

McCook City Council
July 16, 2018
6:30 PM Central

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 6:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Hepp, Calvin(arrived 6:32 P.M.), McDowell, Weedin.

Absent: None,

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Utilities Director Dutcher, Fire Chief Harpham, Building Official Mooney, 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 July 12, 2018, 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 Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

1. Citizen's Comments.

Jamie Mockry, McCook Chamber of Commerce Executive Director, thanked all City Staff for helping to make Crazy Days a huge success and informed the Council that they were working on a second ceiling phase for the auditorium.

2. Announcements & Recognitions.

There were no announcements or recognitions.

3. Meeting of the McCook Community Development Agency.

Motion to recess as a City Council and to convene as the McCook Community Development Agency for consideration of the CDA Agenda at 6:33 o'clock P.M. This motion, made by Weedin and seconded by McDowell, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedin: YEA
YEA: 5, NAY: 0

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 6:33 o'clock p.m. on July 16, 2018, at the McCook Municipal Center in McCook, Nebraska. Agency Members present were: Gonzales, Hepp, Calvin, McDowell, Weedon. Absent: None. 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 Gonzales presided and City Clerk Doak recorded the proceedings. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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.

3.D. Approve Resolution No. CDA 2018-01 approving the Second Amendment to the Redevelopment Contract between the City of McCook, Nebraska and McCook Lodging, LLC.

City Manager Schneider reviewed the following information presented in his report prepared for this meeting:

"On March 21, 2016, the Community Development Agency of the City of McCook and McCook Lodging, L.L.C. entered into a Redevelopment Contract. The contract was amended on August 29, 2016 to make sure the terms of the Redevelopment Contract matched the obligations of the parties. McCook Lodging, L.L.C. is requesting a second amendment to modify the effective date of the project from January 1, 2017 to January 1, 2019. The reason for the amendment can be attributed to unanticipated delays in construction of the project. This amendment would cancel the Tax Increment Development Revenue Bond (Holiday Inn and Suites Redevelopment Project), Series 2016 issued by the CDA on August 29, 2016 to the Redeveloper, and replace the Bond with an Amended and Restated Tax Increment Development Revenue Bond (Holiday Inn and Suites Redevelopment Project), Series 2018. The Notice to Divide Tax form that was originally filed with Red Willow County would need to be rescinded, and a new Notice to Divide Tax form would be filed with Red Willow County, establishing 2019 as the calendar year in which the division of real property tax becomes effective. Originally, 2017 was the calendar year in which the division of property became effective for Tax Increment Financing purposes. To date, approximately \$400 of tax revenue has been collected that would be eligible for distribution pursuant to the terms of the original Bond. This money would be returned to the County, for distribution to occur to the appropriate taxing entities. Additionally, tax revenue received attributable to the increase in valuation for tax year 2018 would be distributed between the appropriate taxing authorities as well. 2019 would become the operative Tax Increment Financing division year. The Bond holder would receive the difference in property tax revenue attributable to the Holiday Inn building starting with the 2019 tax year. The base established in 2018 would continued to be distributed at the same rate as before. The Amended and Restated Tax Increment Development Revenue Bond would have

a term of 15 years, with a maturity date of December 31, 2033. The remaining terms of the original Redevelopment Contract will remain the same as previously agreed."

Heather Carver, attorney for McCook Lodging, was present to answer questions from the Council, added that the original TIF amount of \$1,400,000 remains the same, just the dates are pushed out. The Base Value Years goes from 2016 to 2018 and the Calendar year goes from 2017 to 2019.

Councilmember McDowell asked what the expected completion date is. Kirt Trivedi, representative for McCook Lodging/Holiday Inn, responded that the projected completion date is October 31, 2018.

Motion to adopt Resolution No. CDA 2018-01 authorizing and providing for the Second Amendment to the Redevelopment Contract entered into March 21, 2017 with McCook Lodging, LLC. This motion, made by Calvin and seconded by Gonzales, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA
YEA: 5, NAY: 0

3.E. Adjournment of Community Development Agency meeting.

Motion to adjourn the meeting of the McCook Community Development Agency at 6:42 P.M. and reconvene as the McCook City Council. This motion, made by Calvin and seconded by Gonzales, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA
YEA: 5, NAY: 0

4. Consent Agenda.

4.A. Approve the minutes of the July 2, 2018 regular City Council meeting.

4.B. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, LLC, Liquor License #C-121305, for a Heritage Days Street Dance to be held at Citta' Deli, 110 West 1st Street, on September 29, 2018 from 4:00 P.M. to 1:00 A.M.

4.C. Receive and file the claims for the month of June 2018 as published July 5, 2018.

4.D. Approve the request from the St. Patrick Catholic Church to close East 4th Street from "F" Street to "G" Street and East "G" Street from East 3rd Street to East 4th Street on October 14, 2018 from 10:00 A.M. to 8:00 P.M. and to utilize city property for their Annual Fall Festival on October 13 and 14, 2018.

4.E. Approve the Grant Agreement between the Nebraska Department of Environmental Quality and the City of McCook, in the amount of \$56,160.00, for the collection of up to 500 tons of scrap tires, and authorize Public Works Director Kyle Potthoff to sign such agreement.

4.F. Receive and file the Financial Report for the quarter ending June 30, 2018.

- 4.G. Receive the minutes of the May 9, 2018 Library Advisory Board meeting.
- 4.H. Approve and authorize the Mayor to sign Certificate for Payment No. 1 (Final), Change Order No. 1, and the Certificate of Substantial Completion Sanitary Sewer District No. 77.

5. Regular Agenda.

- 5.A. Approve two contracts with GIS Workshop, the first contract entitled GPS Data Collection and Layer Creation and the second contract entitled GPS Standard Maintenance.

City Manager Schneider reviewed the following information presented in his report prepared for this meeting:

“At the July 2, 2018 McCook City Council Meeting, an agenda item regarding GPS data collection and layer creation was discussed. Additionally, continued maintenance of our GPS data was addressed. Staff expressed its desire to bring an action item to the Council for consideration. Staff and GIS Workshop have worked on two contracts addressing both items. The first contract addresses data collection. Staff and GIS representatives are still working on contract details. A rough draft is attached for illustrative purposes. The GPS points and asset types to be collected pursuant to the data collection contract include: water valves, water fire hydrants, water manholes, curb stops, sewer manholes, insured property, and storm water inlets. GIS would begin data collection in late July or early August 2018 with project completion on or before October 1, 2018. The McCook Economic Development Corporation is partnering with the City of McCook to pay the project costs. MEDC would make the first payment (utilizing LB 840 funds) upon contract execution. A second payment would be made by the City on October 1, 2018. The third payment would be made by MEDC on January 1, 2019. The City would make the final payment on October 1, 2019. The original estimated cost for the project was \$69,998. Since the original proposal was discussed, the City has included storm inlets as an additional data subset. The addition of storm inlets will increase the overall cost by \$2,600. That price will be split into fourths, making the total amount payable \$72,598 - ½ by the City of McCook and ½ by MEDC.

The second contract addresses data maintenance. GIS will provide maintenance support services to the City for most of the data layers in the City's asset management application. GIS has expertise in this area and their services are needed as the City does not have an experienced GIS specialist on staff. A rough draft of the contract is attached for illustrative purposes. The term of the contract is five years. The annual cost is as follows:

- * Year 0 - \$6,000 (this period contemplates the first 2 ½ months of service)
- * Year 1 - \$36,000
- * Year 2 - \$27,000
- * Year 3 - \$21,000
- * Year 4 - \$15,000
- * Year 5 - \$15,000

The contract contains an automatic rollover provision, but it is our hope that the City will identify

an individual to serve as our "in-house GIS specialist" at the expiration of the 5 year term.

Staff recommends approval of both contracts.”

5.B. Council Comments.

Council comments included congratulating the Chamber on the successful Crazy Days events and the Cruise Night.

Adjournment.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:10 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer