

McCook City Council
January 20, 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, Weedon, Muehlenkamp.

Absent: Councilmember Rambali.

Motion to excuse the absence of Councilmember Rambali. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: 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 Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on January 16, 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 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.

There were no announcements or recognitions.

2. Presentation.

2.A. Accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2024 prepared by AMGL CPAs and Advisors.

Via Zoom, Marcy Luth of AMGL presented the Financial Statements to the Council for the Fiscal Year ending September 30, 2024 and answered questions from the Council. Ms. Luth noted that it

is an unqualified report in their opinion, the financial statements of the City present fairly in all material aspects, the respective financial of the City.

Motion to accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2024 prepared by AMGL CPAs and Advisors. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

3. Consent Agenda.

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

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

- 3.A. Approve the minutes of the January 6, 2025 regular City Council meeting.
- 3.B. Receive and file the claims for the month of December 2024, published January 10, 2025.
- 3.C. Receive and file the 2025/2026 Council Radio Show Schedule.
- 3.D. Ratify the appointment of Jon Olsen and Mike Mendenhall to the City of McCook's Sports Complex Committee.
- 3.E. Approve drawings and specifications for Water Distribution Improvements Revised Project #2 and set date to receive bids for February 11, 2025 at 2:00 P.M.
- 3.F. Approve the specifications for the 2025 Crack Sealing Project and set the time and date of bid at 2:30 P.M. on February 11, 2025.
- 3.G. Ratify Amendment #4 to Project No. 200-C1-021, an Agreement dated March 4, 2019, between Miller & Associates and the City of McCook.
- 3.H. Ratify Amendment #1 to Project No. 200-C1-024, an Agreement dated May 29, 2024, between Miller & Associates and the City of McCook.
- 3.I. Approve and enter into a Nuisance Abatement Agreement with West Central Nebraska Development district, Inc. (WCNDD)
- 3.J. Adopt Resolution No. 2025-02 approving the appointment of West Central Nebraska Development District, Inc. (WCNDD) to act as Nuisance Officer for the City of McCook.
- 3.K. Authorize City of McCook staff to complete an application for a Civic and Community Center Financing Fund (CCCF) grant.

4. Regular Agenda.

- 4.A. Discussion regarding a potential conveyance by the City of McCook to the McCook Economic Development Corporation to develop workforce housing on property identified as Parcel ID #000894200, at the intersection of East "C" Street and East 11th Street.

City Manager Schneider stated, that at the December 16, 2024 City Council meeting, Amanda Engell presented a potential housing project, with the focus of said presentation developing new workforce housing in eastern McCook. MEDC inquired about the possibility of acquiring land located at the intersection of East "C" Street and East 11th Street, said parcel identified as Parcel ID #000894200. The City of McCook owns the property. The property was donated to the City of McCook in 2009, with said donation specifying that the property be used for City purposes. The 2022 McCook Housing Study indicated that the City of McCook suffers from a lack of housing, including affordable workforce housing. The memorandum prepared by City Attorney Mustion, addresses a method to allow for the requested conveyance to occur. His proposed ordinance would allow for the donation of real property to an Economic Development corporation specifically for the development of workforce housing to address community housing needs.

City Manager Schneider added that he had received a call from Ronald and Deann Aufrecht expressing their concerns with the proposed project. Mr. and Mrs. Aufrecht were present at the meeting.

After discussion, it was the consensus of the Council to have an ordinance brought forward for their consideration that would provide for the transfer of this property to the MEDC.

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

City Manager Schneider gave an update on the sports complex. Staff met with Mammoth Construction on January 8 and discussion included increasing the size of the area allowed for the complex to allow for future growth. Mammoth and Miller & Associates are working on the design of the subdivision for the area. A meeting was held with D.A. Davidson regarding the issuance of the bond for construction of the complex and needed infrastructure.

- 4.C. Discussion regarding the setting of the user fees for the McCook Aquatic Park.

Discussion was held regarding proposed fees for the McCook Aquatic Park. Staff will bring back to the Council for final discussion before bringing forward the ordinance for approval of fees for the aquatic park.

- 4.D. Discussion regarding potential revenue options for the City of McCook.

City Manager Schneider stated that with the passage of LB 34 in 2024 and potential sales tax diminutions associated with proposed LB 117, the City of McCook is faced with the age old question - are there other methods of generating revenue to provide services the citizens of

McCook expect without raising taxes. In 2003 the Council discussed implementing an occupation tax on games of chance, with said ordinance usurped by the State of Nebraska.

Discussion included revisiting the Hotel Occupation Tax and adding an occupation tax on cell phones.

Staff will review options and present back to the Council at a future meeting.

- 4.E. Ordinance No. 2025-3095 amending the City of McCook Code of Ordinances, Title IX, Chapter 91 - "Fire Prevention; Fireworks; Poisonous or Flammable Gas; Explosives", Section 91.37 - Prerequisites and Qualifications for Issuance of Sales Permit and Section 91.43 - Discharge of Fireworks Generally.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3095 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 91, ENTITLED "FIRE PREVENTION; FIREWORKS; POISONOUS OR FLAMMABLE GAS; EXPLOSIVES" IN TITLE IX "GENERAL REGULATIONS", SECTION 91.37 - PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT AND SECTION 91.43 - DISCHARGE OF FIREWORKS GENERALLY, AMENDING THE PERMIT FEE AND THE DATES AND TIMES OF DISCHARGE; 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. 2024-3095 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 Taylor, passed.

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

Fire Chief Harpham reviewed the proposed changes with the Council.

- 4.F. 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 third and final reading. This motion, made by Muehlenkamp and seconded by Weedin, passed. Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that Ordinance No. 2024-3092 is declared lawfully passed and adopted upon publication as required by law.

4.G. 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 6:41 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer