

McCook City Council
October 21, 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, 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 October 17, 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 Donelan, McCook Evangelical Free 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 special meeting has been scheduled for the coming Friday, October 25, 2024, at 8:00 A.M. for consideration of the RFQ for the design, preparation of construction documents, bid, and to oversee the construction of the McCook Sports Complex.

Mayor Taylor honored two individuals for their dedicated service to the City of McCook. Dick Trail, who served on the airport Advisory Board from August 2013 to September 2024 and Dale Dueland, who served on the Planning Commission from October 1997 to October 2024.

2. Public Hearings.

- 2.A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., 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 voluntary annexation of a tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Weedin, passed.

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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 21, 2024 City Council meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Legal Description of the proposed annexation area (1 page); Exhibit #4- minutes of the October 14, 2024 Planning Commission meeting (3 pages); Exhibit #5- McCook Planning Commission Resolution No. PC 2024-03 (2 pages); and Exhibit #6 - Proposed Ordinance No. 2024-3093 (2 pages).

City Manager Schneider reviewed the information presented in Exhibit #1.

With no one 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

2.B. Ordinance No. 2024-3093 approving the voluntary annexation of a tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3093 by title.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MCCOOK, COUNTY OF RED WILLOW, STATE OF NEBRASKA, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF MCCOOK, NEBRASKA; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2024-3093 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council. This motion, made by Muehlenkamp and seconded by Weedin, passed.

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

Motion for final passage of Ordinance No. 2024-3093. This motion, made by Muehlenkamp 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 Ordinance No. 2024-3093 is declared lawfully passed and adopted upon publication as required by law.

- 2.C. Public Hearing - Regarding the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., 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 adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., 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 October 21, 2024 City Council meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Planning Commission Resolution No. PC2024-03 (1 page); Exhibit #4 - proposed Redevelopment Plan (69 pages); Exhibit #5 - minutes of the October 14, 2024 Planning Commission meeting (3 pages); and Exhibit #6 - proposed Resolution No. 2024-28 (1 page).

City Manager Schneider reviewed the information presented in Exhibit #1.

Craig Bennett and Jason Combs, of Miller & Associates, reviewed the proposed Redevelopment Plan for the Walters Multi-Use Redevelopment Project and answered questions from the Council and public.

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

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

YEA: 5, NAY: 0

- 2.D. Approve Resolution No. 2024-28, approving a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Resolution No. 2024-28, recommending the adoption approving a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made

by Muehlenkamp and seconded by Weedin, passed.

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

YEA: 5, NAY: 0

3. Consent Agenda.

Motion to approve the consent agenda. 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.A. Approve the minutes of the October 7, 2024 regular City Council meeting.
- 3.B. Approve an Interlocal Cooperation Agreement between the City of McCook and Red Willow County Sheriff's office and authorize the Mayor to sign.
- 3.C. Approve the McCook Area Chamber of Commerce request to use City facilities for a Christmas Celebration on Saturday, December 7, 2024 including the use of McCook Ben Nelson Regional Airport for the flying in of Santa Claus at 1:00 P.M.; the use of Norris Park (including electricity) beginning at 3:00 P.M. which will include entertainment in the bandshell; the lighting of the park; conducting the Annual Christmas "Light up the Bricks" Parade beginning at 6:00 P.M., including participation by the Fire and Police departments and the closing of East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street for carriage rides; to utilize Norris Avenue sidewalks and streets on December 15th for a small train ride after the showing of the Polar Express movie at the Fox Theatre.
- 3.D. Forward to the City's insurance carrier for review and appropriate action a property damage claim from Judy Workman.
- 3.E. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable at East 1st and East "M" Streets.
- 3.F. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable and one new ground level vault; cable will provide services for new duplexes on Seminole Drive and Cheyenne Road.
- 3.G. Authorize City of McCook staff to submit a Municipal Infrastructure Aid Program Grant.
- 3.H. Ratify the Mayor's appointment to the Housing Agency Board, reappointing Terry Peterson, term expires November 2029.

- 3.I. Receive and file the claims for the month of September 2024, published October 15, 2024.
- 3.J. Accept the minutes of the October 14, 2024 Planning Commission meeting.
- 3.K. Authorize city staff to submit a Nuisance Abatement Program Application to West Central Nebraska Development District, Inc.

4. Regular Agenda.

- 4.A. Recognize a McCook Community Foundation Fund grant in the amount of \$29,289.22 that was awarded to the City for the purpose of making the McCook Aquatic Park admission free to the public during its opening summer.

The City Council recognized and thanked the McCook Community Foundation Fund (MCFF) for their generous grant of \$29,289 that made admission to the McCook Aquatic Park free for the public during its first summer of operation. Members present from the MCFF Fund Advisory Committee were Cindy Huff, Sean Wolfe, and Dale Dueland.

- 4.B. Update regarding the sports complex project.

City Manager Schneider gave an update of the sports complex project. The Sports Complex Committee held their first meeting and began discussion of items desired for the complex to be included in the RFQ for design of the McCook Sports complex. As noted during the presentation from Miller & Associates, the committee has a very progressive schedule for selection of the firm for the design of the complex. In order to use ARPA funds for the design, City Staff hopes to approve the firm at the December 2 meeting and have contract approval at the December 16 meeting.

- 4.C. Discussion regarding the property located at 1107 West 4th Street.

Discussion was held regarding the property located at 1107 West 4th Street. The property was damaged in a 2019 fire and due to nuisance and safety concerns was removed at the City's expense. The Council agreed the best option would be to have a buyer who wants to build a residential home. No final decision was made regarding the sale of the property.

- 4.D. Council Comments.

Councilmember Weedin noted how awesome the recently laid sod looks at the new Aquatics Park. The sod was laid with the assistance of the McCook High School football team.

- 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 pending 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 6:50 P.M. This motion, made by Taylor and seconded by Calvin, passed.
Taylor: YEA, Calvin: YEA, Weedon: 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.

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

Motion to come out of executive session at 7:00 P.M. This motion, made by Calvin and seconded by Rambali, 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 7:01 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer