.

Rambali: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Muehlenkamp: YEA
YEA: 3, NAY: 0, ABSENT: 2

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 7:02 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer