

McCook City Council  
November 18, 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, Weedon, Rambali.

Absent: Councilmember Muehlenkamp.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Utilities Director Fawver, Police Chief Hodgson, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on November 14, 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 Jamie Mockry. 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 meeting of the Sports Complex Committee is scheduled for this Thursday, November 21, 2024 at 9:30 A.M. Interviews will be conducted with firms for design of the sports complex.

## **2. Consent Agenda.**

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

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

2.A. Approve the minutes of the November 4, 2024 regular City Council meeting.

- 2.B. Approve the use of \$50,000 of LB 840 Motor Vehicle funds to assist with the construction of West 14th Street.
- 2.C. Approve the payment of \$10,000 to Mike and Sally Daffer in return for a drainage easement on property located at 1510 West 14th Street.
- 2.D. Receive and file the Financial Report for the period ending September 30, 2024.
- 2.E. Approve and authorize the Mayor to sign a consent to effectuate the First Amendment to the Water Tower Lease Agreement between the City of McCook and Alltel Communications of Nebraska, LLC d/b/a Verizon Wireless for the addition and modification of existing equipment.
- 2.F. Approve Change Order No. 2, for the amount of (\$2,516.66), to the contract with Gerih Concrete Construction for the Business Park Phase II Grading & Paving Project and authorize the Mayor to sign.
- 2.G. Receive and file the claims for the month of October 2024, published November 12, 2024.
- 2.H. Accept the Letter of Conditions with the United States Department of Agriculture (USDA) for the FY24 Wastewater Treatment Plant Improvement Project.

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

- 3.A. Update regarding the sports complex project.

City Manager stated that the Sports Complex Committee will conduct interviews with six firms for the design of the sports complex. All six interviews will be conducted this coming Thursday, November 21, 2024 at 9:30 A.M. in the McCook Municipal Center Upstairs Training Room. The committee will recommend preferred firm to the council, with hopes of finalizing a contract by the December 16 council meeting. Remaining ARPA will be used for payment of the contract.

- 3.B. Ordinance No. 2024-3094 amending the City of McCook Code of Ordinances by revising Section 90.33 -Dangerous Dogs and/or Hybrid Animals Prohibited; Terms, Defined; Section 90.36 - Dangerous Dogs and/or Hybrid Animals; Confiscation, When; Costs; and Section 90.45 - Impoundment of Animals Without Immunization Tags; Disposition of Impounded Animals.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3094 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 90, ENTITLED "ANIMALS"; SECTION 90.33 - DANGEROUS DOGS AND/OR HYBRID ANIMALS PROHIBITED; SECTION 90.36 - DANGEROUS DOGS AND/OR HYBRID ANIMALS; CONFISCATION, WHEN; COSTS; AND SECTION 90.45 - IMPOUNDMENT OF ANIMALS WITHOUT IMMUNIZATION TAGS;

DISPOSITION OF IMPOUNDED ANIMALS; 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. 2024-3094 has been introduced, read by title, and I move to approve upon its first of three readings. This motion, made by Calvin and seconded by Rambali

City Manager Schneider, City Attorney Mustion, and Police Chief Hodgson reviewed the proposed ordinance with the Council. Discussions between the McCook Humane Society, City Attorney, and city staff have been held regarding needed changes to Chapter 90 -Animals of the McCook Code of Ordinances. First, amending the dangerous dog criteria to include animals that require veterinary care, not just domestic animals that have been killed without provocation. Second, amending the confiscation of dangerous dog section to include a provision that authorizes the City to euthanize a dangerous dog when it is too dangerous to handle and board. Third, regarding the City's need to euthanize and test a dog for rabies when it is not wearing an immunization tag and we are unable to ascertain whether the dog has received it's immunization shot.

After discussion, the motion on the floor, passed.

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

### 3.C. Council Comments.

Councilmember Rambali noted that the decorations downtown, in Norris Park and on the Norris islands look fantastic.

### 4. Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 5:50 P.M.

## 5. **Meeting of the McCook Community Development Agency.**

### 5.A. Call to Order and Roll Call.

A meeting of the Mayor and City Council of the City of McCook, Nebraska, acting as the governing body of the Community Development Agency of the City of McCook, Nebraska was convened in open and public session at 5:51 o'clock p.m. on November 18, 2024, at the McCook Municipal Center in McCook, Nebraska. Agency Members present were: Taylor, Calvin, Weedin, Rambali. Absent: Muehlenkamp. Notice of the meeting was given in advance thereof by publication, one of the City's designated methods for giving notice, a copy of the proof of publication being attached to these minutes. Advanced notice of the meeting was given to each member of the Agency and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and all

members of the Council. Mayor Taylor presided and Clerk Doak recorded the proceedings. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

5.B. Open Meetings Act Announcement.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

5.C. Accept a Promissory Note from the McCook Economic Development Corporation.

Motion to accept a Promissory Note from the McCook Economic Development Corporation. This motion, made by Calvin and seconded by Rambali, passed.

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

5.D. Adjourn the McCook Community Development Agency meeting.

With no further business, Mayor Taylor declared the Community Development Agency meeting adjourned at 5:55 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