

McCook City Council
April 21, 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, Darcy Rambali.

Absent: None.

City Officials present: City Manager Nate Schneider, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Assistant City Manager Tera Koetter, Utilities Director Pat Fawver, Fire Chief Marc Harpham, Police Chief Kevin Hodgson, and Public Works Director Kyle Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on April 17, 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.

City Manager Schneider announced that an Airport Advisory Commission meeting is scheduled for Thursday, April 24, 2025 at noon in the city council chambers.

2. Public Hearings.

- 2.A. Conduct a public hearing on the application of Fresh Foods Central, Inc.; dba "Fresh Foods", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 212 Westview Plaza, McCook, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Fresh Foods Central, Inc.; dba "Fresh Foods", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 212 Westview Plaza, McCook, 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 offered and received into evidence Exhibit #1 - the City Manager's Report dated April 21, 2025 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Redacted application and all attachments (44 pages); and Exhibit #4 - Police Department Liquor Application Report (7 pages).

City Manager Schneider and Police Chief Hodgson stated that nothing was found during the review of the application and recommended approval of the requested license.

Erin and Troy Werkmeister, local representatives of the store, were present to address questions from the Council.

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

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

YEA: 5, NAY: 0

- 2.B. Recommend approval to the Nebraska Liquor Control Commission the application of Fresh Foods Central, Inc.; dba "Fresh Foods", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 212 Westview Plaza, McCook, Nebraska.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Fresh Foods Central, Inc.; dba "Fresh Foods", for a Class "C" - (Beer, Wine, Distilled Spirits, On and Off Sale) license under the Nebraska Liquor Control Commission, to be located at 212 Westview Plaza, McCook, Nebraska. This motion, made by Muehlenkamp and seconded by Taylor, passed.

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

YEA: 5, NAY: 0

- 2.C. Public Hearing - Regarding a request from the City of McCook to approve the final plat which serves as a permanent step in the creation of Walters First Addition, an 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 the final plat which serves as a permanent step in the creation of Walters First Addition, an Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Rambali 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

April 21, 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 Final Plat (3 pages); Exhibit #6 - Walters First Addition Preliminary Plat (1 page); Exhibit #7 - Walters First Addition Proposed Infrastructure Development (1 page); Exhibit #8 - Phase I Walters First Addition Infrastructure Feasibility Plan (1 page); Exhibit #9 - Land Use Application and attachments (5 pages); Exhibit #10 - Minutes of the April 14, 2025 Planning Commission meeting (3 pages); and Exhibit #11 - Proposed Resolution No. 2025-08 (1 page).

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

Craig Bennett of Miller and Associates reviewed the information presented in Exhibit #5, #6, #7, and #8.

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

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

2.D. Adopt Resolution No. 2025-08 providing for the approval of the final plat for the establishment of Walters First Addition, an Addition to the City of McCook, Red Willow County, Nebraska.

Motion to adopt Resolution No. 2025-08 providing for the approval of the final plat for the establishment of Walters First Addition, an Addition to the City of McCook, Red Willow County, Nebraska. This motion, made by Muehlenkamp and seconded by Rambali, passed.

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

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

A review of the process to date was given by City Manager Schneider and Craig Bennett of Miller and Associates.

They noted that the Planning Commission has set a goal of having the zoning ordinance reviewed by the end of the year. They will be reviewing Chapters 1 - 3 at their May meeting.

3. Proclamations.

3.A. Approve the proclamation designating April 25, 2025 as "Arbor Day" in the City of McCook and authorize the Mayor to sign.

Motion to approve the proclamation designating April 25, 2025 as "Arbor Day" in the City of McCook and authorize the Mayor to sign. This motion, made by Muehlenkamp and seconded by

Rambali, passed.

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

4. Consent Agenda.

Councilmember Calvin requested that Item E be removed from the Consent Agenda and placed on the Regular Agenda.

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

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

- 4.A. Approve the minutes of the April 7, 2025 regular City Council meeting.
- 4.B. Approve the request from the McCook Creative District to close Norris Avenue from the north side of "D" Street to the south side of "E" Street on May 15, June 19, July 17, August 21, September 18, and October 16, from 4:00 P.M. to 10:00 P.M., for their Third Thursday Events.
- 4.C. Accept the minutes of the January 21, 2025 Senior Center Advisory Board and the April 14, 2025 Planning Commission meeting.
- 4.D. Receive and file the claims for the month of March 2025, published April 15, 2025.
- 4.F. Approve Resolution No. 2025-09 approving the Sourcewell Cooperative Purchasing Program Participation Agreement.

5. Regular Agenda.

- 4.E. Approve a First Addendum to the lease between the City of McCook and Southwest Nebraska Family Resource Center for additional portions of the old public safety center located at 526 West "B" Street.

Motion to table. This motion, made by Calvin and seconded by Taylor, passed.

Taylor: YEA, Calvin: YEA, Weedon: NAY, Muehlenkamp: NAY, Rambali: YEA
YEA: 3, NAY: 2
Weedon: NAY, Muehlenkamp: NAY

- 5.A. Approve an agreement between the City of McCook and Mammoth Sports Construction, LLC for the construction of the Gerald L. Walters Youth Sports Complex.

Members of the Mammoth Sports Construction team were present to review their proposed agreement and addressed the potential saving advantages of utilizing a design build approach. The

complex design is still being finalized; they indicated that excavation of the site would begin as soon as the end of April, with field work starting in late summer.

Motion to approve an agreement between the City of McCook and Mammoth Sports Construction, LLC for the construction of the Gerald L. Walters Youth Sports Complex. This motion, made by Calvin and seconded by Weedin, passed.

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

5.B. 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 third and final reading. 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. 2025-3100 is declared lawfully passed and adopted upon publication as required by law.

5.C. Council Comments.

Councilmember Weedin reminded all that the Choice Gas selection period ends this Wednesday.

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 6:29 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer