

McCook City Council
April 7, 2025
5:30 P.M.

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 Linda Taylor, Councilmembers Jerry Calvin, Gene Weedon, Jared Muehlenkamp.

Absent: Councilmember Darcy Rambali.

Motion to excuse the absence of Councilmember Rambali. This motion, made by Weedon 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 Nate Schneider, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Assistant City Manager Tera Koetter, Library Director Jody Crocker, Utilities Director Pat Fawver, Fire Chief Marc Harpham, Police Chief Kevin Hodgson, Public Works Director Kyle Potthoff, and Senior Services Director Beth Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on April 3, 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 Councilmember Weedon. 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 Planning Commission meeting was scheduled for April 14 at 5:15 P.M. for consideration of the final plat of the Walters First Addition and the City of McCook Employee Recognition Banquet will be held April 8 beginning at 6:00 P.M. at the Coppermill.

Library Director Crocker thanked department heads, city staff, Library staff, and the First Responders for everything they did at the time of her accident and during her recovery. She is glad to be back.

2. Proclamations.

- 2.A. Approve a proclamation designating the month of April 2025 "Child Abuse Prevention Month" and authorize the Mayor to sign.

Barb Ostrum, Caitlin Whitehead, Kaye T. Bieck, and Michelle Ervin presented the proclamation request to the Council.

Motion to approve a proclamation designating the month of April 2025 "Child Abuse Prevention Month" and authorize the Mayor to sign. This motion, made by Calvin and seconded by Weedin, passed.

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

- 2.B. Approve a proclamation designating April 6 - 12, 2025 as "Library Week" and authorize the Mayor to sign.

Library Director Crocker reviewed the activities that would be held at Library during Library Week.

Motion to approve a proclamation designating April 6 - 12, 2025 as "Library Week" and authorize the Mayor to sign. 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

- 2.C. Approve the proclamation designating April 13 - 19, 2025 as "Public Safety Telecommunicators Week" and authorize the Mayor to sign.

Police Chief Hodgson recognized the members of the City of McCook's Dispatch Center.

Motion to approve the proclamation designating April 13 - 19, 2025 as Public Safety Telecommunicators Week and authorize the Mayor to sign. This motion, made by Muehlenkamp and seconded by Calvin, passed.

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

3. Planning and Zoning Items.

- 3.A. Public Hearing - Regarding a request from the City of McCook to approve a preliminary plat which serves as the initial step in the creation of the Walters First Addition to the City of McCook, 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 request from the City of McCook to approve a preliminary plat which serves as the initial step in the creation of the Walters First Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. 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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the April 7, 2025 City Council meeting (1 page); Exhibit #2 - Notice of Public Hearing mailed and posted (1 page); Exhibit #3 - listing of property owners notified (3 pages); Exhibit #4 - Notice of Public Hearing published (1 page); Exhibit #5 - Walters First Addition Preliminary Plat (1 page); Exhibit #6 - Phase I Walters First Addition Proposed Infrastructure Development (1 page); Exhibit #7 - Walters First Addition Phase I Infrastructure Feasibility Plan (1 page); Exhibit #8 - Land Use Application and attachments (5 pages); Exhibit #9 - City of McCook Subdivision Regulations, Section 7 - Procedures (1 page); and Exhibit #10 - minutes of the March 31, 2025 Planning Commission special meeting (3 pages).

Exhibit #1 - Exhibit #10 were accepted in evidence, comment was taken from city staff and councilmembers before opening to the public for comment.

City Manager Schneider reviewed the information presented in Exhibit #1 before turning it over to Craig Bennett and David Blau of Miller and Associates.

Mr. Bennett reviewed the proposed plat and the information presented in Exhibit #5 and Exhibit #6.

Dale Dueland, 112 East "N" Street, inquired about the annexation of the property to the southeast of the proposed addition.

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.

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

3.B. Approve a preliminary plat for the creation of the Walters First Addition to the City of McCook, Red Willow County, Nebraska.

Motion to approve a preliminary plat for the creation of the Walters First Addition to the City of McCook, Red Willow County, Nebraska. 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

3.C. Update and discussion regarding the City of McCook's progress on a new Comprehensive Plan, Zoning Regulations, and Subdivision Regulations.

City Manager Schneider and Craig Bennett of Miller and Associates reviewed the process to date.

Discussion was held by the Council regarding the Comprehensive Plan and zoning regulations.

4. Consent Agenda.

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

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

- 4.A. Approve the minutes of the March 17, 2025 regular Council meeting and the March 27, 2025 special Council meeting.
- 4.B. Approve Resolution No. 2025-07 providing for the amendment of City of Appendix G: Parking Fees and Fines, of the City of McCook Code of Ordinances, increasing fines for parking violations from \$25 to \$50.
- 4.C. Receive and file the Financial Report for the period ending February 28, 2025.
- 4.D. Approve a lease between the City of McCook and Frenchman Valley Cooperative, Inc. to allow a lease of land at the Ben Nelson Regional Airport for chemical spraying operations.
- 4.E. Accept the minutes of the March 31, 2025 Planning Commission meeting.
- 4.F. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit, cable, and 5 new ground level vaults at East 11th Street and East "F" Street.
- 4.G. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit, cable, and 3 new ground level vaults at East 11th Street and East "J" Street.
- 4.H. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit, cable, and 2 new ground level vaults at West "Q" Street and North Highway 83.
- 4.I. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit, cable, and 1 new 2'Lx2'Wx3'H above ground pedestal at West "O" Street and West 14th Street.

5. Regular Agenda.

- 5.A. Approve an Agreement for the Provision of Limited Professional Services between Miller & Associates and the City of McCook for topographic survey, platting, civil design and preparation of bidding documents for water, sanitary sewer, paving and storm sewer improvements for the Recreation Sports Plex Subdivision in McCook, Nebraska.

Motion to approve an Agreement for the Provision of Limited Professional Services between Miller

& Associates and the City of McCook for topographic survey, platting, civil design and preparation of bidding documents for water, sanitary sewer, paving and storm sewer improvements for the Recreation Sports Plex Subdivision in McCook, Nebraska. This motion, made by Muehlenkamp and seconded by Calvin, passed.

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

5.B. Update regarding the sports complex project.

City Manager Schneider gave an update of the sports complex project. Members of the Mammoth Construction Team were present via zoom to share some possible renderings of the sports complex.

5.C. Approve the design concept for the PFC Gerald L. Walters Sports Complex.

Motion to move consideration of the item was moved to the April 21, 2025 meeting at 5:30 P.M. This motion, made by Calvin and seconded by Taylor, passed.

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

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

Discussion was held regarding potential revenue options for the city including hotel occupation tax, a food and beverage tax, a tourism tax, and telecommunications occupation tax.

Staff presented a list of communities that have telephone occupation taxes on both on both landline and mobile phones.

5.E. Discussion regarding the creation of a donation policy.

Discussion was held on the possibility of establishing a policy for private donations. Two sample policies were presented, Kearney and Hastings. It was the consensus of the Council to have a policy developed and presented for council consideration at a future meeting.

5.F. Consider Ordinance No. 2025-3100 amending the City of McCook Code of Ordinances Chapter 34, entitled "Purchasing Regulations", Subchapter "Purchasing Procedure" in Title III, "Administration", by amending the purchasing limit to \$50,000 to harmonize with state law.

Mayor Taylor introduced Ordinance No. 2025-3100 and asked the Clerk to read it by title. The Clerk read the title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 34, ENTITLED "PURCHASING REGULATIONS", SUBCHAPTER "PURCHASING PROCEDURE", IN TITLE III, "ADMINISTRATION", BY AMENDING THE PURCHASING LIMIT TO \$50,000 TO

HARMONIZE WITH STATE LAW; 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. 2025-3100 has been read by title and I move to approve upon its second of three readings. 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

5.G. Ordinance No. 2025-3096 establishing a means to convey City of McCook owned real estate/personal property to qualifying economic development organizations.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3096 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 31, ENTITLED "CITY POLICIES", SUBCHAPTER "CITY PROPERTY", IN TITLE III "ADMINISTRATION", BY REPEALING SECTION 31.56, AMENDED AND TRANSFERRED TO SECTION 31.63 - SALE OR CONVEYANCE; REAL PROPERTY; ADDING SECTION 31.65 - DONATION; REAL PROPERTY; 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. 2025-3096 has been read by title and I move to approve upon its 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. 2025-3096 is declared lawfully passed and adopted upon publication as required by law.

