

MCCOOK CITY COUNCIL

REGULAR MEETING

Wednesday, May 27, 2020
12:00 PM - City Council Chambers & Audio/Teleconference

[Stream Meeting Here](#)

Call to Order and Roll Call.

Mayor's Statement and Open Meetings Act Announcement.

Rationale:

INTRODUCTION TO ZOOM TELECONFERENCE MEETING FORMAT

We welcome your attendance via audio/teleconference means and ask that you please mute your microphones so as not to disrupt the meeting progression. Public comment may also be provided by calling 308-345-2022, extension 224.

OPEN MEETINGS ACT ANNOUNCEMENT

In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for public review on the City of McCook's website.
Items.

1. Adopt Resolution No. 2020-12 which postulates that there is a risk of exposure to COVID-19 through the use of municipal property for youth baseball and softball; requiring that any individual, organization or group sponsoring youth baseball or softball enter into the COVID-19 License and Management Agreement for Use of Municipal Property for Youth Baseball and Softball; requiring all interested parties to sign the Management Agreement; requiring the Youth Sports Guidelines issued by the State of Nebraska to be posted on all practice and playing fields; and mandating all participants and spectators to comply with all federal, state, and local laws, including all directed health measures and guidelines, and all additional security policies or procedures established by the City of McCook relating to COVID-19.

Adjournment.

CITY MANAGER'S REPORT
MAY 27, 2020 MCCOOK CITY COUNCIL - SPECIAL MEETING

ITEM ____ Adopt Resolution No. 2020-____ which postulates that there is a risk of exposure to COVID-19 through the use of municipal property for youth baseball and softball; requiring that any individual, organization or group sponsoring youth baseball or softball enter into the COVID-19 License and Management Agreement for Use of Municipal Property for Youth Baseball and Softball; requiring all interested parties to sign the Management Agreement; requiring the Youth Sports Guidelines issued by the State of Nebraska to be posted on all practice and playing fields; and mandating all participants and spectators to comply with all federal, state, and local laws, including all directed health measures and guidelines, and all additional security policies or procedures established by the City of McCook relating to COVID-19.

BACKGROUND:

On May 11, 2020, Governor Ricketts announced that the directed health measure prohibiting all organized team sports would be relaxed by the State of Nebraska beginning June 1, 2020 in order to permit the planned reopening of certain youth sports, specifically baseball and softball. A copy of the Youth Sports Reopening Guidelines are attached to this Resolution and incorporated into its body. The Resolution recites that players, coaches, officials, and others who participate in baseball and softball games, practices, and related activities, and spectators who attend such activities risk the dangers of illness and other complications caused by COVID-19 by voluntarily entering the municipal properties established and maintained for softball and baseball. The Resolution further establishes that in order for the City of McCook to permit the resumption of youth baseball and softball on municipal property, all participants and spectators are deemed to fully assume the health risks associated with participation and attendance, including the inherent risks presented by COVID-19. In order to use the facilities, any baseball or softball participant or interested party must sign an agreement that releases the City of McCook, its elected and appointed officials and employees from liability associated with exposure to COVID-19 in the course of the baseball and softball activities.

In order to achieve this goal, all individuals and organizations participating in youth baseball and softball who utilize City of McCook facilities will be required to enter into a License and Management Agreement for the Use of Municipal Property for Youth Baseball and Softball. Staff for the City of McCook are in the process of drafting and finalizing the Agreement. Staff had a conference call with all known interested parties regarding this matter on May 20, 2020. It is Staff's contention that the known interested parties have been apprised of these mandatory requirements, and if they so choose to use municipal facilities, are voluntarily assuming the inherent risks presented by COVID-19 as it relates to use of the City of McCook's facilities.

APPROVALS:



Nathan A. Schneider, City Manager

May 22, 2020



Lea Ann Doak, City Clerk

May 22, 2020



Kyle Potthoff, Public Works Director

May 22, 2020

RESOLUTION NO. 2020-12

COVID-19: Resolution of the City Council Regarding Use of Municipal Property for Youth Baseball and Softball

A Resolution of the City of McCook, Nebraska, Regarding the Risk of Exposure to COVID-19 Through the Use of Municipal Property for Youth Baseball and Softball.

Recitals

WHEREAS, the novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization, is extremely contagious, and is believed to spread mainly from person-to-person contact;

WHEREAS, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska, and this state of emergency remains in effect;

WHEREAS, directed health measures are in effect for every County in the State of Nebraska through May 31, 2020, and are likely to be extended by the Governor in some form for most or all Counties after May 31, 2020;

WHEREAS, on May 11, 2020, the Governor announced that the directed health measure prohibiting all organized team sports, youth and adult, would be relaxed by the State of Nebraska beginning June 1, 2020, in order to permit the planned reopening of certain youth sports, specifically baseball and softball;

WHEREAS, a copy of the Youth Sports Reopening Guidelines dated May 11, 2020, are attached to this Resolution and incorporated herein as part of these Recitals;

WHEREAS, players, coaches, officials, and others who participate in baseball and softball games, practices, and related activities, and spectators who attend such activities risk the dangers of illness, disease, medical complications, injury or death, caused by or related to COVID-19, by voluntarily entering the grounds on which such activities take place, by watching such activities, and by participating or authorizing the participation of a minor, in baseball or softball games, practices, or related activities; and

WHEREAS, it is the intent of the City of McCook to permit the resumption of youth baseball and softball on municipal property, in accordance with the directed health measures and other laws and guidance issued by the State of Nebraska, including the Youth Sports Reopening Guidelines dated May 11, 2020, and such further laws and guidance that may be issued in the future, provided that every individual, organization, or group sponsoring such activities, and all participants and spectators, fully assume the health risks associated with these activities, including the inherent risk now present in any such activities as a result of the presence of COVID-19 in the State of Nebraska, and provided that participants in such activities sign an agreement that releases the City of McCook, its elected and appointed officials and employees, and all other participants in youth baseball and softball from liability associated with exposure to COVID-19 in the course of such activities.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of McCook, Nebraska that any individual, organization or group sponsoring youth baseball or softball that wishes to use the playing or practice fields or other facilities of the City of McCook for baseball or softball games, practice, or related activities will be required to enter into the COVID-19: License and Management Agreement for Use of Municipal Property for Youth Baseball and Softball attached hereto. These License Agreements will be maintained by the Clerk and shall constitute an addendum to any other contract, license agreement, lease, or agreement allowing the use of the grounds of the City of McCook by the same individual, organization, or group.

BE IT FURTHER RESOLVED that, in order to enter the playing or practice fields or other facilities of the City of McCook to participate in baseball or softball games, practices, or related activities, all players, coaches, officials and other participants must sign the agreement titled COVID-19: Youth Baseball and Softball Participants Agreement in substantially the same form as attached hereto. Each team wishing to participate on the grounds of the City of McCook must provide copies of signed Agreements for all participants affiliated with the team, together with a roster containing a complete list of the names of all players, coaches, officials, and others affiliated with the team. Copies of these documents must be provided to and shall be maintained by the municipal Clerk.

BE IT FURTHER RESOLVED that, for the avoidance of doubt as to the risk assumed by participants and spectators, in order to encourage compliance with directed health measures and guidelines, and in order to promote public safety, the applicable provisions of the Youth Sports Guidelines dated May 11, 2020, shall be posted on all practice and playing fields where youth baseball or softball are played. If the Youth Sports Guidelines dated May 11, 2020, are subsequently modified or updated, the applicable provisions of the modified or updated guidelines shall be posted in the same manner.

BE IT FURTHER RESOLVED that all participants and spectators shall comply with all federal, state and local laws and regulations, all directed health measures and guidelines, and all security policies or procedures established by the City of McCook relating to COVID-19 or other safety or hygiene precautions while present on municipal property, understanding that the City of McCook may elect to deny entrance to the grounds and facilities to any non-complying participant or spectator, or to require a non-complying participant or spectator to leave the premises at any time.

BE IT FURTHER RESOLVED that officials and employees of the City of McCook are authorized to execute the directives set forth in this Resolution.

RESOLVED this 27th of May, 2020.

Michael Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

Youth Sports Reopening Guidelines

Announced by Gov. Ricketts 5/11/2020

The below guidelines lay out the planned reopening of certain youth sports. Additional guidelines for other sports will be provided as it is determined participation in those sports meet health and safety measures. Violation of these rules may mean a team is prohibited from practicing or playing games for the entire summer.

The below guidelines apply only to team sports. Individual sports such as golf and tennis (including doubles tennis) are not prohibited under any Directed Health Measure, however, participants must practice social distancing.

Month of May

1. No Organized Team Sports games for youth and adults.
2. No Team Organized Sports practices for youth and adults. This prohibition includes any practice, training or group exercise program organized by a coach of a sports team.
3. Businesses and organizations that provide sports training AND that sell memberships to provide such training are allowed to offer sports training as long as they follow the same guidelines as fitness centers/clubs, gymnasiums, health clubs, and health spas. No team organized training is allowed.

June 1

1. Schools are permitted to open weight rooms for use by all student athletes as long as they follow the same guidelines as fitness centers/clubs, gymnasiums, health clubs, and health spas.
2. Team Organized practices for baseball and softball may begin unless circumstances dictate a change in date.
3. Dugout use will not be allowed. Players' items should be lined up against the fence at least six (6) feet apart.
4. Parents must remain in their cars or drop off and pick players up afterwards.
5. Players should use their own gloves, helmets, and bats as much as possible.
6. Coaches are responsible for ensuring social distancing is maintained between players as much as possible. This means additional spacing between players while playing catch, changing drills so that players remain spaced out, no congregating of players while waiting to bat.
7. Players must bring their own water/beverage to consume during and after practice. No shared drinking fountains or coolers.
8. Players must bring their own snacks to consume during and after practice. No shared/communal snacks.
9. Coaches must sanitize shared equipment before and after each practice.
10. Team organized practices for other sports may remain suspended.

June 18

1. Baseball and softball games may begin unless circumstances dictate a change in date.
2. Same guidelines apply as above for baseball and softball practices.
3. Use of dugouts is permitted during games only. Bleachers located between the dugout and home plate should also be used to spread out players. Players should have designated spots to place their personal items. Coaches must designate an adult who is responsible for ensuring players are seated on the benches unless they are actively participating in the game.
4. Players should use their own gloves, helmets, and bats as much as possible.
5. Fan attendance is limited to household members of the players on the team. No use of bleachers for fans. Fans must bring their own chairs or stand. Fans should keep six (6) feet of social distancing between different household units. No fan seating or standing is allowed in the area from behind home plate to six (6) feet past the far end of each dugout.
6. Teams to play next must be provided designated areas for player warm-ups that provide for necessary social distancing.
7. Post game handshakes or interaction between teams are prohibited.
8. When games end, the leaving team must sanitize the dugout area. No post-game talks at the field are permitted. Fans and players must leave the playing area and return to their cars immediately after the game.
9. The team to play next must remain in their designated warm up area until the prior team has finished sanitizing and is completely out of the dugout.
10. Fans for upcoming games must remain in their cars during player warm ups. They will be permitted to come to the field once the team they are there to watch enters the dugout area.
11. Restrooms must be cleaned and sanitized regularly while players and fans are present. Markings should be placed on the ground to ensure individuals waiting to use the restroom are spaced six (6) feet apart.
12. Players must bring their own water/beverage to consume during and after practices and games. No shared drinking fountains or coolers.
13. Players must bring their own snacks to consume during and after practice/games. No shared/communal snacks.
14. Coaches must sanitize shared equipment before and after each practice and game.
15. Concessions stands are not allowed to be open.
16. Team organized practices and games for other sports may remain suspended.