

McCook City Council  
July 1, 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, Weedin, Muehlenkamp, Rambali.

Absent: None.

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 June 27, 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 announced that the City Offices would be closed on Thursday, for the Fourth of July holiday.

## **2. Consent Agenda.**

Councilmember Weedin requested that Item 2.C. be removed from the Consent Agenda and placed on the Regular Agenda.

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

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

2.A. Approve the minutes of the June 17, 2024 regular City Council meeting.

- 2.B. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show, including the bandshell and electricity, on September 21, 2024; for the closing of the north bound lane of Norris Avenue from "G" Street to "H" Street and the 100 block of East "G" Street beginning at 1:00 p.m. on Friday, September 20, 2024 until Saturday, September 21, 2024 at 8:00 p.m., the 700 and 800 blocks of East 1st, the 100 and 200 blocks of East "H" Street from 5:00 A.M. to 8:00 P.M. on September 21, 2024, the 100 block of West "G" Street from 5:00 a.m. on Saturday, September 21, 2024 until after the parade; to close Norris Avenue from East "D" Street to East "E" Street on September 21, 2024 between 3:00 p.m. and 10:00 p.m. for October festivities; to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 21, 2024; and to allow the use of the McCook City Library parking lot for additional parking.
- 2.D. Approve the request from the McCook Chamber of Commerce to close Norris Avenue from the north side of "C" Street through "D" Street and West "C" Street from the west side of Norris Avenue to the east side of West 1st Street on July 18 from 4:00 P.M. to 10:00 P.M. for their Third Thursday Family Fun on the Bricks Event.
- 2.E. Receive and file Topics for Consideration received through June 20, 2024.

### **3. Regular Agenda.**

- 2.C. Award the base bid and alternates #1 and #2 to Shelco Construction of Elsie, Nebraska in the amount of \$980,698.46, that being the lowest best bid.

Motion to approve the award of the base bid and alternates #1 and #2 for the 2024 Asphalt paving Projects to Shelco Construction of Elsie, Nebraska in the amount of \$980,698.46, that being the lowest best bid. This motion, made by Weedin and seconded by Taylor, passed.  
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

Councilmember Weedin asked for clarification of the streets that were included in the base bid. Engineer Wolford clarified that the streets were West "C", West "D", and West 8<sup>th</sup> - not West 9<sup>th</sup> as stated in the City Manager's Report prepared for the July 1, 2024 Council meeting.

- 3.A. Presentation by Grant Flamig from the Nebraska Public Power District.

With Mr. Flamig not present, consideration of Item 3.A. was not held.

- 3.B. Approve an increase of the City of McCook's lease payment from NPPD by .5%, increasing the percentage amount from 12.5% to 13%, starting October 1, 2024.

Motion to approve an increase of the City of McCook's lease payment from NPPD by .5%, increasing the percentage amount from 12.5% to 13%, starting October 1, 2024. This motion, made by Calvin and seconded by Weedin, passed.

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

3.C. Ordinance No. 2024-3080 amending the City of McCook's Code of Ordinances by adding Chapter 75, Sections 75.01 through and including Section 75.99, under title VII Traffic Code.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3080 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CITY OF MCCOOK CODE OF ORDINANCES; AMENDING TITLE VII: TRAFFIC CODE, ADDING CHAPTER 75: UTILITY-TYPE VEHICLES; PROHIBITING THE OPERATION OF ALL-TERRAIN VEHICLES AND ALLOW THE OPERATION OF UTILITY-TYPE VEHICLES ON CITY STREETS AND SETTING FORTH THE PROVISIONS UNDER WHICH UTILITY-TYPE VEHICLES MAY BE OPERATED; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE..

3.C.2. Consider approval of Ordinance No. 2024-3080 upon its second of three readings.

Ordinance No. 2024-3080 has been read by title and I move to approve upon its second of three readings. This motion, made by Rambali and seconded by Muehlenkamp.

Discussion was held regarding the need for child restraints as required in other motor vehicles, is use allowed during parades; maybe operated by city personnel during the course of their normal duties, educational personnel, and public power utilities – who are public power utilities; possibility of contract with Jim Lewis to inspect the vehicles; what is considered a conspicuous place for display of the registration decal; may the fines be waived; and requested staff to review safety requirements.

Mayor Taylor called the question for the motion on the floor, passed.

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

3.D. Presentation by Randall Goltl of Topic for Consideration for City Council Agenda regarding a request to include golf cart or golf car vehicles in proposed Ordinance No. 2024-3080.

Mr. Goltl requested that the Council consider the inclusion of golf carts or golf car vehicles as eligible vehicles to be driven in the City of McCook.

Garret Wagner spoke in support of Mr. Goltl's request.

It was the consensus of the Council to have this item on a future agenda for discussion.

3.E. Update regarding the swimming pool project and ballpark project.

City Manager Schneider announced that the swimming pool will open on July 17<sup>th</sup>. The possibility of extending the season, will depend on the number of lifeguards available when college and school

activities start. There is a need for additional guards and pool operators.

The contract has been signed for purchase of the property for the proposed sports complex, with an expected closing date of August 1<sup>st</sup>. A committee is being formed to help make the decisions regarding the design of the Sports Complex.

3.F. Presentation by Ryan Patrick of Sportsman Solutions.

Mike Roth, who originates from McCook and works for High Level Promotions (HLP) made a presentation to the Council. HLP specializes in securing naming rights and corporate sponsorships for facilities such as the proposed sports complex and the McCook Aquatic Park. They are compensated when they successfully acquire sponsorships. They leverage their industry relationships to assist in various aspects, from infrastructure to concessions. Their goal is to bring in big-name and local sponsors to support operational maintenance and construction projects.

Present via zoom were Ryan Patrick and Kevin Birkla.

3.G. Ordinance No. 2024-3081 amending Section 95.35 Weeds, Litter, Stagnant Water; adding additional provisions which include all specific nuisances listed in Section 95.02 of the McCook Code of Ordinances.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3081 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 95, ENTITLED "NUISANCE; HEALTH AND SANITATION", SECTION 95.35(G) - WEEDS, LITTER, STAGNANT WATER, ADDING SUBSECTION (F) LISTING SPECIFIC NUISANCES; TO PROVIDE THAT THIS ORDINANCE SHALL BE MADE A PART OF THE CITY OF MCCOOK CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

Ordinance No. 2024-3081 has been read by title and I move to approve upon its second of three readings. This motion, made by Calvin and seconded by Weedin, passed.

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

3.H. Council Comments.

There were no council comments.

**Adjournment.**

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 6:40 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