5.H. Ordinance No. 2025-3097 amending the City of McCook Code of Ordinances, Chapter 54, City Parks and Property, Subchapter "City Swimming Pool", to include a provision to set reasonable fees for the management and maintenance of the McCook Aquatic Park.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3097 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 54, ENTITLED "CITY PARKS AND PROPERTY", SUBCHAPTER "CITY SWIMMING POOL", IN TITLE V, "DEPARTMENTS", BY AMENDING SECTION 54.015 - OPERATION AND FUNDING; 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. 2025-3097 has been read by title and I move to approve upon its third and final reading. This motion, made by Weedin and seconded by Taylor, 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. 2025-3097 is declared lawfully passed and adopted upon publication as required by law.

5.I. Ordinance No. 2025-3098 establishing the McCook Aquatic Park's pool fees.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3098 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 38: FEE SCHEDULE, APPENDIX O: SWIMMING POOL ADMISSION FEES; TO PROVIDE THAT THIS ORDINANCE SHALL BE MADE A PART OF THE CITY OF MCCOOK CODE OF ORDINANCES, REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

Ordinance No. 2025-3098 has been read by title and I move to approve upon its third and final reading. This motion, made by Muehlenkamp and seconded by Calvin, 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. 2025-3098 is declared lawfully passed and adopted upon publication as required by law.

5.J. Consider Ordinance No. 2025-3101, repealing Ordinance No. 2024-3079 and amending the City of McCook Code of Ordinances by removing Chapter 93 and amending Sections 95.01, 95.02, 95.03, 95.04, and 95.19 in Title IX: General Regulations.

Mayor Taylor introduced Ordinance No. 2025-3101 and asked the Clerk to read it by title. The Clerk read the title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA REPEALING CITY OF MCCOOK ORDINANCE NO. 2024-3079 IN ITS ENTIRETY; AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES BY REPEALING CHAPTER 93, ENTITLED "UNLICENSED VEHICLES" IN IT'S ENTIRETY; AMENDING CHAPTER 95, ENTITLED "NUISANCE; HEALTH AND SANITATION", SECTIONS 95.01 - DEFINED, 95.02 - SPECIFIC NUISANCES, 95.03 - ABATEMENT PROCEDURE, 95.04 - LAND BANK PROCEDURE, AND 95.19 - JURISDICTION; 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. 2025-3101 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended. This motion, made by Taylor and seconded by Weedin, passed.

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

Motion for final passage of Ordinance No. 2025-3101. This motion, made by Taylor 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. 2025-3101 is declared lawfully passed and adopted upon publication as required by law.

5.K. Consider Ordinance No. 2025-3102 amending the City of McCook Code of Ordinances Chapter 90, entitled "Animals", Section 90.99 to provide the Red Willow County Court authority to order restitution.

Mayor Taylor introduced Ordinance No. 2025-3102 and asked the Clerk to read it by title. The Clerk read the title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 90, ENTITLED "ANIMALS", IN TITLE IV - "GENERAL REGULATIONS", SECTION 90.99 - PENALTY, TO PROVIDE THE RED WILLOW COUNTY COURT AUTHORITY TO ORDER RESTITUTION; 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. 2025-3102 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended. 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

Motion for final passage of Ordinance No. 2025-3102. This motion, made by Calvin 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. 2025-3102 is declared lawfully passed and

adopted upon publication as required by law.

5.L. Council Comments.

Councilmember Weedon reminded all that the Choice Gas Selection Period continues to April 23. He encouraged citizens to consider ACE as their option. Mr. Weedon also noted that the city had been awarded a \$481,000 CCCFF grant which will aid in construction of the sports complex.

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 7:19 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer