

McCook City Council  
January 6, 2025  
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 January 2, 2025, 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.**

Police Chief Hodgson introduced new police officer Lane Kuper, who comes to the city from the sheriff's office and has over two years of experience.

Fire Chief Harpham recognized Linda Koetter and Sharon Rogers, Horizon Bank representatives, who presented the Fire Department with a generous \$10,000 donation to be utilized for firefighter training purposes.

City Manager Schneider informed the Council that a meeting of the Sports Complex Committee is scheduled for tomorrow at 5:30 P.M. in the upstairs training room, staff will be meeting with Miller & Associates this coming Thursday for further review of the comprehensive plan and zoning ordinances before taking them back to the committee; and that the Library is without heat due to HVAC pump issues and will be closed until necessary repairs have been made.

## **2. Public Hearings.**

2.A. Conduct a public hearing on the application of Eagles Fraternal Order 2769; dba "Fraternal Order of Eagles #2769", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 805 East "B" Street, McCook, Nebraska; replacing existing License #I-003700.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Eagles Fraternal Order 2769; dba "Fraternal Order of Eagles #2769", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 805 East "B" Street, McCook, Nebraska; replacing existing License #I-003700, with the City Attorney to act as hearing officer. This motion, made by Muehlenkamp and seconded by Taylor, passed.

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

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated January 6, 2025 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Redacted application and all attachments (14 pages); and Exhibit #4 - Police Department Report (6 pages). All exhibits were accepted into evidence, comments were taken from staff and the applicant before opening to public for comments.

No additional comments were presented by the City.

Gary Lofton, operator for the Eagles Club was present to address questions from the Council. They currently hold a Class I licenses which is on sale only. They are applying for a Class "C" license which allows for on and off sale.

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

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

2.B. Recommend approval to the Nebraska Liquor Control Commission the application of Eagles Fraternal Order 2769; dba "Fraternal Order of Eagles #2769", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 805 East "B" Street, McCook, Nebraska; replacing existing License #I-003700.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Eagles Fraternal Order 2769; dba "Fraternal Order of Eagles #2769", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 805 East "B" Street, McCook, Nebraska; replacing existing License #I-003700. This motion, made by Weedin and seconded by Calvin, 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 Weedin and seconded by Rambali, passed.

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

- 3.A. Approve the minutes of the December 16, 2024 regular City Council meeting and the December 23, 2024 special City Council meeting.
- 3.B. Adopt Resolution No. 2025-01 authorizing the City of McCook to join with Nebraska Public Power District (NPPD) as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area.
- 3.C. Reject the lease between the City of McCook and Cleo Spencer d/b/a Red Willow Aviation.
- 3.D. Approve an easement from the City of McCook in favor of Charlie and Trina McPherson, allowing for the McPherson's to maintain an access easement for property owned by the City and identified as Parcel ID #000953100.

### **4. Regular Agenda.**

- 4.A. Discuss a potential McCook Economic Development Corporation (MEDC) workforce housing development project on property owned by the City of McCook, said parcel identified as Parcel ID #000894200, at the intersection of East "C" Street and East 11th Street.

Amanda Engell, Housing Director for the MEDC, was present to address any questions from the Council. She presented this request at the December 16 Council meeting.

City Manager Schneider presented a memo from City Attorney Mustion that effectively outlines where the city stands concerning statutory and ordinance requirements and has offered some options on how the city can move forward with this request. Mr. Mustion's memo includes a proposed ordinance if the Council approves moving forward with the request.

It was the consensus of the Council to move forward as outlined in City Attorney Mustion's memo.

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

City Manager Schneider gave an update regarding the sports complex project.

- 4.C. Ordinance No. 2024-3092 amending the City of McCook Code of Ordinances Chapter 52, entitled "Water" in Title V "Departments", repealing Section 52.28 - Unsafe Connection; Backflow Hazard and adding Subchapter "Cross Connection Control"; Chapter 50, entitled "Municipal Utilities" in Title V "Departments", Section 50.01 Delinquent Bill charges; and

Chapter 38, entitled "Fee Schedule" in Title III "Administration", Appendix C: Delinquent Bill Charges

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3092 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 52, ENTITLED "WATER" IN TITLE V "DEPARTMENTS", BY REPEALING SECTION 52.28 - UNSAFE CONNECTION; BACKFLOW HAZARD AND ADDING SUBCHAPTER "CROSS CONNECTION CONTROL"; CHAPTER 50, ENTITLED "MUNICIPAL UTILITIES" IN TITLE V "DEPARTMENTS", SECTION 50.01 DELINQUENT BILL CHARGES; CHAPTER 38, ENTITLED "FEE SCHEDULE" IN TITLE III "ADMINISTRATION", APPENDIX C: DELINQUENT BILL CHARGES; 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. 2024-3092 has been introduced, read by title, and I move to approve upon its second of three readings. This motion, made by Rambali and seconded by Muehlenkamp, passed.

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

4.D. Council Comments.

There were no council comments.

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 5:56 P.M. This motion, made by Calvin and seconded by Taylor, passed.

Taylor: YEA, Calvin: YEA, Weedin: 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 executives session were City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, and City Clerk Doak.

Motion to come out of executive session at 6:07 P.M. This motion, made by Calvin and seconded

by Weedin, passed.

Taylor: YEA, Calvin: YEA, Weedin: 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 6:08 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