

# MCCOOK CITY COUNCIL

## REGULAR MEETING

**Monday, July 20, 2020**  
**5:30 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Pledge of Allegiance.

Items.

1. Citizen's Comments.

2. Announcements & Recognitions.

3. Public Hearings.

A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

1. Adjourn the Public Hearing.

B. Approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

1. Adjourn the Public Hearing.

D. Adopt Resolution No. 2020-15 approving the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

4. Consent Agenda.

A. Approve the minutes of the July 6, 2020 regular City Council meeting.

- B. Approve the application for a Special Designated Liquor License submitted by JBN, Inc., dba Hi Times Liquor Mart 1, Liquor License #DK-100025, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on August 29, 2020 from 12:00 P.M. to 1:00 A.M; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.
  - C. Approve an application from Great Plains Communications to occupy city right of way on West "Q" Street and West 17th Street for the purpose of installing fiber optic cable to 1505 West 17th Street occupied by Esslinger's Home Improvement.
  - D. Receive and file the claims for the month of June 2020 as published July 9, 2020.
  - E. Adopt Resolution No. 2020-16 ratifying all City Council actions at virtual meetings, beginning April 6, 2020 through June 1, 2020, per Executive Orders No. 20-03 and No. 20-24.
  - F. Approve the request from the Prairie Roots Festival Committee for the use of Barnett Park, including the west shelter house, electricity, use of additional picnic tables, benches and trash cans for their Fifth Annual Prairie Roots Festival on Saturday, August 22, 2020; and that they shall be subject to comply with any Directed Health Measures in effect at the time of the event.
  - G. Receive and the file the Financial Report for the period ending June 30, 2020.
  - H. Receive and file the minutes of the July 13, 2020 Planning Commission meeting.
5. Regular Agenda.
- A. Receive and file a presentation from Craig Bennett of Miller and Associates regarding annexation processes.
  - B. Receive and file a presentation from Andy Long of the McCook Economic Development Corporation regarding the creation of the Birdella Nelson Technology Center in the McCook Public Library.
  - C. Council Comments.
  - D. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.
    - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
    - 2. Close Executive Session.
  - E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - McCook Professional Firefighters Association Local 2100..
    - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
    - 2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT  
JULY 20, 2020 MCCOOK CITY COUNCIL MEETING**

**ITEM: 3.A.** Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.

**ITEM: 3.B.** Approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.

**ITEM: \_\_\_\_** Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

**ITEM: \_\_\_\_** Approve the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

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**BACKGROUND:**

An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6<sup>th</sup> P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower.

The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stressed that before there is additional development of the Bishop tract, a comprehensive development plan needs to be designed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the City Council's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code.

If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the

**EXHIBIT #1**

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owner believes a change is warranted due to development needs. The City of McCook can also ask that the preliminary plat be modified to meet McCook's needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date.

As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress off of Road 716. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement.

At the July 13, 2020 Planning Commission meeting, the Planning Commission voted unanimously to recommend approval of the preliminary plat and final plat.

#### RECOMMENDATIONS:

**ITEM:** \_\_\_ Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.

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#### APPROVALS:

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 15, 2020

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 15, 2020

**NOTICE OF PUBLIC HEARING  
PRELIMINARY PLAT APPROVAL**

NOTICE IS HEREBY GIVEN that a public hearing will be held to consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision:

A tract of land being part of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, in Red Willow County, Nebraska. This tract of land will be referred to as BISHOP ACRES THIRD SUBDIVISION, and more particularly described as follows:

Commencing at the Brass Cap at the Southwest corner of said Southwest Quarter of Section 24; thence N 10°22'33" E on the West line of said Southwest Quarter, and all bearings contained herein are relative thereto, a distance of 974.42 feet to the Westerly extension of the North line of Lot 1 of Bishop Acres Second Subdivision, part of the SW1/4 of Section 24, T3N, R30W of the Sixth Principal Meridian, Red Willow County, Nebraska and the POINT OF BEGINNING; thence continuing N 10°22'33" E on said West line of the Southwest Quarter a distance of 1932.17 feet to the Brass Cap at the Northwest corner of said Southwest Quarter; thence N 83°24'36" E on the North line of said Southwest Quarter a distance of 1724.61 feet to a 5/8" rebar with cap at the Northwest corner of property described in Warranty Deed recorded as Instrument No. 2014-00639, Red Willow County, Nebraska records; thence S 10°21'21" W on the West line of property described in said Warranty Deed a distance of 338.17 feet to a 5/8" rebar, thence N 83°30'07" E on the South line of property described in said Warranty Deed a distance of 561.02 feet to a 5/8" rebar, thence N 03°12'45" W on the East line of property described in said Warranty Deed a distance of 324.95 feet to a 5/8" rebar with cap on said North line of the Southwest Quarter; thence N 83°24'36" E on said North line of the Southwest Quarter a distance of 171.67 feet to a 1" bar at the Northeast corner of said Southwest Quarter, thence S 05°34'03" W on the East line of said Southwest Quarter a distance of 1385.55 feet to a 5/8" rebar with cap at the East 1/16 corner of said Southwest Quarter; thence continuing S 05°34'03" W on said East line of the Southwest Quarter a distance of 1352.01 feet to the North right-of-way line of J Street, being 33.00 feet, measured at right angles, Northerly of the South line of said Southwest Quarter; thence S 81°52'36" W on said North right-of-way line a distance of 1402.09 feet to the Southerly extension of the East line of Lot 4 of Bishop Acres Subdivision, part of the SW1/4 of Section 24 Township 3 North Range 30 West of the 6th Principal Meridian, Red Willow County, Nebraska; thence N 10°04'44" E on said Southerly extension and on said East line of Lot 4 a distance of 360.59 feet to a 5/8" rebar at the Northeast corner of said Lot 4; thence S 81°51'13" W on the North line of said Lot 4 and on the North line of Lot 3 of said Bishop Acres Subdivision a distance of 620.76 feet to a 5/8" rebar at the Southeast corner of Lot 1 of said Bishop Acres Subdivision; thence N 10°09'13" E on the East line of said Lot 1 of Bishop Acres Subdivision and on the East line of said Lot 1 of Bishop Acres Second Subdivision a distance of 499.90 feet to a 5/8" rebar at the Northeast corner of said Lot 1 of Bishop Acres Second Subdivision; thence S 89°03'01" W on the North line of said Lot 1 of Bishop Acres Second Subdivision and it's Westerly extension a distance of 593.36 feet to the Point of Beginning. Containing 134.76 Acres, more or less.

**EXHIBIT #2**

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A PUBLIC HEARING ON THE ABOVE-DESCRIBED PRELIMINARY PLAT APPROVAL  
WILL BE HELD ON THE DATE, TIME, AND AT THE PLACE LISTED BELOW:

JULY 13, 2020 - 5:15 P.M.  
MCCOOK PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

JULY 20, 2020 - 5:30 P.M.  
MCCOOK CITY COUNCIL  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described preliminary plat may attend the public hearing and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak  
City Clerk

Publish: July 3, 2020.

Property Owners Notified:

LLOYD & ELIZABETH BENJAMIN  
71603 RD 383  
MCCOOK, NE 69001

GREGORY & NANCY BROADFOOT  
71604 RD 383  
MCCOOK, NE 69001

AARON MARK BISHOP, TRUSTEE  
9001 OLD 81 LOOP  
RUDY, AR 72952-8519

TOM BREDVICK, PRESIDENT  
MCCOOK PUBLIC SCHOOLS  
600 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW CO. PLANNING COMMISSION  
502 NORRIS AVE  
MCCOOK, NE 69001

CURTIS AND JENNIFER SMITH  
38306 RD 716  
MCCOOK, NE 69001

MICHAEL AND CATHY SIS  
38686 DR 713  
MCCOOK, NE 69001

RONALD AND DORIS FRIEHE  
#1 SPYGLASS  
MCCOOK, NE 69001

TROY AND TAMMIE BRUNTZ  
434 SEMINOLE  
MCCOOK, NE 69001

MARSHALL AND JENNIFER TUCKER  
108 W 9  
MCCOOK, NE 69001

STEVEN AND DEBRA WALTER  
#3 BRASSIE DR  
MCCOOK, NE 69001

CAROL LASHLEY  
38335 DR 716  
MCCOOK, NE 69001

CARL & JILL KOENIG  
71608 RD 383  
MCCOOK, NE 69001

JOHN & MELINDA PALIC  
38272 FINCH TRAIL  
MCCOOK, NE 69001

RED WILLOW CO. SCHOOL DIST. #17  
700 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW COUNTY  
C/O TAMI TEEL  
502 NORRIS AVE  
MCCOOK, NE 69001

STEPHEN PERES  
71653 RD 383  
MCCOOK, NE 69001

BRIAN ESCH  
#3 SANDPIPER  
MCCOOK, NE 69001

BRENDEN FUNK  
71580 RD 383  
MCCOOK, NE 69001

EUGENE AND JOAN KOCH  
2402 W J  
MCCOOK, NE 69001

NEIL AND SARAH GOHL  
2311 WEST J  
MCCOOK, NE 69001

RANDY AND CAROL LASHLEY  
38355 DRIVE 716  
MCCOOK, NE 69001

JAMES AND JEAN COADY  
38337 DR 716  
MCCOOK, NE 69001

CURTIS AND EMILY LASHLEY  
38331 DR 716  
MCCOOK, NE 69001

**EXHIBIT #3**

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MARVIN AND MICHELE WILKE  
38325 DR 716  
MCCOOK, NE 69001

SBA TOWERS IV, LLC  
TAX DEPT/NE 15315-A 8051  
CONGRESS  
AVE BOCA RATON, FL 33487

MARK AND CATHY CARMAN  
38323 DR 716  
MCCOOK, NE 69001

TONY AND DARCY ROUSE  
38303 DR 716  
MCCOOK, NE 69001

**CITY OF McCOOK**

**LAND USE ACTION REQUEST FORM**

This request is for a:  
(Check all that apply)

- Zone Change
- Special Exception
- Administrative Permit (Personal Wireless Facility)
- Special Exception (Personal Wireless Facility)
- Minor Subdivision
- Major Subdivision
- Planned Development(Includes Zone Change)

Name of Project: \_\_\_\_\_

Description of Project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project sponsor or developer:

Name: Miller & Associates Consulting Engineers, P.C.

Address: 1111 Central Avenue, Kearney, NE 68847

Phone number: 308-234-6456

Fax number: 308-234-1146

E-mail Address: cbennett@miller-engineers.com

Land owner or owners:

Name: A.M. Bishop Family Trust

Address: 9001 Old Loop 82, Rudy, AR 72952

Phone number: 479-459-2271

Fax number: NA

E-Mail Address: accu-temp@hotmail.com

Authorization of the land use action by land owner:

I hereby certify that I own and/or control the following land where the land use action is being requested. (Attach evidence of ownership or control. e.g. power of attorney, deed, or purchase agreement)

Mark Bishop

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

*Mark Bishop*

Signature: \_\_\_\_\_

*By Scott Clifford*

Signature: \_\_\_\_\_

6-24-2020

Date: \_\_\_\_\_

Address and physical location of the Proposed Land Use Action: \_\_\_\_\_

Final Plat = West Drive 716, McCook, NE (1 lot for a proposed communication tower)

Property Description (Of the parent parcel for subdivisions): \_\_\_\_\_

Preliminary Plat = West Drive 716, McCook, NE will consist of primarily residential rural lots with individual well and septic tank systems.

**Required Information:**

See Attached sheets for required information for:

- Subdivisions
- Zone Changes and special exceptions
- Planned developments

**FEE PAID:** \$ \$700 (\$500 preliminary plat, \$200 per lot final plat)  
(See attached schedule of fees)

Fee, complete application, and required attachments accepted by:

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## REQUIRED ATTACHMENTS:

**For Subdivisions:**

Sketch Plan:

- (1) General lot layout on a topographic background of the proposed subdivision including approximate location of streets, alleys, lots and other significant features.
- (2) Surrounding streets, alleys, and land use features.
- (3) General location of existing sewer and waterlines (developments not intending to use city sewer and water are to include a written explanation of the proposal to satisfy these utility needs.)
- (4) General location of utility easements and types of utilities to be included.
- (5) General location of any open space and an explanation of the type of facilities that will be provided.

\_\_\_\_\_ Attachments: in addition to the above noted sketch plat, the subdivider shall attach the following:

- (1) A letter requesting only zoning change or special exception required for the development to proceed.
- (2) Written description of the type of housing, commercial, industrial, or public uses to be included in the subdivision.
- (3) An explanation of what the general character of the area will be when it is developed and how it will relate to the adjacent surrounding areas.
- (4) An explanation of how the proposed development relates to the Comprehensive Plan (Particularly in regard to land use, thoroughfare, and public facilities)
- (5) Is it the intent to use Deed Restrictions or any other method of controlling the character and/or the quality of the area?

\_\_\_\_\_ If so, briefly explain what they might consist of.

\_\_\_\_\_ (Attach explanation)

\_\_\_\_\_ Attach proposed Subdivision Agreement. (See Part D of the Subdivision Regulations)

X Preliminary Plat Submission:

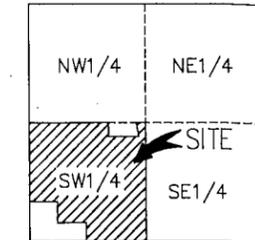
- X (a) Plat Submission Requirements: The subdivider shall submit to the Zoning Administrator:  
\_\_\_\_\_ five (5) copies of the preliminary plat and any supplemental materials specified by the Planning Commission of conditional approval. (The plat submission requirements are stipulated under C-3 Procedure for conditional approval of Preliminary Plat of the City of McCook Subdivision Regulations)
- X (b) Fees: A plat review fee shall accompany the preliminary plat in the amount specified in the City Fee Ordinance. (See Attached list of fees for building, zoning, and subdivision actions)
- X (c) Scale and Preliminary Plat contents. Preliminary plats shall be a scale of one (1) inch to one hundred (100) feet or 1" = 200' if seventy-five percent (75%) of the lots are one (1) acre or larger, and shall be prepared with the following information:
- X (1) The proposed name of the subdivision (the name shall not duplicate or too closely resemble the name or names of any existing subdivision).
- X (2) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.
- X (3) The names and addresses of the owner, developer, and the engineer who prepared the plat.
- X (4) Scale of the plat, one inch = one hundred feet or larger.
- X (5) Date of preparation and north point.
- X (6) Present zoning.
- X (7) Existing conditions:
- X aa. Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision shall be shown on the Preliminary Plat.
- X bb. All existing sewers, water mains, gas mains, culverts, or other underground installations, within the proposed subdivision, or adjacent thereto, with pipe size and manholes, grades and location shall be shown. Control elevation of surface drainage entering and existing from the property.
- X cc. Names of adjacent subdivisions together with arrangement of streets and lots, and owners of adjacent parcels of unsubdivided land shall be shown.

- X dd. Topography (unless specifically waived) with contour intervals of not more than five (5) feet, referred to City or U.S.G.S. datum shall be shown; also location of water courses, bridges, wooded areas, lakes, ravines, and such other features as may be pertinent to the subdivision shall be shown.
- X (8) The general arrangement of lots and their approximate size.
- X (9) Location and width of proposed streets, alleys, pedestrian ways, and easements. Control elevation shall be shown for all street intersections.
- X (10) The general plan of sewage disposal, water supply and utilities in areas where public sewers and/or water are proposed to serve the subdivision. In other cases a notation shall be made on the plat indicating type of sewage disposal, and water system proposed.
- \_\_\_ (11) Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.
- X (12) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.
- \_\_\_ (13) The subdivider shall indicate by letter when improvements as required will be installed or requested.
- \_\_\_ (14) Any proposed restrictive covenants for the land involved shall accompany the plat.
- \_\_\_ (15) a letter requesting annexation of the subdivision if it is in the planning jurisdiction to be served with city utilities.

**PRELIMINARY PLAT  
-BISHOP ACRES THIRD SUBDIVISION-  
PART OF THE SW1/4 SECTION 24, T3N, R30W,  
OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA**

**LOCATION MAP**

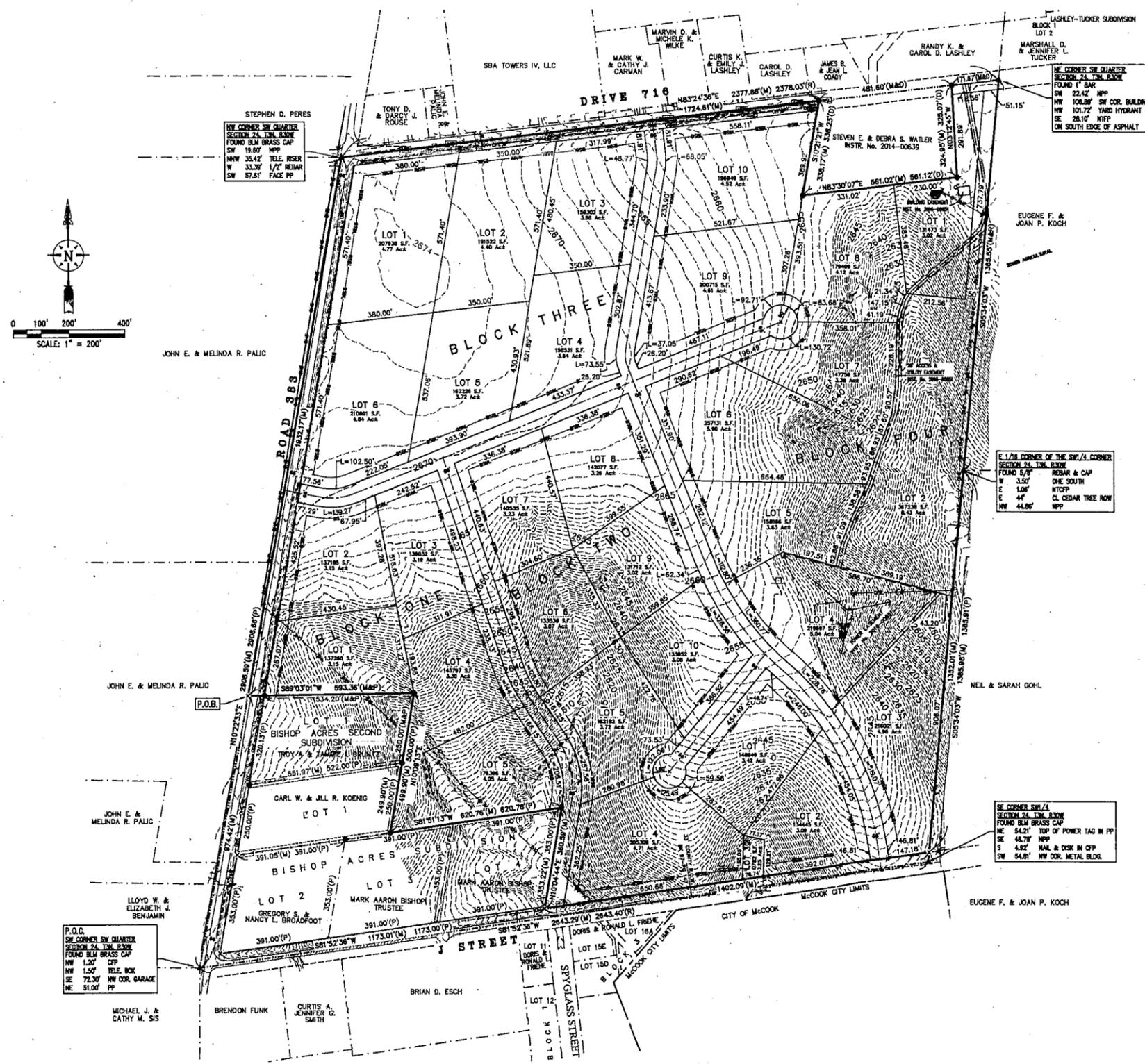
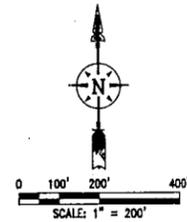
SEC. 24-T3N-R30W



NOT TO SCALE

**LEGAL DESCRIPTION:**

Part of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, Red Willow County, Nebraska, described as follows:  
Commencing at the Brass Cap at the Southwest corner of said Southwest Quarter of Section 24; thence N 10°22'33" E on the West line of said Southwest Quarter, and all bearings contained herein are relative thereto, a distance of 974.42 feet to the Westerly extension of the North line of Lot 1 of Bishop Acres Second Subdivision, part of the SW1/4 of Section 24, T3N, R30W of the Sixth Principal Meridian, Red Willow County, Nebraska and the POINT OF BEGINNING; thence continuing N 10°22'33" E on said West line of the Southwest Quarter a distance of 1932.17 feet to the Brass Cap at the Northwest corner of said Southwest Quarter; thence N 83°24'36" E on the North line of said Southwest Quarter a distance of 1724.61 feet to a 5/8" rebar with cap at the Northwest corner of property described in Warranty Deed recorded as Instrument No. 2014-00639, Red Willow County, Nebraska records; thence S 10°21'21" W on the West line of property described in said Warranty Deed a distance of 338.17 feet to a 5/8" rebar; thence N 83°30'07" E on the South line of property described in said Warranty Deed a distance of 561.02 feet to a 5/8" rebar; thence N 03°12'45" W on the East line of property described in said Warranty Deed a distance of 324.93 feet to a 5/8" rebar with cap on said North line of said Southwest Quarter; thence N 83°24'36" E on said North line of the Southwest Quarter a distance of 171.67 feet to a 1" bar at the Northeast corner of said Southwest Quarter; thence S 05°34'03" W on the East line of said Southwest Quarter a distance of 1385.55 feet to a 5/8" rebar with cap at the East 1/16 corner of said Southwest Quarter; thence continuing S 05°34'03" W on said East line of the Southwest Quarter a distance of 1352.01 feet to the North right-of-way line of J Street, being 33.00 feet, measured at right angles, Northerly of the South line of said Southwest Quarter; thence S 81°52'36" W on said North right-of-way line a distance of 1402.09 feet to the Southerly extension of the East line of Lot 4 of Bishop Acres Subdivision, part of the SW1/4 of Section 24 Township 3 North Range 30 West of the 6th Principal Meridian, Red Willow County, Nebraska; thence N 10°04'44" E on said Southerly extension and on said East line of Lot 4 a distance of 360.59 feet to a 5/8" rebar at the Northeast corner of said Lot 4; thence S 81°51'13" W on the North line of said Lot 4 and on the North line of Lot 3 of said Bishop Acres Subdivision a distance of 620.76 feet to a 5/8" rebar at the Southeast corner of Lot 1 of said Bishop Acres Subdivision; thence N 10°09'13" E on the East line of said Lot 1 of Bishop Acres Subdivision and on the East line of said Lot 1 of Bishop Acres Second Subdivision a distance of 499.90 feet to a 5/8" rebar at the Northeast corner of said Lot 1 of Bishop Acres Second Subdivision; thence S 89°03'01" W on the North line of said Lot 1 of Bishop Acres Second Subdivision and its Westerly extension a distance of 593.36 feet to the Point of Beginning. Containing 134.76 Acres, more or less.



**LEGEND**

- ▲ = SECTION CORNERS FOUND
- = CORNERS FOUND (5/8" REBAR UNLESS OTHERWISE NOTED)
- = CORNERS ESTABLISHED (CAPPED 5/8" x 24" REBAR)
- x = TEMPORARY POINT
- (M) = MEASURED DISTANCES
- (P) = PLATTED DISTANCES
- (R) = RECORDED DISTANCES
- (D) = DEEDED DISTANCES
- = SECTION LINE
- = BOUNDARY LINE
- = NEW EASEMENT LINE
- = EXISTING EASEMENT LINE
- = EXISTING LOT LINES
- = 40' BUILDING SETBACK LINE
- = OVERHEAD ELECTRIC LINE
- = UNDERGROUND ELECTRIC LINE
- = STORM SEWER LINE
- = SANITARY SEWER LINE
- = FENCE
- = UNDERGROUND FIBER-OPTIC LINE
- = UNDERGROUND TELEPHONE LINE
- = GAS LINE
- = WATER LINE
- = ELECTRIC TRANSFORMER
- = GUY ANCHOR
- = TELEPHONE PEDESTAL
- = GAS METER OR RISER
- = SIGN
- = FIRE HYDRANT
- = WATER VALVE
- = POWER OR TELEPHONE POLE
- = LIGHT POLE
- = YARD HYDRANT
- = MANHOLE

**EXHIBIT #5**

**PAGE(S)-1**

THIS PLAT PREPARED JUNE, 2020 FOR:  
A.M. BISHOP TRUSTEE OF THE A.M. BISHOP FAMILY TRUST  
1608 N. HIGHWAY 83  
MCCOOK, NEBRASKA 69001  
CURRENT ZONING: AG (AGRICULTURAL)  
PROPOSED ZONING: AO (AGRICULTURAL)

SHEET 1 OF 1

RED WILLOW CO-BISHOP ACRES SUB

DATE: 6/20/2020 1:05 PM C:\Projects\2020\2020-003\Drawings\Survey\Design\10\_Steve\_Bishop.dwg

McCook Planning Commission  
July 13, 2020  
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley, Davidson, Dueland, Lyons, McDowell, Stevens.

Absent: Commissioners Friehe, Graham.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 9, 2020, 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 all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the May 11, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the May 11, 2020 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2. Public Hearings and Regular Agenda.

2.A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

**EXHIBIT #6**

**PAGE(S) - 5**

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (2 pages); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Preliminary Plat (1 page).

City Manager Schneider reviewed the following information contained in Exhibit #1: "An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6th P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower."

"The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stated that before there is additional development, a comprehensive development plan needs to be developed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the Planning Commission's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code."

"If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the owner believes a change is warranted due to development needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date."

"As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for

commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

City Manager Schneider stated the Commissioner Friehe was unable to attend, but did call to ask about a drainage plan and if the streets will be required to be paved. John Palic, owner of property to the west, called with similar questions.

Craig Bennett, Miller & Associates Consulting Engineers, P.C., representative for the Bishop Family, reviewed the proposal with the Commission. This preliminary plan is similar to the conceptual plan presented during the consideration of Bishop Acres 2<sup>nd</sup> Subdivision; it meets all zoning and subdivision requirements; Lot 1, where a cell tower is located, is being pulled out for consideration as a Final Plat; Lot 1 has access to Road 716 so no paved street would be required; because of the terrain, drainage would not be required at this time; future subdivisions or phases will require paving and storm water cells or detention ponds; it is likely that the detention ponds would be on the southern lots and could possibly become outlots; future subdivisions/plats will be required to provide ROW to back lots to provide access and streets will be developed at that time; the City's Subdivision Regulations state that a preliminary plat is good for one year, the City might want to look at changing that;

Commissioner discussion included concerns about piece milling, developing areas with access, so no streets are required; is the radius of the cul-de-sacs large enough for fire equipment to turn around in; should a main arterial street be developed; are the three acre lots too large if the subdivision is annexed at some point; it would not be cost effective for the City to serve this area with water and sewer; some other areas around the community would be more cost effective the City to serve with water and sewer; and three acres are necessary to meet state requirements for septic tanks.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.B. Recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska. This motion, made by McDowell and seconded by

Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Final Plat (1 page).

City Manager Schneider reviewed that last paragraph of Exhibit #1: "As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

Discussion included whether the tower meets current height requirements and whether the easement on the east is dedicated and recorded.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT,

Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.D. Recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

Commissioner Dueland requested that city staff consider providing the future Planning Commission meetings to the public through zoom or some other means. Commissioner Stevens also supported the request.

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:18 P.M.

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Lea Ann Doak, Recording Secretary

**CITY MANAGER'S REPORT  
JULY 20, 2020 MCCOOK CITY COUNCIL MEETING**

- ITEM: \_\_\_** Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.
- ITEM: \_\_\_** Approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.
- ITEM: 3.C.** Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.
- ITEM: 3.D.** Approve the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

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**BACKGROUND:**

An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6<sup>th</sup> P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower.

The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stressed that before there is additional development of the Bishop tract, a comprehensive development plan needs to be designed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the City Council's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code.

If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the

**EXHIBIT #1**

**PAGE(S) - 2**

owner believes a change is warranted due to development needs. The City of McCook can also ask that the preliminary plat be modified to meet McCook's needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date.

As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress off of Road 716. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement.

At the July 13, 2020 Planning Commission meeting, the Planning Commission voted unanimously to recommend approval of the preliminary plat and final plat.

**RECOMMENDATIONS:**

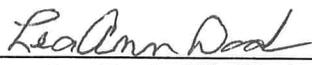
**ITEM:** \_\_\_ Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.

**ITEM:** \_\_\_ Approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska.

**ITEM:** \_\_\_ Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

**ITEM:** \_\_\_ Approve the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6<sup>th</sup> P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 15, 2020

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 15, 2020

**NOTICE OF PUBLIC HEARING  
FINAL PLAT APPROVAL**

NOTICE IS HEREBY GIVEN that a public hearing will be held to consider the final plat on the following described property to be known as Bishop Acres Third Subdivision:

A tract of land being part of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, in Red Willow County, Nebraska. This tract of land will be referred to as BISHOP ACRES THIRD SUBDIVISION, and more particularly described as follows:

Commencing at the 1" Bar at the Northeast corner of the Southwest Quarter of Section 24; thence S 83°24'36" W on the North line of said Southwest Quarter, and all bearing contained herein are relative thereto, a distance of 51.15 feet to the POINT OF BEGINNING; thence S 05°34'03" W parallel with and 50.00 feet, measured at right angles, Westerly of the East line of said Southwest Quarter a distance of 771.55 feet to a 5/8" rebar with cap; thence N 84°25'57" W a distance of 212.56 feet to a 5/8" rebar with cap; thence N 06°29'53" W a distance of 385.46 feet to a 5/8" rebar with cap on the South line of property described in Warranty Deed recorded as Instrument No. 2014-00639, Red Willow County, Nebraska records; thence N 83°30'07" E on the South line of property described in said Warranty Deed a distance of 230.00 feet to a 5/8" rebar at the Southeast corner of property described in said Warranty Deed; thence N 03°12'45" W on the East line of property described in said Warranty Deed a distance of 324.95 feet to a 5/8" rebar with cap on said North line of the Southwest Quarter and the Northeast corner of property described in said Warranty Deed; thence N 83°24'36" E on said North line of the Southwest Quarter a distance of 120.52 feet to the Point of Beginning. Containing 3.11 Acres, more or less.

A PUBLIC HEARING ON THE ABOVE-DESCRIBED FINAL PLAT APPROVAL WILL BE HELD ON THE DATE, TIME, AND AT THE PLACE LISTED BELOW:

JULY 13, 2020 - 5:15 P.M.  
MCCOOK PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

JULY 20, 2020 - 5:30 P.M.  
MCCOOK CITY COUNCIL  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described preliminary plat may attend the public hearing and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak  
City Clerk

Publish: July 3, 2020.

**EXHIBIT #2**

**PAGE(S)-1**

Property Owners Notified:

LLOYD & ELIZABETH BENJAMIN  
71603 RD 383  
MCCOOK, NE 69001

GREGORY & NANCY BROADFOOT  
71604 RD 383  
MCCOOK, NE 69001

AARON MARK BISHOP, TRUSTEE  
9001 OLD 81 LOOP  
RUDY, AR 72952-8519

TOM BREDVICK, PRESIDENT  
MCCOOK PUBLIC SCHOOLS  
600 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW CO. PLANNING COMMISSION  
502 NORRIS AVE  
MCCOOK, NE 69001

CURTIS AND JENNIFER SMITH  
38306 RD 716  
MCCOOK, NE 69001

MICHAEL AND CATHY SIS  
38686 DR 713  
MCCOOK, NE 69001

RONALD AND DORIS FRIEHE  
#1 SPYGLASS  
MCCOOK, NE 69001

TROY AND TAMMIE BRUNTZ  
434 SEMINOLE  
MCCOOK, NE 69001

MARSHALL AND JENNIFER TUCKER  
108 W 9  
MCCOOK, NE 69001

STEVEN AND DEBRA WALTER  
#3 BRASSIE DR  
MCCOOK, NE 69001

CAROL LASHLEY  
38335 DR 716  
MCCOOK, NE 69001

CARL & JILL KOENIG  
71608 RD 383  
MCCOOK, NE 69001

JOHN & MELINDA PALIC  
38272 FINCH TRAIL  
MCCOOK, NE 69001

RED WILLOW CO. SCHOOL DIST. #17  
700 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW COUNTY  
C/O TAMI TEEL  
502 NORRIS AVE  
MCCOOK, NE 69001

STEPHEN PERES  
71653 RD 383  
MCCOOK, NE 69001

BRIAN ESCH  
#3 SANDPIPER  
MCCOOK, NE 69001

BRENDEN FUNK  
71580 RD 383  
MCCOOK, NE 69001

EUGENE AND JOAN KOCH  
2402 W J  
MCCOOK, NE 69001

NEIL AND SARAH GOHL  
2311 WEST J  
MCCOOK, NE 69001

RANDY AND CAROL LASHLEY  
38355 DRIVE 716  
MCCOOK, NE 69001

JAMES AND JEAN COADY  
38337 DR 716  
MCCOOK, NE 69001

CURTIS AND EMILY LASHLEY  
38331 DR 716  
MCCOOK, NE 69001

**EXHIBIT #3**

**PAGE(S)-2**

MARVIN AND MICHELE WILKE  
38325 DR 716  
MCCOOK, NE 69001

SBA TOWERS IV, LLC  
TAX DEPT/NE 15315-A 8051  
CONGRESS  
AVE BOCA RATON, FL 33487

MARK AND CATHY CARMAN  
38323 DR 716  
MCCOOK, NE 69001

TONY AND DARCY ROUSE  
38303 DR 716  
MCCOOK, NE 69001

**CITY OF McCOOK**

**LAND USE ACTION REQUEST FORM**

This request is for a:  
(Check all that apply)

- Zone Change
- Special Exception
- Administrative Permit (Personal Wireless Facility)
- Special Exception (Personal Wireless Facility)
- Minor Subdivision
- Major Subdivision
- Planned Development(Includes Zone Change)

Name of Project: \_\_\_\_\_

Description of Project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project sponsor or developer:

Name: Miller & Associates Consulting Engineers, P.C.

Address: 1111 Central Avenue, Kearney, NE 68847

Phone number: 308-234-6456

Fax number: 308-234-1146

E-mail Address: cbennett@miller-engineers.com

Land owner or owners:

Name: A.M. Bishop Family Trust

Address: 9001 Old Loop 82, Rudy, AR 72952

Phone number: 479-459-2271

Fax number: NA

E-Mail Address: accu-temp@hotmail.com



## REQUIRED ATTACHMENTS:

### For Subdivisions:

Sketch Plan:

- (1) General lot layout on a topographic background of the proposed subdivision including approximate location of streets, alleys, lots and other significant features.
- (2) Surrounding streets, alleys, and land use features.
- (3) General location of existing sewer and waterlines (developments not intending to use city sewer and water are to include a written explanation of the proposal to satisfy these utility needs.)
- (4) General location of utility easements and types of utilities to be included.
- (5) General location of any open space and an explanation of the type of facilities that will be provided.

\_\_\_\_\_ Attachments: in addition to the above noted sketch plat, the subdivider shall attach the following:

- (1) A letter requesting only zoning change or special exception required for the development to proceed.
- (2) Written description of the type of housing, commercial, industrial, or public uses to be included in the subdivision.
- (3) An explanation of what the general character of the area will be when it is developed and how it will relate to the adjacent surrounding areas.
- (4) An explanation of how the proposed development relates to the Comprehensive Plan (Particularly in regard to land use, thoroughfare, and public facilities)
- (5) Is it the intent to use Deed Restrictions or any other method of controlling the character and/or the quality of the area?

\_\_\_\_\_ If so, briefly explain what they might consist of.

\_\_\_\_\_ (Attach explanation)

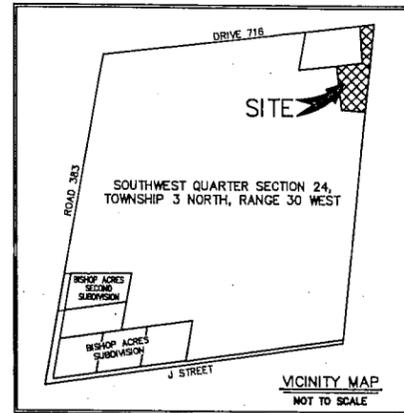
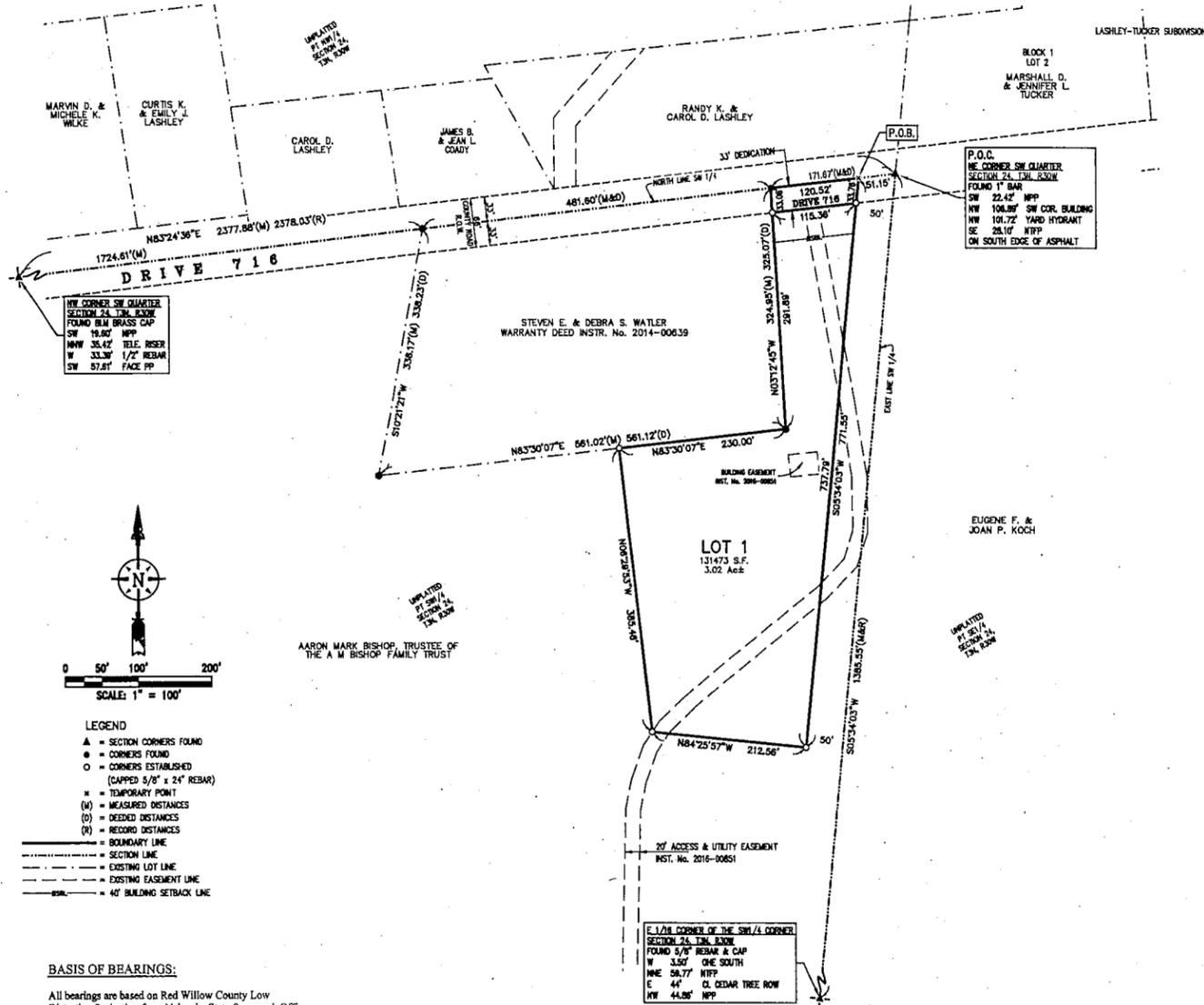
\_\_\_\_\_ Attach proposed Subdivision Agreement. (See Part D of the Subdivision Regulations)

X Preliminary Plat Submission:

- X (a) Plat Submission Requirements: The subdivider shall submit to the Zoning Administrator:  
\_\_\_\_\_ five (5) copies of the preliminary plat and any supplemental materials specified by the Planning Commission of conditional approval. (The plat submission requirements are stipulated under C-3 Procedure for conditional approval of Preliminary Plat of the City of McCook Subdivision Regulations)
- X (b) Fees: A plat review fee shall accompany the preliminary plat in the amount specified in the City Fee Ordinance. (See Attached list of fees for building, zoning, and subdivision actions)
- X (c) Scale and Preliminary Plat contents. Preliminary plats shall be a scale of one (1) inch to one hundred (100) feet or 1" = 200' if seventy-five percent (75%) of the lots are one (1) acre or larger, and shall be prepared with the following information:
- X (1) The proposed name of the subdivision (the name shall not duplicate or too closely resemble the name or names of any existing subdivision).
- X (2) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.
- X (3) The names and addresses of the owner, developer, and the engineer who prepared the plat.
- X (4) Scale of the plat, one inch = one hundred feet or larger.
- X (5) Date of preparation and north point.
- X (6) Present zoning.
- X (7) Existing conditions:
- X aa. Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision shall be shown on the Preliminary Plat.
- X bb. All existing sewers, water mains, gas mains, culverts, or other underground installations, within the proposed subdivision, or adjacent thereto, with pipe size and manholes, grades and location shall be shown. Control elevation of surface drainage entering and existing from the property.
- X cc. Names of adjacent subdivisions together with arrangement of streets and lots, and owners of adjacent parcels of unsubdivided land shall be shown.

- dd. Topography (unless specifically waived) with contour intervals of not more than five (5) feet, referred to City or U.S.G.S. datum shall be shown; also location of water courses, bridges, wooded areas, lakes, ravines, and such other features as may be pertinent to the subdivision shall be shown.
- (8) The general arrangement of lots and their approximate size.
- (9) Location and width of proposed streets, alleys, pedestrian ways, and easements. Control elevation shall be shown for all street intersections.
- (10) The general plan of sewage disposal, water supply and utilities in areas where public sewers and/or water are proposed to serve the subdivision. In other cases a notation shall be made on the plat indicating type of sewage disposal, and water system proposed.
- (11) Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.
- (12) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.
- (13) The subdivider shall indicate by letter when improvements as required will be installed or requested.
- (14) Any proposed restrictive covenants for the land involved shall accompany the plat.
- (15) a letter requesting annexation of the subdivision if it is in the planning jurisdiction to be served with city utilities.

**FINAL PLAT**  
**-BISHOP ACRES THIRD SUBDIVISION-**  
 PART OF THE SW1/4 SECTION 24, T3N, R30W,  
 OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA



**SUBDIVISION AGREEMENT**  
 A copy of the SUBDIVISION AGREEMENT for  
**BISHOP ACRES THIRD SUBDIVISION**  
 Is on file at the City of McCook Offices

**DEDICATION**

BISHOP ACRES THIRD SUBDIVISION, as it appears on the foregoing Plat and as described herein is with the free consent and in accordance with the desires of the undersigned owner and proprietor. The said owner hereby dedicates the streets, alleys, easements and other open areas, if any, to the Public use and benefit.

By: \_\_\_\_\_  
 A.M. Bishop Family Trust, Aaron Mark Bishop, Trustee

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
 ) S.S.  
 COUNTY OF \_\_\_\_\_ )  
 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Aaron Mark Bishop, Trustee.

Notary Public \_\_\_\_\_ (SEAL)  
 My commission expires \_\_\_\_\_

**RECORDING INFORMATION**

State of Nebraska )  
 ) JSS  
 County of Red Willow )  
 Instrument Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Register of Deeds: \_\_\_\_\_  
 Tami Teel

**PLANNING COMMISSION APPROVAL**

This Plat was duly approved by the City of McCook, Red Willow County, Nebraska Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Kurt Vosburg, Chairman  
 Chad Lyons, Secretary

**MUNICIPAL APPROVAL**

This Plat was duly approved by the City of McCook, Red Willow County, Nebraska on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Lea Ann Doak, City Clerk  
 Mike Gonzales, Mayor

**ZONING NOTES:**

AGRICULTURAL DISTRICT (AG)  
 FRONT YARD SETBACK = 40 FEET  
 SIDE YARD SETBACK = 20 FEET  
 REAR YARD SETBACK = 50 FEET

**EXHIBIT #5**  
**PAGE(S)-1**

THIS PLAT PREPARED JUNE, 2020 FOR:  
 A.M. BISHOP TRUSTEE OF THE A.M. BISHOP FAMILY TRUST  
 1608 N. HIGHWAY 83  
 MCCOOK, NEBRASKA 69001  
 CURRENT ZONING: AG (AGRICULTURAL)  
 PROPOSED ZONING: AG (AGRICULTURAL)

SHEET 1 OF 1

**Miller & Associates**  
 Consulting Engineers, P.C.  
 1111 CENTRAL AVENUE  
 STANLEY, NE 68617-6833  
 TEL: 308-234-4456  
 FAX: 308-234-1114  
 WWW.MILLER-ENGINEERS.COM  
 RED WILLOW CO-BISHOP ACRES THIRD SUB

**LEGAL DESCRIPTION:**

Part of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, Red Willow County, Nebraska, described as follows:  
 Commencing at the 1" Bar at the Northeast corner of the Southwest Quarter of Section 24; thence S 83°24'36" W on the North line of said Southwest Quarter, and all bearing contained herein are relative thereto, a distance of 51.15 feet to the POINT OF BEGINNING; thence S 05°34'03" W parallel with and 50.00 feet, measured at right angles, West of the East line of said Southwest Quarter a distance of 771.55 feet to a 5/8" rebar with cap; thence N 84°23'57" W a distance of 212.56 feet to a 5/8" rebar with cap; thence N 06°29'53" W a distance of 385.46 feet to a 5/8" rebar with cap on the South line of property described in Warranty Deed recorded as Instrument No. 2014-00639, Red Willow County, Nebraska records; thence N 83°30'07" E on the South line of property described in said Warranty Deed a distance of 230.00 feet to a 5/8" rebar at the Southeast corner of property described in said Warranty Deed; thence N 03°12'45" W on the East line of property described in said Warranty Deed a distance of 324.95 feet to a 5/8" rebar with cap on said North line of the Southwest Quarter and the Northeast corner of property described in said Warranty Deed; thence N 83°24'36" E on said North line of the Southwest Quarter a distance of 120.52 feet to the Point of Beginning. Containing 3.11 Acres, more or less.

**SURVEYOR'S CERTIFICATE**

I, Stanley P. Blackmore, Nebraska Professional Registered Land Surveyor No. 795, do hereby certify that the survey of "Bishop Acres Third Subdivision", Red Willow County, Nebraska, was performed by D. Don Terry, R.L.S. #12, under my direct supervision, the lots are well and accurately staked off and marked, the dimensions of the lots are as shown on the above plat, the lots bear their own number, and that the survey was made using known and recorded monuments. All information shown on the above plat is accurate and correct to the best of my knowledge and belief.

(SEAL)  
 Stanley P. Blackmore  
 Nebraska Professional Registered Land Surveyor No. 795  
 Date \_\_\_\_\_



6/20/2020 11:08 AM  
 C:\Users\stanley\Documents\Bishop Acres Third Subdivision\Bishop Acres Third Subdivision.dwg  
 6/20/2020 11:08 AM

McCook Planning Commission  
July 13, 2020  
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley, Davidson, Dueland, Lyons, McDowell, Stevens.

Absent: Commissioners Friehe, Graham.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 9, 2020, 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 all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the May 11, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the May 11, 2020 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (2 pages); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Preliminary Plat (1 page).

City Manager Schneider reviewed the following information contained in Exhibit #1: "An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6th P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower."

"The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stated that before there is additional development, a comprehensive development plan needs to be developed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the Planning Commission's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code."

"If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the owner believes a change is warranted due to development needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date."

"As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for

commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

City Manager Schneider stated the Commissioner Friehe was unable to attend, but did call to ask about a drainage plan and if the streets will be required to be paved. John Palic, owner of property to the west, called with similar questions.

Craig Bennett, Miller & Associates Consulting Engineers, P.C., representative for the Bishop Family, reviewed the proposal with the Commission. This preliminary plan is similar to the conceptual plan presented during the consideration of Bishop Acres 2<sup>nd</sup> Subdivision; it meets all zoning and subdivision requirements; Lot 1, where a cell tower is located, is being pulled out for consideration as a Final Plat; Lot 1 has access to Road 716 so no paved street would be required; because of the terrain, drainage would not be required at this time; future subdivisions or phases will require paving and storm water cells or detention ponds; it is likely that the detention ponds would be on the southern lots and could possibly become outlots; future subdivisions/plats will be required to provide ROW to back lots to provide access and streets will be developed at that time; the City's Subdivision Regulations state that a preliminary plat is good for one year, the City might want to look at changing that;

Commissioner discussion included concerns about piece milling, developing areas with access, so no streets are required; is the radius of the cul-de-sacs large enough for fire equipment to turn around in; should a main arterial street be developed; are the three acre lots too large if the subdivision is annexed at some point; it would not be cost effective for the City to serve this area with water and sewer; some other areas around the community would be more cost effective the City to serve with water and sewer; and three acres are necessary to meet state requirements for septic tanks.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.B. Recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska. This motion, made by McDowell and seconded by

Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Final Plat (1 page).

City Manager Schneider reviewed that last paragraph of Exhibit #1: "As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

Discussion included whether the tower meets current height requirements and whether the easement on the east is dedicated and recorded.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT,

Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.D. Recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

Commissioner Dueland requested that city staff consider providing the future Planning Commission meetings to the public through zoom or some other means. Commissioner Stevens also supported the request.

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:18 P.M.

---

Lea Ann Doak, Recording Secretary

RESOLUTION NO. 2020-15

WHEREAS, the A.M. Bishop Family Trust applied for approval of a subdivision of a part of the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, Red Willow County, Nebraska to be known as Bishop Acres Third Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA:

SECTION 1. That the plat of Bishop Acres Third Subdivision, a subdivision of a part of the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Three (3) North, Range Thirty (30) West of the Sixth Principal Meridian, Red Willow County, Nebraska and in accordance with the terms and requirements of Section 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended), hereby be accepted and ordered filed and recorded in the Office of the Register of Deeds, Red Willow County, Nebraska.

SECTION 2. That the Mayor and City Clerk of the City of McCook be and are hereby authorized and directed to execute the final plat on behalf of the City of McCook, Nebraska.

PASSED AND APPROVED THIS 20<sup>th</sup> day of July, 2020.

ATTEST:

\_\_\_\_\_  
Michael D. Gonzales, Mayor

\_\_\_\_\_  
Lea Ann Doak, City Clerk

**EXHIBIT #7**

**PAGE(S) - 1**

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

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**ITEM:**        4.A.

Approve the minutes of the July 6, 2020 regular City Council meeting.

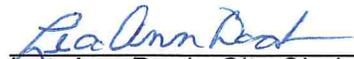
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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 16, 2020

McCook City Council  
July 6, 2020  
5:30 PM 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 Gonzales, Councilmembers Hepp, Calvin, Weedon, Muehlenkamp.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown, Utilities Director Dutcher, Fire Chief Harpham, 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 6, 2020, 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.**

No one was present for Citizen's Comments.

**2. Announcements & Recognitions.**

City Manager Schneider informed the Council that a Planning Commission meeting is scheduled for this coming Monday for consideration of a Preliminary Plat and Final Plat for Bishop Acres Third Subdivision.

Fire Chief Harpham stated that over the Fourth of July holiday the citizen's did an excellent job of staying safe, only one dumpster fire was reported.

**3. Consent Agenda.**

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

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.  
YEA: 5, NAY: 0

- 3.A. Approve the minutes of the June 15, 2020 regular City Council meeting and the June 17, 2020 special City Council meeting.
- 3.B. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company LLC, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on August 8, 2020 from 4:00 P.M. to 12:00 A.M.; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.
- 3.C. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, LLC, Liquor License #C-121305, for the Pro/Am Golf Banquet to be held at the Citta' Deli parking lot, 110 West 1st Street, on August 22, 2020 from 2:00 P.M. to 11:59 P.M.; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.
- 3.D. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, LLC, Liquor License #C-121305, for the Heritage Days Beer Garden event to be held at the Citta' Deli parking lot, 110 West 1st Street, on September 26, 2020 from 2:00 P.M. to 11:59 P.M.; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.
- 3.A Offer a contract to Midlands Contracting, Inc. with a bid of \$209,250.00 as the lowest responsible bidder for West Golf Course Lift Station Renovation and authorize the Mayor to execute the necessary paperwork to award the contract.
- 3.F. Ratify actions taken with respect to the Nebraska Service Provider Addendum.
- 3.G. Appoint Mike Gonzales, Jerry Calvin, Isaac Brown, Mike Swain (former North Platte Police Chief), and Nate Schneider to the McCook Police Chief Selection Committee.
- 3.H. Approve a Grant of License between the City of McCook and David and Carrie Junker, residing at 1103 Country Club Drive, to occupy city right of way adjacent to 1103 Country Club Drive, which would allow for a portion of a carport to be located on city right of way.
- 3.I. Ratify the Mayor's appointments to the Airport Advisory Commission - reappoint Dick Trail and Jeff Williams - terms expire November 2022; the Economic Development Plan Citizen's Advisory Review committee - reappoint Leon Kuhlén and Danielle Johnson - terms expire July 2022 and Jordan Johnson - term expires July 2023; the Economic Development Plan Loan Committee - reappoint Kent Craw and Doug Skiles - terms expired March 2022; the Library Advisory Board - reappoint Staci Blomstedt - term expires June 2023 and Sharon Bohling - term expires June 2024; the Parks Advisory Board - reappoint Mark Friehe - term expires May 2023; the Planning Commission - reappoint Camy Bradley and Tammie Hilker - terms expire September 2022; the Senior Citizens Advisory Board - reappoint Robert

Patenburg and Sharon Parde - terms expire September 2022; and the Tree Advisory Board - reappoint Leigh Farrell - term expires April 2025.

#### **4. Regular Agenda.**

##### **4.A. Receive and file a discussion regarding COVID-19 updates.**

Discussion was held regarding COVID-19. All facilities are open, with the exception of the Senior Center. They continue to serve pickup and home delivered meals. Discussion was held regarding the possibility of opening for congregate meals; during weekly conference calls with Governor Ricketts staff asked what the medical professionals thoughts were on reopening senior centers that are used by the most vulnerable population and we are waiting to hear back from the League to see what they have to say; since the beginning, staff has been following the governors guidelines; attending the center is the main form of socialization for our senior citizen's; the opening of the library and ballpark went well; and restrooms have been opened at Kelley and Norris parks.

It was the consensus of the Council to gradually start reopening the Senior Center for activities such as cards, WII bowling, and exercise classes.

##### **4.B. Receive and file a discussion regarding the consumption of alcoholic beverages on City of McCook property subject to a license agreement.**

City Manager Schneider reviewed the following information presented in his City Manager's Report: "Recently, City staff members had a conversation with Matt Sehnert about the possibility of licensing a part of the City sidewalk in front of his property to allow for outdoor dining. Mr. Sehnert inquired whether the license could include a provision for the consumption of alcohol on the City owned property. Mr. Sehnert told Staff that the City of Hastings had made a provision to allow for the consumption of alcohol at specifically approved City locations."

"After our meeting with Mr. Sehnert, Staff and the City Attorney reviewed the City Code of Hastings, as well as the City Code of Lincoln, for guidance on the request. Staff found that both cities enacted particular rules with respect to the issue of business related consumption of alcohol on publically owned sidewalks/property. Staff would like to discuss the request with the City Council to determine if there is interest in moving forward with an ordinance of this type. Staff has prepared a sample ordinance for Council's review as part of the discussion."

Mr. Schneider added that the area considered would primarily be in the Central Business District; the sidewalk café must be part of a food service establishment; a pedestrian walkway of at least six feet should be provided; the area must meet all ADA requirements; and must have some sort of barrier separating the sidewalk café from the sidewalk area.

Matt Sehnert was present to address his request with the Council. As an entrepreneur, he is always looking for new ideas to expand business and to offer new amenities to his customers.

It was the consensus of the Council to have the ordinance brought forward for their consideration

at a future meeting.

- 4.C. Receive and file a discussion regarding the creation of a no-parking designation on the north side of the 1500 block of West "H" Street, specifically the area of the north 1500 block of West "H" Street west of the existing alley.

City Manager Schneider informed the Council that Council Member Calvin asked that this item be placed on the agenda for discussion. Specifically, he requested that a discussion be held on whether to designate the north side of the 1500 block of West "H" Street (west of the north/south alley) as a no-parking area. With the addition of the Holiday Inn, there has been a noticeable increase of on-street vehicle parking on the 1500 block of West "H" Street. The up-tick in on-street parking has created traffic concerns on West H Street. In particular, when vehicles park on both sides of West "H" Street, the driving lane is narrowed for east and westbound vehicles. Due to the narrowed street, drivers may be at a greater risk of an accident.

Councilmember Calvin added that he is wanting to try to ensure that we have a safe traffic area.

Kirti Trivedi and Sean Davis, representing the Holiday Inn, were present to address this issue. They do not want to add any safety issues and are willing to work with those businesses in the area to address the issue.

Discussion included designating the north side as no parking; designating the south side as no parking; installing a loading/unloading area on the north side; and installing signage to help address the issue.

It was the consensus of the Council to have this item brought back to them for consideration at a future meeting.

- 4.D. Council Comments.

Councilmember Weedin asked if we are still requesting citizen to conserve water due to the warmer temperatures.

### **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 6:28 P.M.

---

Michael D. Gonzales, Mayor

ATTEST:

---

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

---

**ITEM:        4.B.**

Approve the application for a Special Designated Liquor License submitted by JBN, Inc., dba Hi Times Liquor Mart 1, Liquor License #DK-100025, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5<sup>th</sup> Street, on August 29, 2020 from 12:00 P.M. to 1:00 A.M; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.

---

**BACKGROUND:**

JBN will be catering this event. They are making application to allow them to serve alcohol at this temporary location. Approval of the City Council is required with all applications. Approval of this request is also approving consumption of alcohol in the auditorium.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 16, 2020

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 16, 2020

**Special Designated License  
Local Recommendation (Form 200)**  
Applications must be entered on the portal after local approval – no exceptions  
Late applications are non-refundable and will be rejected

**JBN INC DBA HI IMES LIQUOR MART 1**

**Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)**

**502 EAST B STREET, MCCOOK, NE. 69001**

**Retail Liquor License Address or Non-Profit Business Address**

**DK 100025**

**Retail License Number or Non-Profit Federal ID #**

**Consecutive Dates only**

**Event Date(s):** 8/29/20 \_\_\_\_\_

**Event Start Time(s):** 12:00PM \_\_\_\_\_

**Event End Time(s):** 1:00AM \_\_\_\_\_

**Alternate Date:** NONE

**Alternate Location Building & Address:** NONE

**Event Building Name:** MCCOOK CITY AUDITORIUM

**Event Street Address/City:** 302 WEST 5TH STREET

**Indoor area to be licensed in length & width:** 150 X 100

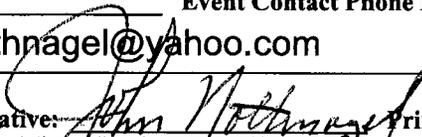
**Outdoor area to be licensed in length & width:** \_\_\_\_\_ X \_\_\_\_\_ (Diagram Form #109 must be attached)

**Type of Event:** RECEPTION Estimate # of attendees: 175

**Type of alcohol to be served:** Beer  Wine  Distilled Spirits   
(If not marked, you will not be able to serve this type of alcohol)

**Event Contact Name:** LINDA SCHIFLEBEIN **Event Contact Phone Number:** 308-344-9170

**Event Contact Email:** johnnothnagel@yahoo.com

**\*Signature Authorized Representative:**  **Printed Name** NICK NOTHNAGEL

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

**\*Retail licensee – Must be signed by a member listed on permanent license**

**\*Non-Profit Organization – Must be signed by a Corporate Officer**

**Local Governing Body completes below:**

The local governing body for the City/Village of MCCOOK **OR** County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date

# OUTDOOR AREA DIAGRAM

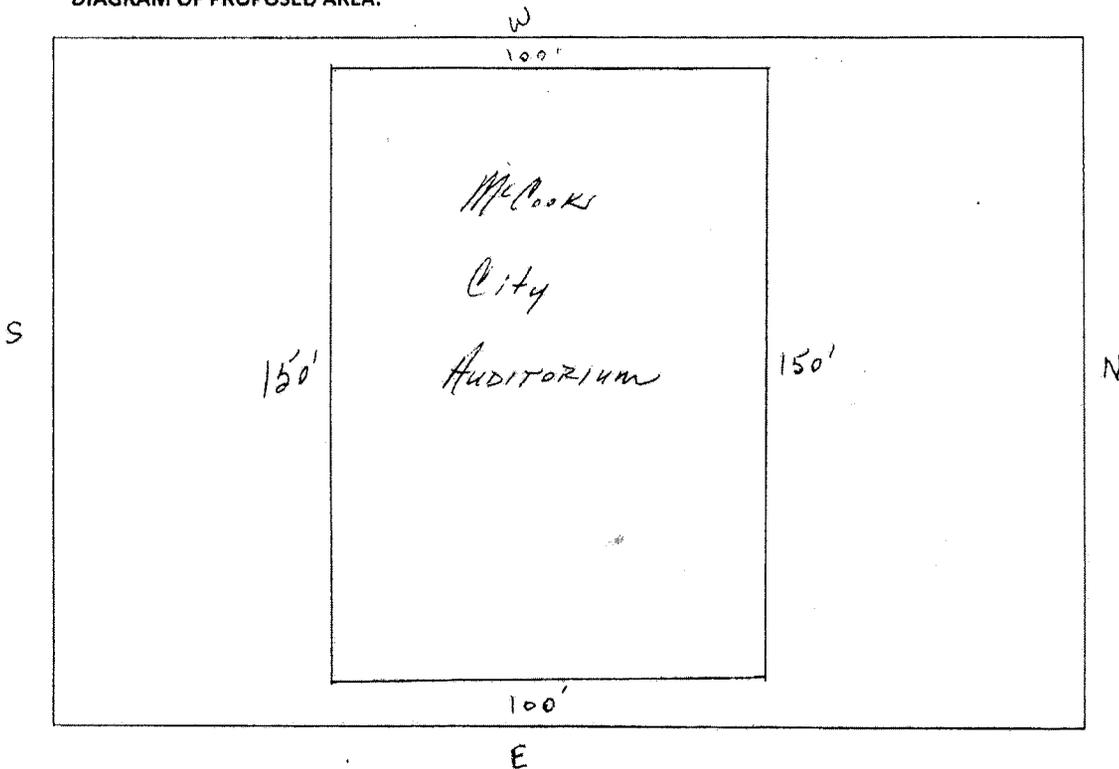
WE WILL HAVE CERTIFIED ALCOHOL

SERVERS AT EVENT ALONG WITH

HOW AREA WILL BE PATROLLED SOME ONE WATCHING THE DOORS.

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA:



CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING

ITEM: 4.C.

**RECOMMENDATION:**

APPROVE AN APPLICATION FROM GREAT PLAINS COMMUNICATIONS TO OCCUPY CITY RIGHT OF WAY ON WEST Q STREET AND WEST 17<sup>TH</sup> STREET FOR THE PURPOSE OF INSTALLING FIBER OPTIC CABLE TO 1505 WEST 17<sup>TH</sup> STREET OCCUPIED BY ESSLINGER'S HOME IMPROVEMENT.

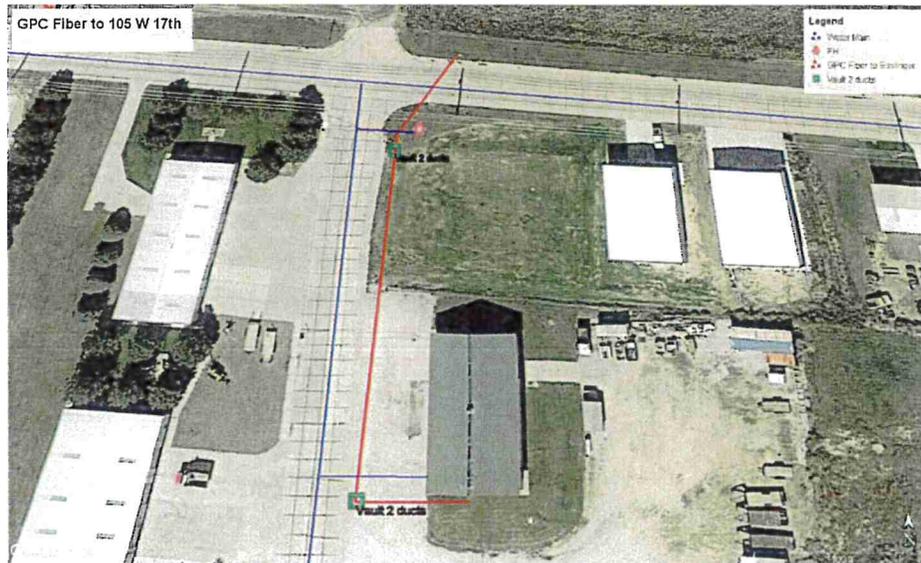
**BACKGROUND:**

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City right-of-way to extend fiber optic cable service to 1505 West 17<sup>th</sup> street, owned by Esslinger's Home Improvement.

The new cable will extend from an existing ground level vault located on the north side of West Q St. just east of the 17<sup>th</sup> St. intersection. From here, 2 ducts will be run under Q Street in a south westerly direction to a new ground level vault located on the easement near the West Q & West 17<sup>th</sup> Intersection. From the vault, the cable (& 2 ducts) will continue south on the east side of West 17<sup>th</sup> to another new vault located in front of the Esslinger building at 1505 West 17<sup>th</sup> Street. At this point the cable will leave City right-of-way and enter the building on private property.

The new cable installation will cross the 16" water main on West Q, a fire hydrant leg at 17<sup>th</sup>, and the water service lines to 1511 and 1505 West 17<sup>th</sup>. It will also cross the storm sewer lines on West Q Street.

**FISCAL IMPACT:** None, Great Plains Communications has a performance fee on deposit with the City of McCook.



**APPROVALS:**

  
\_\_\_\_\_  
Jesse Dutcher Utilities Dir.

July 20, 2020

  
\_\_\_\_\_  
Kyle Potthoff, Public Works Dir.

July 20, 2020

  
\_\_\_\_\_  
Nate Schneider, City Manager

July 20, 2020



P.O. BOX 1059 • 505 WEST C • McCook, NE 69001-1059 • PHONE (308) 345-2022 • FAX (308) 345-1461

### APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 6-24-2020  
ADDRESS: 1009 West B St. PHONE: 402-278-2325  
FAX: 308-777-2003 START DATE: June 2020 FINISH DATE: July 2020

#### A CASH BOND IS REQUIRED FOR ALL RIGHT-OF-WAY ENCROACHMENTS

Type: (circle) Over-Cross <u>Under-Cross</u> Occupy Miscellaneous	With a: (circle) Water Line Sewer Line Gas Line Telephone Line <u>Underground</u> Aerial	<u>Fiber</u> Tree Trimming/Removal Grading Other Electric Line (Underground Aerial)
---	---	--

Location: Beginning \_\_\_\_\_ feet (East West North South) of Intersection \_\_\_\_\_  
and ending (East West North South) \_\_\_\_\_ feet of Intersection  
Map attached

**Requirements:** The applicant agrees to complete this work in accordance with the terms and conditions of the City of McCook. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the City of McCook. The Applicant may cancel the permit with written notification at any time prior to beginning work on right-of-way.

**Performance Guarantee: (Make Payable to City of McCook)**

Amount: \$ \_\_\_\_\_ Check No. \_\_\_\_\_ Or FID No. \_\_\_\_\_

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

**NOTE:** Please provide a location plan for over-cross or under-cross of location to occupy City of McCook right-of-way. When your project requires engineering plans, please submit four sets of plans, no larger than 18"x24". The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, sleeves, cuts and fills, erosion control measures, etc., when applicable. City of McCook Municipal Code §94.34.

[Signature]  
Applicant's Signature

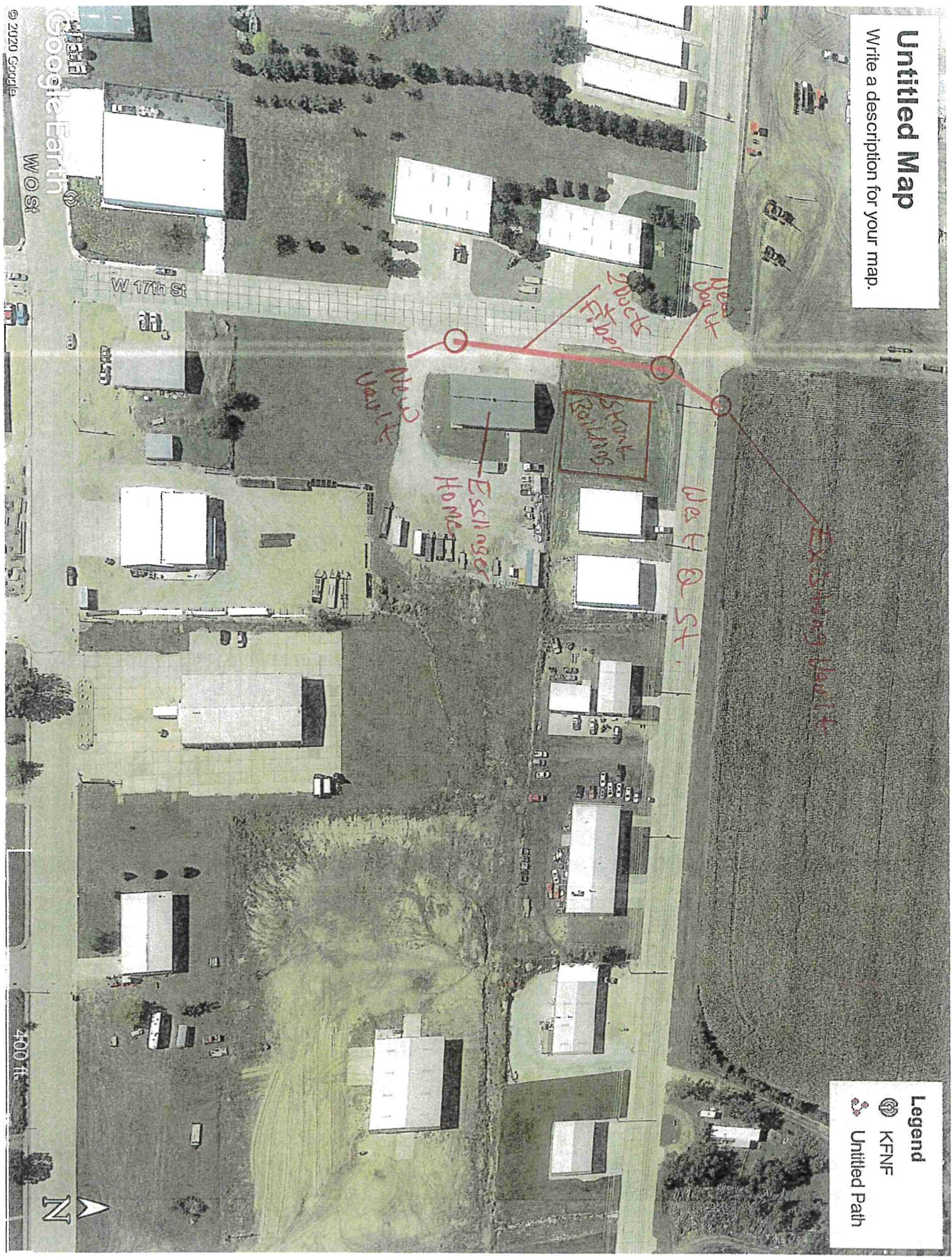
Recommended By \_\_\_\_\_ Date \_\_\_\_\_ Director of Public Works Approval \_\_\_\_\_

# Untitled Map

Write a description for your map.

**Legend**

-  KFNF
-  Untitled Path



**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

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**ITEM:**        4.D.

Receive and file the claims for the month of June 2020 as published July 9, 2020.

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**BACKGROUND:**

Claims are presented to the Council and published each month as outline in the City Code of Ordinances.

Staff is always available to address any questions that the Council may have regarding a specific claim.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 16, 2020

CITY OF MCCOOK  
CLAIMS FOR JUNE 2020

ABBREVIATIONS FOR LEGALS: PS - PERSONAL SERVICES; S- SUPPLIES; SC - SERVICES & CHARGES; CO - CAPITAL OUTLAY; BT - BUDGET TRANSFERS

20/20 TECHS-SC 1902.00; 7-D LOCKSHOP-S 376.65; ACE-S 1711.15; ACME PRINTING-S 432.00; AKRS-S 3920.29; AL'S LOCK & SAFE-S 587.64AMERICAN AG LAB-SC 1105.93; AMERICAN ELECTRIC-S 244.07; ANYTIME TRI-STATE TOWING-SC 540.00; ARROW CAR WASH-S 58.50; AXON ENT-S 1320.00; BARCO-S 138.65; BETTER HOMES & GARDENS-S 36.28; BISHOP BUSINESS-SC 1968.75; BLACK HILLS ENERGY-SC 1885.94; BW TELCOM-SC 144.14; C&K-S 1124.92; CAMBRIDGE TELE-SC 244.51; CARQUEST-S 1573.63; CASH WA-S 7053.96; CENTER POINT-S 147.37 CENTURY CITY SCALE-S 137.00; CENTURY LINK-SC 1089.75; CITY OF MCCOOK-PS 365551.47; CITY SELF INS-BT 129504.00; UTILITIES-SC 7919.73; CLIA LAB-SC 180.00; COMMUNITY HOSPITAL-SC 209.76; CONSOLIDATED MGMT-SC 270.91; CRAWFORD SUPPLY-S 132.49; CROELL-CO 1044.00; CULLIGAN-S 38.80; D&L PEST-S 214.00; D & S HARDWARE-S 278.37; DANKO-S 1178.19; DAS STATE ACCTG-SC 22.00; DEVENY MOTORS-S 1144.93; DIAMOND VOGEL-S 103.97; DOUBLE D-S 264.88; DULTMEIER SALES-S 112.02; EAKES-S 4822.65; ELLERBROCK-NORRIS-SC 113972.00; EMC INS.-SC 1000.00: ENVIRONMENTAL ANALYSIS-SC 618.80; FARRELL'S-S 56.55; FASTENAL-S 553.97; FICA-SC 18393.07; F-V COOP-S 14592.65; FRONTIER COMM-SC 34.19; FUSION CLOUD SRVS-SC 733.84; FYR-TEK-S 55.00; GALE GROUP-S 226.42; GALLS-S 706.56; GARDNER MEDICA-S 72.71; GARY'S INC-SC 40.00; GERHOLD-S 1501.85; GOOGLE\*SVCS-SC 450.00; GRAHAM TIRE-S 1900.04; GREAT PLAINS COMM-SC 2529.86; HENNING BROS-SC 118.00; HIGH PLAINS RADIO-SC 54.00; K HODSON-S 150.00; HOMETOWN LEASING-SC 1319.94; IDEAL LINEN-S 333.14; J BAR J-SC 42918.48; JOHN E REID-SC 1150.00; K & C GRAIN-S 30346.16; L. KINNE-S 150.00; KOHL'S AUTO-S 50.06; K. KORGAN-S 14.00; LIFE-ASSIST-S 885.93; LYNN PEAVEY-S 21.40; MCQUEEN EQUIP-S 319.73; MATHESON-LINWELD-S 93.97; MC2 INC-S 668.50; MEDC-SC 28320.36; MCCOOK GAZETTE-SC 1113.90; MC HUMANE SOC-SC 3381.09; MC MECHANICAL -CO 55935.00; MCNET-SC 91.40; MPPD-SC 2088.13; MPS-SC 350.00; MEAD LUMBER-S 12.78; MENARDS-S 119.00; MEDICARE-PS 5078.37; MERCHANT SRVS-SC

877.18; METTLER TOLEDO-S 898.04; MICHAEL TODD AND CO-S 594.84; MICROMARKETING-S 2670.23; MIDLAND'S TOXICOLOGY-SC 35.00; MIDWEST LABS-SC 275.00; MILLER AND ASSOCIATES-CO 14060.00; MOTOROLA SOLUTIONS-S 269.37; MUNICIPAL SUPPLY-S 3520.99; NATP-SC 75.00; NEBRASKA MUNICIPAL CLERK INST-SC 50.00; NE DEPT OF ENVIRO & ENERGY-SC 23101.51; NE DEPT OF REV-SC 14656.08; NE SAFETY AND FIRE-S 360.00; NEBRASKALAND TIRE-S 259.15; NEW FRONTIER AG-S 162.49; NEXT GENERATION-SC 56800.87; NICK'S DIST-S 1740.63; NEBRASKA MUNICIPAL POWER POOL-SC 2812.42; NOAH'S ARK WORKSHOP-S 1553.50; NPPD-SC 30812.82; NSI LAB-SC 518.00; NSVFA-SC 587.00; NUTRI SYSTEM-S 1289.05; O'KEEFE ELEVATOR-S 338.00; O'REILLY AUTO-S 166.58; ONE CALL CONCEPTS-SC 157.94; OWENS ORDNANCE-S 22.96; PAPER TIGER0-S 50.00; PAULSEN INC-CO 367432.75; PETROTEK-SC 6622.08; PLATTE VALLEY-S 310.00; PRAISE WINDOWS-S 880.00; QUADIANT FINANCE-SC 1000.00; QUICK MED CLAIMS-SC 3236.09; QUILL-S 35.67; RWCO SHERIFF-SC 27.61; S. RENNER-SC 90.00; RESOURCE MGMT-SC 1226.37; RUGGLES TRAILER-S 196.04; SANDRY FIRE SUPPLY-S 2371.72; SCHINDLER ELEVATOR-S 413.22; SEHNERT'S-SC 79.50; SW FARM & AUTO-S 797.13; SWANSON SIGNS-SC 140.00; TASTE OF HOME-S 27.80; THUNDER PROMOTIONS-S 30.00; TITAN MACH-S 925.69; TRANSCAT-SC 650.55; TRIAIR TESTING-SC 195.01; TREE REBATE-423.58; UMR-SC 142998.03; USPS-SC 1601.10; US FOODS-S 1085.45; USA BLUEBOOK-S 882.43; VAN DIEST-S 273.67; VERIZON-SC 2172.95; WAGNER CHEVY-S 303.37; WAGNER FORD-S 73.25; WALMART-S 1356.40; WASTE SYSTEMS-S 3731.53; WESTSIDE WELDING-S 40.80; WPCI-SC 59.00.

-s- Lea Ann Doak  
City Clerk

Publish: July 9, 2020

**CITY MANAGER'S REPORT**  
**JULY 20, 2020 MCCOOK CITY COUNCIL MEETING**

---

ITEM **4.E.** Adopt Resolution No. 2020-16 ratifying all City Council actions at virtual meetings, beginning April 6, 2020 through June 1, 2020, per Executive Orders No. 20-03 and No. 20-24.

---

**BACKGROUND:**

Due to COVID-19, Governor Ricketts issued Executive Orders No. 20-03 and 20-24, which allowed all governing bodies to meet by video conference, telephone conference, or by other electronic communication so long the public had access to the meetings. The City of McCook began its electronic meetings on April 6, 2020 and ended the electronic meetings on June 1, 2020. During that time, numerous business items were acted upon. The Nebraska League of Municipalities has encouraged Nebraska cities to ratify City Council actions taken during the period of time electronic meetings were held.

**APPROVALS:**

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 15, 2020

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 15, 2020

**RESOLUTION NO. 2020-16**

WHEREAS, in response to the COVID-19 pandemic Nebraska Governor Pete Ricketts issued on March 17, 2020 Executive Order No. 20-03 authorizing a limited waiver of certain requirements of the Nebraska Open Meetings Act to include the allowance that all governing bodies may meet by videoconference, by telephone conferencing, or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media through May 31, 2020; and

WHEREAS, Governor Ricketts extended this limited waiver on May 19, 2020 by the issuance of Executive Order No. 20-24 through June 30, 2020; and

WHEREAS, as a result of Executive Order Nos. 20-03 & 20-24, the Council of the City of McCook, Nebraska conducted regularly scheduled Council meetings on April 6, 2020, April 20, 2020, May 4, 2020, May 18, 2020, and June 1, 2020 and special Council meetings on April 30, 2020 and May 27, 2020, through teleconference and audioconference means; and

WHEREAS, the Mayor and Council of the City of McCook, Nebraska hereby bless and ratify all actions taken at the regularly scheduled Council meetings on April 6, 2020, April 20, 2020, May 4, 2020, May 18, 2020, and June 1, 2020 and special Council meetings on April 30, 2020 and May 27, 2020, conducted through teleconference and audioconference means.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of McCook, Nebraska, hereby bless and ratify all actions taken by the Council of the City of McCook, Nebraska at the regularly scheduled Council meetings on April 6, 2020, April 20, 2020, May 4, 2020, May 18, 2020, and June 1, 2020 and special Council meetings on April 30, 2020 and May 27, 2020, conducted through teleconference and audioconference means.

PASSED AND APPROVED THIS 20<sup>th</sup> day of July, 2020.

\_\_\_\_\_  
Michael D. Gonzales, Mayor

ATTEST:

\_\_\_\_\_  
Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

---

**ITEM:**        4.F.

Approve the request from the Prairie Roots Festival Committee for the use of Barnett Park, including the west shelter house, electricity, use of additional picnic tables, benches and trash cans for their Fifth Annual Prairie Roots Festival on Saturday, August 22, 2020; and they shall be subject to comply with any Directed Health Measures in effect at the time of the event.

---

**BACKGROUND:**

The committee for the Prairie Roots Festival is requesting permission for the use of the west shelter house in Barnett Park, including the electricity, for the fifth annual Prairie Roots Festival on August 22, 2020. The committee is also making the following requests:

- Music on the stage with local production by Vic Giron
- Beer garden in the shelter house, run by the McCook Chamber of Commerce (SDL for beer garden was pulled from consideration by the Chamber of Commerce Thursday morning July 16)
- Three to four area food trucks
- other possible activities by local organizations
- use of additional picnic tables, park benches and trash cans
- The west shelter house area be sprayed for mosquitos prior to the event.

A certificate of Insurance Coverage has been requested.

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

  
\_\_\_\_\_  
Kyle Potthoff, Public Works Director

July 16, 2020

  
\_\_\_\_\_  
Nate Schneider, City Manager

July 16, 2020

## **2020 Prairie Roots Festival - Use of Barnett Park on Saturday, Aug. 22, 2020**

The Prairie Roots Festival committee would like the use of Barnett Park for the fifth annual Prairie Roots Festival on Saturday, Aug. 22. The festival will take place in the west shelter house at Barnett Park on Saturday, Aug. 22 from noon to 10 p.m.

The committee would also like to request that the west shelter house area be sprayed for mosquitos prior to the event.

- Plans for the day are very similar to the past four years but precautions will be used in accordance with health directives in place at the time of the event.
- If health directives change between now and Aug. 22, there is the potential for the event to be cancelled, but the committee would like to move forward at this time with planning.

The stage from Red Willow County fairgrounds will be moved into place on Friday, Aug. 21 in the afternoon.

All other activities will take place on Saturday, Aug. 22 including:

- Music on the stage with local production by Vic Giron
- Beer garden in shelter house, run by the McCook Chamber
- Three to four area food trucks
- Other possible activities by local organizations

Thank you for considering our request and we look forward to a great festival once again.

### **Prairie Roots Festival Committee**

*Ronda Graff, Matt Sehnert, Dale Dueland, Jared Muehlenkamp, Vic Giron, Garrett Rippen, Troy Bruntz, Dawson Brunswick, Jamie Mockry*

6/26/2020

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

---

**ITEM:            4.G.**

Receive and file the Financial Report for the period ending June 30, 2020.

---

**BACKGROUND:**

The Treasurer's Report (Attachment A) gives the beginning cash balances as of October 1, 2019, plus Total (YTD) Receipts, minus Total (YTD) Disbursements, giving the ending cash balance on June 30, 2020.

Per the Banking Services Agreement with McCook National Bank, all funds are deposited into the Public Funds Account at a higher rate of interest. The bank then sweeps in increments of \$100,000 to the Primary Operating Account to cover disbursements as they clear the bank. The Payroll Account is also a sweep account and maintains a \$1,000 balance. Because of an adjustment this months balance is at \$330.04.

All of the bank accounts are interest bearing, except the Payroll Account and the Purchase Account. The Purchase Account is our VISA credit card.

Attachment B gives the ending cash balances by fund as of June 30, 2020.

Attachment C is a Financial Summary of Revenue and Expense by Fund for the quarter ending June 30, 2020.

Staff is always available to address any questions that the Council may have. The Department Heads receive monthly financial reports and it is their responsibility to monitor their individual budgets. It is the bottom-line per department that is monitored. If they go over on a line item, that must adjust for it in another line item.

**FISCAL  
IMPACT:**       None.

**APPROVALS:**

\_\_\_\_\_  
Lea Ann Doak, City Clerk-Treasurer

July 16, 2020

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 16, 2020

# ATTACHMENT

A

City of McCook, Nebraska  
 TREASURER'S REPORT  
 Period Ending June 30, 2020 (unaudited)

Beginning Cash on Hand, October 1, 2019			
McCook National Bank - Public Funds	\$	14,783,153.94	
McCook National Bank - Primary Operating	\$	(477,204.91)	
McCook National Bank - LB840 Funds	\$	626,583.09	
McCook National Bank - Payroll	\$	1,000.00	
McCook National Bank - CRA	\$	57.93	
Purchases Account	\$	10,000.00	
Petty Cash	\$	900.00	
NDEQ Irrevocable Escrow	\$	82,076.80	
McCook National Bank - Pension	\$	17,923.39	
<b>TOTAL BEGINNING CASH</b>			<b>\$ 15,044,490.24</b>
Receipts:			
Taxes	\$	3,762,148.53	
Fees, Permits and Licenses	\$	310,979.53	
Intergovernmental Services	\$	2,733,203.75	
Charges - Current Services	\$	1,369,325.34	
Public Utilities	\$	2,526,155.40	
Use of Money & Property	\$	1,599,650.02	
Interfund Transfers	\$	3,275,085.12	
Other Revenue	\$	958,747.32	
Unapplied/Accounts Payable	\$	(811.28)	
<b>PLUS TOTAL RECEIPTS</b>			<b>\$ 16,534,483.73</b>
Disbursements:			
Personal Services	\$	4,824,631.21	
Supplies	\$	936,010.95	
Services & Charges	\$	6,138,051.25	
Budget Transfers	\$	2,204,442.91	
Capital Outlay	\$	3,066,133.61	
Unapplied/Accounts Payable	\$	0.00	
<b>MINUS TOTAL DISBURSEMENTS</b>			<b>\$ 17,169,269.93</b>
Ending Cash Balance June 30, 2020			
McCook National Bank - Public Funds	\$	13,510,684.77	
McCook National Bank - Primary Operating	\$	175,723.71	
McCook National Bank - LB840 Funds	\$	615,931.24	
McCook National Bank - Payroll	\$	330.04	
McCook National Bank - CRA	\$	57.93	
Petty Cash	\$	900.00	
Purchase Account	\$	10,000.00	
NDEQ Irrevocable Escrow	\$	82,280.90	
McCook National Bank - Pension	\$	13,795.45	
<b>TOTAL ENDING CASH</b>	\$	14,409,704.04	<b>\$ 14,409,704.04</b>

Dated: June 30, 2020

-s- Lea Ann Doak, City Clerk

# ATTACHMENT B

City of McCook, Nebraska  
 TREASURER'S REPORT  
 CASH BALANCE BY FUNDS  
 Period Ending June 30, 2020 (unaudited)

Beginning Cash on Hand, October 1, 2019	Beginning Cash	YTD Revenue	YTD Expenditures	Ending Cash
General Fund - 10	\$ 2,690,439.97	\$ 5,532,223.17	\$ 5,717,260.13	\$ 2,505,403.01
General Fund Unapplied/Accts. Payable	\$ 3,341.00	\$ -811.58	\$ 0.00	\$ 2,529.42
Street Fund - 15	\$ 89,694.69	\$ 154,311.12	\$ 32,816.86	\$ 211,188.95
Special Revenue - 20	\$ 895,594.29	\$ 1,589,449.12	\$ 1,698,045.19	\$ 786,998.22
Debt Service - 30	\$ 347,818.45	\$ 11,037.80	\$ 0.00	\$ 358,856.25
Community Redevelopment Authority - 40	\$ 65,818.36	\$ 162,060.68	\$ 105,901.93	\$ 121,977.11
Economic Development Fund - 45	\$ 626,583.09	\$ 379,667.79	\$ 390,995.64	\$ 615,255.24
ED Fund Unapplied/Accts. Payable				\$ 0.00
Pension Trust - 50	\$ 17,923.39	\$ 6,881.87	\$ 11,009.81	\$ 13,795.45
Trust & Agency - 60	\$ 290,496.43	\$ 121,275.53	\$ 122,624.83	\$ 289,147.13
Internal Service Fund - 65	\$ 567,643.45	\$ 1,645,993.95	\$ 1,516,093.23	\$ 697,544.17
Enterprise Fund - 70	\$ 8,541,728.03	\$ 6,367,600.19	\$ 6,814,700.89	\$ 8,094,627.33
Enterprise Fund Unapplied/Accts. Payable	\$ 0.00	\$ 0.30	\$ 0.00	\$ 0.30
Capital Improvement - 80	\$ 907,409.09	\$ 564,793.79	\$ 759,821.42	\$ 712,381.46
	\$ 15,044,490.24			\$ 14,409,704.04
		\$ 16,534,483.73	\$ 17,169,269.93	

Dated: June 30, 2020

-s- Lea Ann Doak, City Clerk

# ATTACHMENT C

CITY OF MCCOOK  
STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
AS OF: JUNE 30TH, 2020

10 -GENERAL FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
GENERAL REVENUE	8,679,944	8,679,944	857,558.28	5,359,845.05	5,734,697.09	3,320,098.95	38.25
RESERVES/CO TREASURER BAL	<u>1,512,071</u>	<u>1,512,071</u>	<u>88,378.12</u>	<u>172,378.12</u>	<u>98,249.00</u>	<u>1,339,692.88</u>	<u>88.60</u>
TOTAL REVENUES	<u>10,192,015</u>	<u>10,192,015</u>	<u>945,936.40</u>	<u>5,532,223.17</u>	<u>5,832,946.09</u>	<u>4,659,791.83</u>	<u>45.72</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ADMINISTRATION	628,920	628,920	41,085.10	408,070.96	400,575.87	220,849.04	35.12
PUBLICITY	7,750	7,750	1,882.02	5,064.21	3,192.50	2,685.79	34.66
AUDITORIUM	46,785	46,785	3,558.60	63,613.19	51,025.38	16,828.19	35.97
COUNCIL	648,537	648,537	22,240.08	287,059.87	285,713.58	361,477.13	55.74
POLICE	1,745,831	1,745,831	127,693.87	1,260,625.26	1,227,547.47	485,205.74	27.79
MUNICIPAL CENTER	98,303	98,303	7,267.93	72,900.67	72,373.15	25,402.33	25.84
FIRE	1,346,686	1,346,686	103,078.01	884,958.30	914,774.24	461,727.70	34.29
AMBULANCE	152,883	152,883	6,793.80	113,670.78	94,770.52	39,212.22	25.65
CIVIL DEFENSE	25,055	25,055	3,578.38	64,717.77	12,330.03	39,662.77	158.30
BUILDING & ZONING	84,939	84,939	6,104.54	59,240.19	56,654.29	25,698.81	30.26
LIBRARY	351,658	351,658	24,684.85	261,633.59	238,105.65	90,024.41	25.60
STREET	1,361,077	1,361,077	62,468.89	631,671.37	693,305.59	729,405.63	53.59
CEMETERY	202,726	202,726	17,015.28	141,291.75	159,488.47	61,434.25	30.30
PARKS	282,608	282,608	21,780.16	180,684.34	160,399.30	101,923.66	36.07
BALL PARKS	167,061	167,061	12,824.86	98,304.59	98,608.70	68,756.41	41.16
POOL	114,527	114,527	880.33	16,956.18	38,605.85	97,570.82	85.19
AIRPORT	169,504	169,504	15,226.33	119,791.53	116,133.27	49,712.47	29.33
UNEMPLOYMENT	10,000	10,000	0.00	0.00	0.00	10,000.00	100.00
UNCOLLECTABLE TAX	14,000	14,000	2,271.56	9,349.74	9,391.37	4,650.26	33.22
SENIOR CENTER	418,123	418,123	32,947.48	281,858.20	262,296.59	136,264.80	32.59
PUBLIC TRANSPORTATION	169,085	169,085	12,071.63	118,480.65	114,781.13	50,604.35	29.93
HEALTH OPERATING	586,150	586,150	48,838.00	439,542.00	439,542.00	146,608.00	25.01
RESERVES/CO TREASURER BAL	<u>562,071</u>	<u>562,071</u>	<u>0.00</u>	<u>197,774.99</u>	<u>2,245.00</u>	<u>364,296.01</u>	<u>64.81</u>
TOTAL EXPENDITURES	<u>9,194,279</u>	<u>9,194,279</u>	<u>574,291.70</u>	<u>5,717,260.13</u>	<u>5,451,859.95</u>	<u>3,477,018.87</u>	<u>37.82</u>
REVENUES OVER/(UNDER) EXPENDITURES	997,736	997,736	371,644.70	( 185,036.96)	381,086.14	1,182,772.96	118.55

CITY OF McCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

15 -STREET FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
STREET IMPROVEMENTS	<u>468,244</u>	<u>468,244</u>	<u>96.00</u>	<u>154,311.12</u>	<u>157,714.65</u>	<u>313,932.88</u>	<u>67.04</u>
TOTAL REVENUES	<u>468,244</u>	<u>468,244</u>	<u>96.00</u>	<u>154,311.12</u>	<u>157,714.65</u>	<u>313,932.88</u>	<u>67.04</u>
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
STREET IMPROVEMENTS	<u>468,244</u>	<u>468,244</u>	<u>0.00</u>	<u>32,816.86</u>	<u>275,000.00</u>	<u>435,427.14</u>	<u>92.99</u>
TOTAL EXPENDITURES	<u>468,244</u>	<u>468,244</u>	<u>0.00</u>	<u>32,816.86</u>	<u>275,000.00</u>	<u>435,427.14</u>	<u>92.99</u>
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	96.00	121,494.26	( 117,285.35)	( 121,494.26)	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

20 -SPECIAL REVENUE  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
FAA GRANTS	1,581,834	1,581,834	262,747.74	1,364,898.23	0.00	216,935.77	13.71
ACE REVENUE SHARING	56,053	56,053	24.00	20,257.00	14,889.00	35,796.00	63.86
MCCOOK RECREATIONAL TRAIL	53,246	53,246	25.00	525.00	860.00	52,721.00	99.01
CDBG BOOE PUBLIC WORKS	0	0	0.00	0.00	0.00	0.00	0.00
ENHANCED E911	267,102	267,102	302.00	23,909.41	25,502.24	243,192.59	91.05
RAVENSWOOD RD PROJECT	0	0	0.00	137,500.00	0.00	( 137,500.00)	0.00
INSURANCE REIMBURSEMENT	419,611	419,611	193.00	4,019.00	6,789.00	415,592.00	99.04
PSAP FUNDS	130,987	130,987	49.00	38,340.48	39,084.48	92,646.52	70.73
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
DOWNTOWN REVITAL - CDBG	0	0	0.00	0.00	0.00	0.00	0.00
SKATE PARK IMPROVEMENTS	4,642	4,642	0.00	0.00	0.00	4,642.00	100.00
AUD/CONVEN CTR FEASIBILI	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>2,548,260</b>	<b>2,548,260</b>	<b>263,340.74</b>	<b>1,589,449.12</b>	<b>87,124.72</b>	<b>958,810.88</b>	<b>37.63</b>

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FAA GRANTS	1,581,834	1,581,834	367,432.75	1,497,871.52	29,600.34	83,962.48	5.31
ACE REVENUE SHARING	56,053	56,053	0.00	23,072.00	765.00	32,981.00	58.84
MCCOOK RECREATIONAL TRAIL	53,246	53,246	0.00	0.00	0.00	53,246.00	100.00
CDBG BOOE PUBLIC WORKS	0	0	0.00	0.00	0.00	0.00	0.00
ENHANCED E911	267,102	267,102	11,043.18	50,200.42	24,118.28	216,901.58	81.21
RAVENSWOOD RD PROJECT	0	0	0.00	84,948.10	0.00	( 84,948.10)	0.00
INSURANCE REIMBURSEMENT	419,611	419,611	0.00	0.00	0.00	419,611.00	100.00
PSAP FUNDS	130,987	130,987	20,776.99	41,953.15	47,413.58	89,033.85	67.97
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
DOWNTOWN REVITAL - CDBG	0	0	0.00	0.00	0.00	0.00	0.00
SKATE PARK IMPROVEMENTS	4,642	4,642	0.00	0.00	0.00	4,642.00	100.00
AUD/CONVEN CTR FEASIBILI	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL EXPENDITURES</b>	<b>2,548,260</b>	<b>2,548,260</b>	<b>399,252.92</b>	<b>1,698,045.19</b>	<b>101,897.20</b>	<b>850,214.81</b>	<b>33.36</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>( 135,912.18)</b>	<b>( 108,596.07)</b>	<b>( 14,772.48)</b>	<b>108,596.07</b>	<b>0.00</b>

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

30 -DEBT SERVICE  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	352,422	352,422	163.00	11,037.80	12,641.78	341,384.20	96.87
BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>352,422</b>	<b>352,422</b>	<b>163.00</b>	<b>11,037.80</b>	<b>12,641.78</b>	<b>341,384.20</b>	<b>96.87</b>
<hr/>							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	352,422	352,422	0.00	0.00	0.00	352,422.00	100.00
BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL EXPENDITURES</b>	<b>352,422</b>	<b>352,422</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>352,422.00</b>	<b>100.00</b>
<hr/>							
REVENUES OVER/ (UNDER) EXPENDITURES	0	0	163.00	11,037.80	12,641.78	( 11,037.80)	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

40 -COMMUNITY DEVELOPMENT  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
KEYSTONE BUS CENTER PROJ	31,000	31,000	0.00	28,320.36	27,710.07	2,679.64	8.64
CITY INVESTMENTS	65,574	65,574	30.00	631.00	1,059.74	64,943.00	99.04
NORTH POINTE	25,000	25,000	4,954.06	21,221.39	18,542.69	3,778.61	15.11
CLARY VILLAGE LLC	9,500	9,500	0.00	4,513.37	4,381.61	4,986.63	52.49
MCCOOK HOTEL GROUP/COBBL	70,000	70,000	0.00	2,823.56	26,525.78	67,176.44	95.97
QUILLAN COURTS	15,000	15,000	3,436.29	0.00	3,332.03	15,000.00	100.00
MCCOOK LODGING/HOLIDAY I	134,000	134,000	42,859.99	47,750.13	0.00	86,249.87	64.37
NEXT GENERATION	<u>150,000</u>	<u>150,000</u>	<u>0.00</u>	<u>56,800.87</u>	<u>55,142.71</u>	<u>93,199.13</u>	<u>62.13</u>
TOTAL REVENUES	500,074	500,074	44,407.76	162,060.68	136,694.63	338,013.32	67.59
<hr/>							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
KEYSTONE BUS CENTER PROJ	31,000	31,000	28,320.36	28,320.36	0.00	2,679.64	8.64
CITY INVESTMENTS	65,574	65,574	0.00	0.00	0.00	65,574.00	100.00
NORTH POINTE	25,000	25,000	20,780.70	20,780.70	0.00	4,219.30	16.88
CLARY VILLAGE LLC	9,500	9,500	0.00	0.00	0.00	9,500.00	100.00
MCCOOK HOTEL GROUP/COBBL	70,000	70,000	0.00	0.00	0.00	70,000.00	100.00
QUILLAN COURTS	15,000	15,000	0.00	0.00	0.00	15,000.00	100.00
MCCOOK LODGING/HOLIDAY I	134,000	134,000	0.00	0.00	0.00	134,000.00	100.00
NEXT GENERATION	<u>150,000</u>	<u>150,000</u>	<u>56,800.87</u>	<u>56,800.87</u>	<u>0.00</u>	<u>93,199.13</u>	<u>62.13</u>
TOTAL EXPENDITURES	500,074	500,074	105,901.93	105,901.93	0.00	394,172.07	78.82
<hr/>							
REVENUES OVER/(UNDER) EXPENDITURES	0	0	( 61,494.17)	56,158.75	136,694.63	( 56,158.75)	0.00

CITY OF McCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

45 -ECONOMIC DEVELOPMENT FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
ECONOMIC DEVELOPMENT FUN	1,015,417	1,015,417	59,414.95	379,667.79	362,957.94	635,749.21	62.61
KEYSTONE BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
KEYSTONE BOND REDEMPTION	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,015,417	1,015,417	59,414.95	379,667.79	362,957.94	635,749.21	62.61
=====							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ECONOMIC DEVELOPMENT FUN	1,015,417	1,015,417	11,825.50	390,995.64	107,597.00	624,421.36	61.49
KEYSTONE BOND RESERVE	0	0	0.00	0.00	112,000.00	0.00	0.00
KEYSTONE BOND REDEMPTION	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,015,417	1,015,417	11,825.50	390,995.64	219,597.00	624,421.36	61.49
=====							
REVENUES OVER/(UNDER) EXPENDITURES	0	0	47,589.45	( 11,327.85)	143,360.94	11,327.85	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

50 -PENSION TRUST  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
POLICE OFFICER DISABILIT	27,925	27,925	1.58	6,881.87	25,034.09	21,043.13	75.36
TOTAL REVENUES	27,925	27,925	1.58	6,881.87	25,034.09	21,043.13	75.36
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
POLICE OFFICER DISABILIT	27,925	27,925	1,572.83	11,009.81	14,155.47	16,915.19	60.57
TOTAL EXPENDITURES	27,925	27,925	1,572.83	11,009.81	14,155.47	16,915.19	60.57
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	( 1,571.25)	( 4,127.94)	10,878.62	4,127.94	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

60 -AGENCY FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
PERPETUAL CARE	144,580	144,580	1,116.00	4,080.00	6,179.00	140,500.00	97.18
SENIOR CENTER CONTRIBUTIO	68,431	68,431	177.00	7,680.50	7,488.00	60,750.50	88.78
SCHOOL	8,050	8,050	0.00	7,610.00	7,480.00	440.00	5.47
FIRE CONTRIBUTIONS	4,075	4,075	465.00	515.00	2,315.00	3,560.00	87.36
LIBRARY MEMORIAL	29,978	29,978	15,000.00	24,825.00	5,550.00	5,153.00	17.19
COMMUNITY BETTERMENT	121,199	121,199	2,284.72	67,925.47	87,814.10	53,273.53	43.96
DARE CONTRIBUTIONS	5,145	5,145	0.00	0.00	280.15	5,145.00	100.00
PUBLIC WORKS CONTRIBUTION	6,266	6,266	0.00	5,000.00	0.00	1,266.00	20.20
AMBULANCE CONTRIBUTIONS	5,619	5,619	0.00	1,862.50	1,703.66	3,756.50	66.85
COMMUNITY PARAMEDIC PROG	4,398	4,398	0.00	0.00	0.00	4,398.00	100.00
POLICE CONTRIBUTIONS	7,500	7,500	0.00	1,777.06	2,085.99	5,722.94	76.31
<b>TOTAL REVENUES</b>	<b>405,241</b>	<b>405,241</b>	<b>19,042.72</b>	<b>121,275.53</b>	<b>120,895.90</b>	<b>283,965.47</b>	<b>70.07</b>
<b>=====</b>							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
PERPETUAL CARE	144,580	144,580	0.00	2,075.00	0.00	142,505.00	98.56
SENIOR CENTER CONTRIBUTIO	68,431	68,431	( 2,060.95)	2,021.92	0.00	66,409.08	97.05
SCHOOL	8,050	8,050	350.00	7,610.00	7,355.00	440.00	5.47
FIRE CONTRIBUTIONS	4,075	4,075	0.00	585.41	1,191.87	3,489.59	85.63
LIBRARY MEMORIAL	29,978	29,978	2,111.24	6,716.67	6,015.42	23,261.33	77.59
COMMUNITY BETTERMENT	121,199	121,199	7,083.00	88,085.09	76,972.00	33,113.91	27.32
DARE CONTRIBUTIONS	5,145	5,145	0.00	2,072.02	0.00	3,072.98	59.73
PUBLIC WORKS CONTRIBUTION	6,266	6,266	0.00	3,150.81	0.00	3,115.19	49.72
AMBULANCE CONTRIBUTIONS	5,619	5,619	0.00	2,871.10	1,075.35	2,747.90	48.90
COMMUNITY PARAMEDIC PROG	4,398	4,398	0.00	0.00	287.46	4,398.00	100.00
POLICE CONTRIBUTIONS	7,500	7,500	77.98	7,436.81	0.00	63.19	0.84
<b>TOTAL EXPENDITURES</b>	<b>405,241</b>	<b>405,241</b>	<b>7,561.27</b>	<b>122,624.83</b>	<b>92,897.10</b>	<b>282,616.17</b>	<b>69.74</b>
<b>=====</b>							
REVENUES OVER/ (UNDER) EXPENDITURES	0	0	11,481.45 (	1,349.30)	27,998.80	1,349.30	0.00

CITY OF McCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

65 -INTERNAL SERVICE FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
FLEX DEPENDENT CARE	10,930	10,930	384.62	2,653.89	595.00	8,276.11	75.72
FLEX - MEDICAL	67,938	67,938	3,058.28	30,385.36	32,974.40	37,552.64	55.27
SELF INSURED HEALTH INSUR	<u>2,451,925</u>	<u>2,451,925</u>	<u>173,002.20</u>	<u>1,612,954.70</u>	<u>1,421,351.90</u>	<u>838,970.30</u>	<u>34.22</u>
TOTAL REVENUES	2,530,793	2,530,793	176,445.10	1,645,993.95	1,454,921.30	884,799.05	34.96
=====							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FLEX DEPENDENT CARE	10,930	10,930	0.00	1,439.86	635.00	9,490.14	86.83
FLEX - MEDICAL	67,938	67,938	1,403.83	36,215.82	39,199.94	31,722.18	46.69
SELF INSURED HEALTH INSUR	<u>2,451,925</u>	<u>2,451,925</u>	<u>141,594.20</u>	<u>1,478,437.55</u>	<u>1,322,439.74</u>	<u>973,487.45</u>	<u>39.70</u>
TOTAL EXPENDITURES	2,530,793	2,530,793	142,998.03	1,516,093.23	1,362,274.68	1,014,699.77	40.09
=====							
REVENUES OVER/(UNDER) EXPENDITURES	0	0	33,447.07	129,900.72	92,646.62	( 129,900.72)	0.00

CITY OF MCCOOK  
STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
AS OF: JUNE 30TH, 2020

70 -ENTERPRISE FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
SOLID WASTE-LANDFILL POST	0	0	0.00	0.00	0.00	0.00	0.00
SOLID WASTE - RECYCLING	275,800	275,800	5,827.92	55,757.33	138,246.16	220,042.67	79.78
SOLID WASTE - COLLECTION	883,613	883,613	65,669.59	600,431.71	592,101.09	283,181.29	32.05
SOLID WASTE - TRANSFER ST	1,061,347	1,061,347	89,720.26	772,337.13	680,658.69	289,009.87	27.23
LANDFILL RESERVE	760,280	760,280	6,525.00	62,059.00	44,249.00	698,221.00	91.84
SOLID WASTE - DISPOSAL	369,986	369,986	37,566.21	266,611.21	382,783.07	103,374.79	27.94
WATER MAINTENANCE & OPERA	4,169,322	4,169,322	219,026.83	1,564,118.31	1,403,354.87	2,605,203.69	62.49
WATER BOND & INTEREST RED	1,759,088	1,759,088	37,145.00	401,395.37	389,585.37	1,357,692.63	77.18
WATER CAPITAL - REPLACEME	2,627,307	2,627,307	28,059.00	264,792.00	277,333.00	2,362,515.00	89.92
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	168,643	168,643	89.86	1,136.10	1,752.87	167,506.90	99.33
SEWER MAINTENANCE & OPERA	2,326,320	2,326,320	116,314.41	1,071,843.64	1,076,105.30	1,254,476.36	53.93
SEWER BOND & INTEREST RES	120,754	120,754	55.00	21,067.48	21,523.48	99,686.52	82.55
SEWER CAPITAL - REPLACEME	1,249,699	1,249,699	36,121.00	328,854.00	343,616.00	920,845.00	73.69
SEWER CAPITAL - DEVELOPME	1,361	1,361	1.00	14.00	21.00	1,347.00	98.97
SEWER - PHASE III AMMONIA	0	0	0.00	0.00	0.00	0.00	0.00
COMBINED UTILITIES	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
ELECTRIC UTILITY	<u>1,305,000</u>	<u>1,305,000</u>	<u>88,320.79</u>	<u>957,182.91</u>	<u>1,253,065.55</u>	<u>347,817.09</u>	<u>26.65</u>
<b>TOTAL REVENUES</b>	<b>17,778,845</b>	<b>17,778,845</b>	<b>730,441.87</b>	<b>6,367,600.19</b>	<b>6,604,395.45</b>	<b>11,411,244.81</b>	<b>64.18</b>
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
SOLID WASTE-LANDFILL POST	16,550	16,550	0.00	8,633.13	11,914.35	7,916.87	47.84
SOLID WASTE - RECYCLING	293,894	293,894	8,353.48	80,547.69	129,284.64	213,346.31	72.59
SOLID WASTE - COLLECTION	883,613	883,613	67,573.63	599,343.25	610,082.61	284,269.75	32.17
SOLID WASTE - TRANSFER ST	1,026,703	1,026,703	93,802.77	780,674.18	779,344.07	246,028.82	23.96
LANDFILL RESERVE	760,280	760,280	0.00	127,395.00	30,000.00	632,885.00	83.24
SOLID WASTE - DISPOSAL	369,986	369,986	37,566.21	267,861.21	385,283.07	102,124.79	27.60
WATER MAINTENANCE & OPERA	4,169,322	4,169,322	189,285.72	1,679,180.26	1,436,997.80	2,490,141.74	59.73
WATER BOND & INTEREST RED	1,759,088	1,759,088	23,101.51	1,009,104.83	536,430.35	749,983.17	42.63
WATER CAPITAL - REPLACEME	2,627,307	2,627,307	0.00	55,834.16	91,589.80	2,571,472.84	97.87
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	168,643	168,643	0.00	250.00	1,687.50	168,393.00	99.85
SEWER MAINTENANCE & OPERA	2,326,320	2,326,320	104,647.33	993,098.24	1,085,446.11	1,333,221.76	57.31
SEWER BOND & INTEREST RES	120,754	120,754	0.00	0.00	0.00	120,754.00	100.00
SEWER CAPITAL - REPLACEME	1,249,699	1,249,699	14,060.00	255,596.03	508,496.28	994,102.97	79.55
SEWER CAPITAL - DEVELOPME	1,361	1,361	0.00	0.00	0.00	1,361.00	100.00
SEWER - PHASE III AMMONIA	0	0	0.00	0.00	0.00	0.00	0.00
COMBINED UTILITIES	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
ELECTRIC UTILITY	<u>1,305,000</u>	<u>1,305,000</u>	<u>88,320.79</u>	<u>957,182.91</u>	<u>1,253,065.55</u>	<u>347,817.09</u>	<u>26.65</u>
<b>TOTAL EXPENDITURES</b>	<b>17,778,845</b>	<b>17,778,845</b>	<b>626,711.44</b>	<b>6,814,700.89</b>	<b>6,859,622.13</b>	<b>10,964,144.11</b>	<b>61.67</b>
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	103,730.43	( 447,100.70)	( 255,226.68)	447,100.70	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JUNE 30TH, 2020

80 -CAPITAL IMPROVEMENTS FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 75.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
CAPITAL IMPROVE 2018	1,035,712	1,035,712	61,889.42	557,590.79	230,150.90	478,121.21	46.16
CAPITAL IMPROVEMENTS #3	0	0	0.00	0.00	130,324.91	0.00	0.00
CAPITAL IMPROVE #3 RES	0	0	0.00	0.00	0.00	0.00	0.00
CAPITAL IMPROVE 1/2*	0	0	0.00	0.00	65,162.46	0.00	0.00
CAPITAL IMPROVE 1/2* RES	<u>790,669</u>	<u>790,669</u>	<u>294.00</u>	<u>7,203.00</u>	<u>15,749.00</u>	<u>783,466.00</u>	<u>99.09</u>
TOTAL REVENUES	<u>1,826,381</u>	<u>1,826,381</u>	<u>62,183.42</u>	<u>564,793.79</u>	<u>441,387.27</u>	<u>1,261,587.21</u>	<u>69.08</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
CAPITAL IMPROVE 2018	1,035,712	1,035,712	5,610.00	516,109.69	9,657.50	519,602.31	50.17
CAPITAL IMPROVEMENTS #3	60,000	60,000	0.00	0.00	0.00	60,000.00	100.00
CAPITAL IMPROVE #3 RES	233,241	233,241	55,935.00	119,731.32	0.00	113,509.68	48.67
CAPITAL IMPROVE 1/2*	246,162	246,162	1,044.00	123,980.41	122,944.44	122,181.59	49.63
CAPITAL IMPROVE 1/2* RES	<u>251,266</u>	<u>251,266</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>251,266.00</u>	<u>100.00</u>
TOTAL EXPENDITURES	<u>1,826,381</u>	<u>1,826,381</u>	<u>62,589.00</u>	<u>759,821.42</u>	<u>132,601.94</u>	<u>1,066,559.58</u>	<u>58.40</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	( 405.58)	( 195,027.63)	308,785.33	195,027.63	0.00

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

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**ITEM:**            4.H.

**RECOMMENDATION:**

Receive and file the minutes of the July 13, 2020 Planning Commission meeting.

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**BACKGROUND:**

Receive minutes from the various board and commission meetings.

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 16, 2020

McCook Planning Commission  
July 13, 2020  
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley, Davidson, Dueland, Lyons, McDowell, Stevens.

Absent: Commissioners Friehe, Graham.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 9, 2020, 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 all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the May 11, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the May 11, 2020 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friche: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (2 pages); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Preliminary Plat (1 page).

City Manager Schneider reviewed the following information contained in Exhibit #1: "An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6th P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower."

"The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stated that before there is additional development, a comprehensive development plan needs to be developed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the Planning Commission's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code."

"If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the owner believes a change is warranted due to development needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date."

"As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for

commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

City Manager Schneider stated the Commissioner Friehe was unable to attend, but did call to ask about a drainage plan and if the streets will be required to be paved. John Palic, owner of property to the west, called with similar questions.

Craig Bennett, Miller & Associates Consulting Engineers, P.C., representative for the Bishop Family, reviewed the proposal with the Commission. This preliminary plan is similar to the conceptual plan presented during the consideration of Bishop Acres 2<sup>nd</sup> Subdivision; it meets all zoning and subdivision requirements; Lot 1, where a cell tower is located, is being pulled out for consideration as a Final Plat; Lot 1 has access to Road 716 so no paved street would be required; because of the terrain, drainage would not be required at this time; future subdivisions or phases will require paving and storm water cells or detention ponds; it is likely that the detention ponds would be on the southern lots and could possibly become outlots; future subdivisions/plats will be required to provide ROW to back lots to provide access and streets will be developed at that time; the City's Subdivision Regulations state that a preliminary plat is good for one year, the City might want to look at changing that;

Commissioner discussion included concerns about piece milling, developing areas with access, so no streets are required; is the radius of the cul-de-sacs large enough for fire equipment to turn around in; should a main arterial street be developed; are the three acre lots too large if the subdivision is annexed at some point; it would not be cost effective for the City to serve this area with water and sewer; some other areas around the community would be more cost effective the City to serve with water and sewer; and three acres are necessary to meet state requirements for septic tanks.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.B. Recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska. This motion, made by McDowell and seconded by

Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Final Plat (1 page).

City Manager Schneider reviewed that last paragraph of Exhibit #1: "As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

Discussion included whether the tower meets current height requirements and whether the easement on the east is dedicated and recorded.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT,

Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.D. Recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

Commissioner Dueland requested that city staff consider providing the future Planning Commission meetings to the public through zoom or some other means. Commissioner Stevens also supported the request.

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:18 P.M.

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Lea Ann Doak, Recording Secretary

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

**ITEM: 5.A.** Receive and file a presentation from Craig Bennett of Miller and Associates regarding annexation processes.

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**BACKGROUND:**

Staff has asked Craig Bennett of Miller and Associates to give a presentation on annexation at the City Council meeting. There is no action item associated with Mr. Bennett's presentation.

**FISCAL IMPACT:**

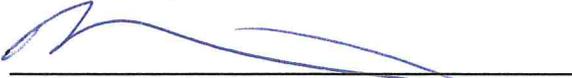
None.

**RECOMMENDATIONS:**

Receive and file a presentation from Craig Bennett of Miller and Associates regarding annexation processes.

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 15, 2020

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 15, 2020

**CITY MANAGER'S REPORT  
JULY 20, 2020 CITY COUNCIL MEETING**

**ITEM: 5.B.** Receive and file a presentation from Andy Long of the McCook Economic Development Corporation regarding the creation of the Birdella Nelson Technology Center in the McCook Public Library.

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**BACKGROUND:**

Andy Long has requested to be placed on the City Council agenda to discuss a gift from Senator Ben Nelson for the McCook library endowment. Senator Nelson would like to fund a technology center inside of McCook's library for the public to use. The total amount of the gift would be \$500,000. Senator Nelson would like to name the room in which the technological equipment would be located in honor of his mother, Birdella Nelson. Mr. Long intends to be present at the Council Meeting to present the plan and answer questions.

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Receive and file a presentation from Andy Long of the McCook Economic Development Corporation regarding the creation of the Birdella Nelson Technology Center in the McCook Public Library.

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 15, 2020

  
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Nathan A. Schneider, City Manager

July 15, 2020