

MCCOOK CITY COUNCIL

REGULAR MEETING

Tuesday, September 4, 2018

6:30 PM - City Council Chambers

Call to Order and Roll Call.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Father Gary Brethour, St. Patrick's Catholic Church.

Pledge of Allegiance.

Items.

1. Citizen's Comments.
2. Announcements & Recognitions.
3. Public Hearings and action items.
 - A. Public Hearing - Request for a special exception by Britany "Bee" Samms and Edward Rockenfield to provide in-home daycare at 107 North Cherokee Street, said property located in the Residential Medium (RM) District.
 1. Adjourn the Public Hearing.
 - B. Approve a special exception request to allow an in-home daycare at 107 North Cherokee, property located within the Residential Medium (Rm) District, said finding based upon special exception requirements A - I.
 - C. Public Hearing - Regarding the Amended Redevelopment Plan for the Next Generation Redevelopment Project Area as to its conformity with the general plan for the development of the City as a whole.
 1. Adjourn the Public Hearing.
 - D. Meeting of the Community Development Agency.
 1. Call to Order and Roll Call.
 2. Open Meetings Act Announcement.

3. Adopt Resolution No. CDA 2018-02 recommending approval to the McCook City Council an Amended Redevelopment Plan of the City of McCook, Nebraska; approves an Amended Redevelopment Project of the City of McCook, Nebraska; and approves the related actions for the purpose of continued development of the 2017 Next Generation Project Area.
 4. Recess as a Community Development Agency.
 - E. Adopt Resolution No. 2018-13 approving an Amended Redevelopment Plan of the City of McCook, Nebraska, approving an Amended Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of amending the 2017 Next Generation Project Area in consideration of an additional development project.
 1. Recess as a City Council.
 - F. Approve Resolution No. CDA 2018-03 authorizing and providing for the issuance of an additional tax increment revenue bond, note or other obligation and authorizing the administration of said tax increment revenue bond process, said authorization including the approval of an Amended Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and Next Generation, Inc.
 1. Adjourn the McCook Community Development Agency.
 - G. Public Hearing - FY 2018/2019 Annual Budget.
 1. Adjourn the Public Hearing.
 - H. Public Hearing - Set Final Tax Request at a different amount than the prior year.
 1. Adjourn Public Hearing.
 - I. Ordinance No. 2018-2968 providing for the adoption of the budget for FY 2018/2019.
 1. Chairperson asks Clerk to read Ordinance by title.
 2. Consider approval of Ordinance No. 2018-2968 upon its second reading.
 - J. Ordinance No. 2018-2969 providing for the adoption of the 2018/2019 Fiscal Year Employee Classification Pay Plan.
 1. Chairperson asks Clerk to read Ordinance by title.
 2. Consider approval of Ordinance No. 2018-2969 upon its second reading.
 - K. Ordinance No. 2018-2967 providing for the amendment of Appendix F, Solid Waste Collection Fees of the City of McCook Code of Ordinances.
 1. Chairperson asks Clerk to read Ordinance by title.
 2. Consider approval of Ordinance No. 2018-2967 upon its second reading.
 - L. Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.
4. Consent Agenda.
 - A. Approve the minutes of the August 20, 2018 regular City Council meeting.
 - B. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 29 & 30, 2018; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 28, 2018 until Sunday evening, the 700 and 800 blocks of East 1st, the 100 and 200 blocks of East "H" Street beginning at 5:00 A.M., September 29, 2018 until Sunday

evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 29, 2018 until after the parade; to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 29, 2018; the use of City Streets around Norris Park from the conclusion of the parade until 4:00 P.M. on Saturday, September 29, 2018 for a car and tractor show.

- C. Offer a contract to BSB Construction, Inc. with a bid of \$78,927.00, as the lowest responsible bidder for the West 4th Street Sewer Main Replacement and authorize the Mayor to execute the necessary paperwork to award the contract.
 - D. 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 Christmas party to be held at the McCook Municipal Auditorium, 302 West 5th Street, on December 15, 2018 from 12:00 P.M. to 1:00 A.M.
 - E. 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 October 27, 2018 from 12:00 P.M. to 1:00 A.M.
 - F. Receive and file claim for damages from Logan Roepke and instruct that it be submitted to the City's insurance carrier for review and appropriate action.
 - G. Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce and the McCook Economic Development Corporation for the Heritage Days Mixer to be held at McCook National Bank, 220 Norris Avenue, on September 26, 2018 from Noon to Midnight.
 - H. Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for a mixer/anniversary to be held at VK Electronics, 606 West "B" Street, on October 10, 2018 from 10:00 A.M. to 2:00 A.M.
 - I. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Family Fun Night to be held at the McCook Municipal Auditorium, 302 West 5th Street, on September 27, 2018 from 10:00 A.M. to 2:00 A.M.
 - J. Declare the listed abandoned and unclaimed vehicles as surplus city property to be disposed of in the appropriate legal manner.
5. Regular Agenda.
- A. Ordinance No. 2018-2970 adopting an economic development program pursuant to the provisions of the Local Option Municipal Development act.
 - 1. Chairperson asks Clerk to read Ordinance by title.
 - 2. Consider approval of Ordinance No. 2018-2970 upon its first reading.
 - B. Ordinance No. 2018-2971 setting the salary and compensation for City Manager Nathan A. Schneider.
 - 1. Chairperson asks City Clerk to read Ordinance No. 2018-2971 by title.
 - 2. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.
 - 3. Final passage of Ordinance No. 2018-2971.
 - 4. Chairperson announcement after vote and passage, if approved under suspension of the rule.

1. Ordinance No. 2018-2971 is declared lawfully passed and adopted upon publication as required by law.

C. Council Comments.

Adjournment.

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 3.K.

RECOMMENDATION:

APPROVE ORDINANCE NO. 2018-2967 PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES OF THE CITY MCCOOK CODE OF ORDINANCES UPON ITS SECOND READING.

BACKGROUND:

This Ordinance provides for the increase to the solid waste collection fees as included in the proposed FY 2018-2019 budget and is ready for approval upon its first reading.

The fee for Residential Trash Collection will increase from \$22.75 to \$23.25 per month which includes a \$2.00/month recycling fee to help support the recycling program. The last increase was in October 2017 where the fee increased from \$22.50/month to \$22.75/month.

The fee for Household/Commercial Waste will increase from \$63.00/ton to \$64.00/ton. The last increase was in October 2017 where the fee increased from \$62.00 to \$63.00.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

APPROVE ORDINANCE NO. 2018-2967 PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES OF THE CITY MCCOOK CODE OF ORDINANCES UPON ITS SECOND READING.

APPROVALS:



Kyle Potthoff, Public Works Director

AUGUST 15, 2018



Nate Schneider, City Manager

AUGUST 15, 2018

ORDINANCE NO. 2018-2967

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2017-2954 AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION 1. That Appendix F, Solid Waste Collection Fees, of the City of McCook, Nebraska Code of Ordinances, shall be and is hereby amended to read as follows:

**APPENDIX F: SOLID WASTE COLLECTION FEES
SOLID WASTE COLLECTION FEES**

(A) In order to pay for the cost of operation and maintenance of the Transfer Station and to provide funds necessary for equipment and future land acquisition, the following fees are hereby established in compliance with Section 55.02:

(1) All residents of the corporate limits of the City of McCook shall not be charged a fee at the Transfer Station for any refuse or debris that is generated on their own residential property and personally delivered to the Transfer Station. Except as provided in Section E of this Appendix, residents and nonresidents delivering construction, demolition, or remodeling and all persons hauling for hire, commercial, contract for commercial tree trimmers, lawn caretakers, or nonresidents of the City of McCook shall be assessed according to the Solid Waste Collection schedule of fees.

(2) The City will operate in accordance with Nebraska Department of Environmental Quality's *Title 132 Integrated Solid Waste Management* regulations.

(B) (1) *Solid Waste Collection schedule of fees.* See Chapter 38, Fee Schedule.

Household/Commercial Waste No Yard Waste	\$.032000 per pound (\$64.00 per ton) minimum charge - \$5.00
Yard Waste Only	\$.011675 per pound (\$23.35 per ton) minimum charge - \$5.00
Non Solid Waste Scale Fee	\$5.00

(2) *Solid Waste Collection payment due.* Payment of the above fee(s) is due and payable upon entrance into the Transfer Station.

(C) *Fee for U-Load-It Clean-up program.* A fee of fifty dollars (\$50.00) for the use of a city truck is hereby provided for use of the City's U-Load-It Clean-Up Program. Scale fees will be charged according to the above schedule as outlined in Sections A and B of the Appendix.

(D) *Solid Waste Collection/Disposal fee.*

(1) All residential units within the corporate City Limits shall be charged a monthly solid waste collection/disposal fee of \$21.25 and a monthly recycling fee of \$2.00.

(2) All residential units within the corporate City Limits may request an additional container to be used for yard waste only, and shall be charged a monthly disposal fee of \$5.00 per month, effective April 1, 2002, during those months that yard waste is banned from Landfills.

(3) Tracts of land or buildings containing three (3) or more residential units may choose alternative solid waste collection/disposal methods upon the approval of the City Manager.

(4) All solid waste collection/disposal fees prescribed by this Appendix shall be a lien upon the premises and real estate for which the service is supplied and if not paid when due such charge shall be certified to the City Treasurer and may be recovered by the City in an action at law and it may be certified to the County Clerk and assessed against said real estate and premises served and be collected and returned in the same manner as other City taxes are certified, assessed, collected and returned.

(5) Bills for solid waste collection/disposal fees charged pursuant to this Appendix shall be rendered at the same time that bills are rendered for water service, and all collection/disposal fees levied by this Appendix which are not paid at or before water service charges are required to be paid, shall be deemed delinquent and the water service of such user may be discontinued.

(E) *Waiver of fees for affordable housing projects.* Disposal fees shall be waived for the deposit at the Transfer Station of solid waste that was generated by the remodeling or clean up of a residential dwelling located within the corporate limits of the City of McCook using funds provided by the Nebraska Department of Economic Development pursuant to the Nebraska Affordable Housing Trust Fund Act.

(F) *Partial waiver of fees for demolition of certain residential dwelling units.* Thirty percent of the total disposal fees shall be waived for the deposit at the Transfer Station of solid waste generated by the demolition of a residential dwelling unit located within the corporate limits of the City of McCook along with an accessory detached garage if the requirements set forth in this subsection are satisfied. In order to qualify for such partial waiver of disposal fees, the owner of the dwelling unit must apply in writing to the Building Inspector of the City for a partial waiver of fees at least 14 days prior to commencement of the demolition work and must establish to the satisfaction of the Building Inspector that:

(1) The owner received written confirmation from the Building Inspector that the demolition qualifies for a partial waiver of disposal fees prior to commencing with the demolition work;

(2) all asbestos and other hazardous materials were abated and removed from the structures prior to commencing demolition work in accordance with all federal, state, and local laws;

(3) the dwelling unit has been abandoned for a continuous period of at least twelve (12) months prior to submission of the application for partial waiver of fees as shown by water, gas or electric utility records;

(4) the dwelling unit is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy such that it is unreasonable to repair the structure;

(5) there is no reimbursement for disposal fees available from any other source such as homeowner's insurance; and

(6) the owner obtained a permit authorizing such demolition from the City of McCook prior to commencement of the demolition work.

SECTION 2. Any and all ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force October 1, 2018 and from and after its passage, approval and publication in pamphlet form according to law.

PASSED AND APPROVED THIS _____ day of _____, 2018.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.F.

Receive and file claim for damages from Logan Roepke and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

BACKGROUND:

Attached to this report you will find the Property Damage Incident Form received from Logan Roepke.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Receive and file claim for damages from Logan Roepke and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018



PROPERTY DAMAGE INCIDENT FORM

PHONE NO.: 308-345-2022, ext. 224 EMAIL: lori@cityofmccook.com

FAX (303)345-1461

INCIDENT INFORMATION

LOCATION OF INCIDENT STREET: 11th street and in front of brookdale	DATE OF INCIDENT 8/23/18	TIME OF INCIDENT 10:30 am
CITY, STATE, ZIP: McCook, NE, 69001	POLICE OR FIRE DEPARTMENT CONTACTED? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME OF REPORTING OFFICER:
COUNTRY: USA	POLICE REPORT NUMBER:	
DESCRIBE LOCATION OF INCIDENT: In front of brookdale on 11th st		

REPORTING INDIVIDUAL INFORMATION

NAME: Logan Roepke	PHONE NUMBER: 308-440-4568
STREET ADDRESS: 309 East K	CELL PHONE NUMBER:
CITY, STATE, ZIP: McCook, NE, 69001	DATE OF BIRTH: 1/9/90

PROPERTY DAMAGE

DESCRIPTION OF PROPERTY DAMAGED:
Passenger side window of common scents purple F350 was broken caused by rocks when I drove past the city tractor mower
ESTIMATE VALUE:

CLAIM DETAILS What Happened: (Give as much detail as possible, include photos and witness information if applicable):

Paul Younger was mowing with the batwing mower (2203A)
Logan Roepke stopped him to tell him that his vehicle was hit by a rock thrown by our mower
Location Paul was mowing - moving southbound on the right-of-way south of Brookdale Retirement Center
(3 estimates attached)

WITNESSES (Include written statements if applicable)

JB

NAME: Paul Younger	NAME:
ADDRESS: City Employee	ADDRESS:
CITY, STATE, ZIP:	CITY, STATE, ZIP:
PHONE NUMBER: 308-737-0698	PHONE NUMBER:

NAME:	NAME:
ADDRESS:	ADDRESS:
CITY, STATE, ZIP:	CITY, STATE, ZIP:
PHONE NUMBER:	PHONE NUMBER:

Logan Raifu
Signature of Reporting Individual

8/23/18
Date Submitted



**WAGNER FORD TOYOTA
211 WEST 2ND STREET
MCCOOK NE 69001
308-345-2350**

Customer: COMMON SCENTS - LOGAN ROETKE
Address: 71397 US HWY 83
City, State: MCCOOK, NEBRASKA 69001
Day Phone: 3084404568
Night Phone:
Fax:
Estimate Ref: 1032
Date: August 23, 2018
Time: 11:28 AM

Service Writer: 113
Service Tech: N/A
VID: 1FTSF31F9YEA47165
Mileage: UNKNOWN

Description	Part #/Labor Rate	Qty	Price/Time	Extended
ESTIMATED LABOR COST TO REPLACE PASSENGER DOOR WINDOW GLASS THAT HAD ROCK THROWN INTO IT FROM A MOWER	Labor 88.00 / hr	1	1.10	96.80
PASSENGER FRONT OEM WINDOW GLASS		1	229.80	229.80
SHOP SUPPLIES		1	14.52	14.52
FAX QUOTE TO CITY OFFICES AT 345-1461 (LOGAN ROETKE HAD FILED CLAIM, TRUCK BELONGS TO BRUCE HOFFMAN - COMMON SCENCE)				
Labor Total				96.80
Parts Total				244.32
Sub-Total				341.12
Parts Tax			7.0%	17.11
Total				\$ 358.23

All estimates are only rough ideas and may change, prices are subject to change upon teardown and inspection if additional materials or work is needed. Shop supplies may vary depending on needed fluids and possible clean up materials.

Signature _____ Date _____

FAX COVER SHEET

TO

COMPANY

FAX NUMBER 13083451461

FROM Walter Hampton

DATE 2018-08-23 16:06:58 GMT

RE Your Order Number is Q017564

COVER MESSAGE

Please find your sales order attached.

GLASS EXPRESS
1812 WEST O STREET
MCCOOK, NE 69001

PH:(308) 345-4045 FAX:(308) 345-1812

Remit To: PO Box 1014, MCCOOK, NE 69001

P/O#:	Cust State Tax ID:	Quote: Q017564
Taken By: angel.petty	Cust Fed Tax ID:	
Installer:	Ship	
SalesRep:	Adv. Code:	Date: 8/23/2018
		Time: 11:06 AM

Bill To: CIT001

Sold To: CIT001

CITY OF MCCOOK
PO BOX 1059
MCCOOK, NE 69001

COMMON SCENTS
LOGAN ROEPKE

(308) 345-2022 Fax: (308) 345-1461 Fax: (308) 345-4369
POLICE

Vehicle Information

Make: Ford	Model Style: F Series F350 2 Door Standard	Year: 2000
Odometer:	VIN:	License:

Qty	Part Number	Description	List	Sell	Total
1	DD09327GTYNCOM	Door-(Front,Right,Solar Controlled)	\$194.65	\$145.99	\$145.99
1	AG40HCAP	NAGS Labor - Per Hour	\$135.00	\$135.00	\$135.00

Quote Followup: No

Insurance: No

AUTO GLASS QUOTE ARE GOOD FOR 30 DAYS - FLAT GLASS QUOTES ARE GOOD FOR 60 DAYS
UNLESS OTHERWISE SPECIFIED

Thank You for your patronage

Due on receipt

Total:

Sub Total: \$280.99

Tax: \$0.00

Total: \$280.99

Date: 8/23/2018 11:23 AM
 Estimate ID: 19934
 Estimate Version: 0
 Preliminary
 Profile ID: WEBB
 Quote ID: 35504694

WEBB BODY SHOP INC.

1406 West 17th, McCook, NE 69001
 (308) 345-3205
 Fax: (308) 345-4214
 Email: webbodyshopinc@hotmail.com
 Tax ID: 47-0835775

Damage Assessed By: Rich Webb
 Classification: Field

Deductible: 0.00
 Claim Number: 19934

Owner: LOGAN ROEPKE

Mitchell Service: 914824

Description: 2000 Ford Pickup F350 XLT
 Body Style: 2D Pkup 8' Bed 137" WB
 Mileage: 1
 OEM/ALT: A
 Options: PASSENGER AIRBAG, POWER LOCK, POWER WINDOW, POWER STEERING, AIR CONDITION
 CRUISE CONTROL, TILT STEERING COLUMN, AM/FM STEREO, DRIVER AIRBAG
 ANTI-LOCK BRAKE SYS., ALUM/ALLOY WHEELS, CASSETTE PLAYER, CLOTH SEAT
 DUAL REAR WHEELS

Drive Train: 7.3L Turbo Inj 8 Cyl Del 2WD
 Search Code: B622944

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>Front Door</u>							
1	401192	BDY	REMOVE/INSTALL	R Frt Door Trim Panel			INC
2	401259	GLS	REMOVE/REPLACE	R Frt Door Moveable Glass	DD09327GTY	194.65	1.2

ESTIMATE RECALL NUMBER: 08/23/2018 11:23:06 19934

Mitchell Data Version: OEM: AUG_18_V
 MAPP:AUG_18_V
 Software Version: 7.1.230

Copyright (C) 1994 - 2018 Mitchell International
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Date: 8/23/2018 11:23 AM
 Estimate ID: 19934
 Estimate Version: 0
 Preliminary
 Profile ID: WEBB
 Quote ID: 35504694

Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Glass	1.2	65.00	0.00	0.00	70.00	Taxable Parts	194.65
						Sales Tax @ 7.000%	13.63
					78.00	Total Replacement Parts Amount	208.28
Non-Taxable Labor							
Labor Summary	1.2				78.00		
Total Additional Costs					0.00	Insurance Deductible	0.00
						Customer Responsibility	0.00
						I. Total Labor:	78.00
						II. Total Replacement Parts:	208.28
						III. Total Additional Costs:	0.00
						Gross Total:	286.28
						IV. Total Adjustments:	0.00
						Net Total:	286.28

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.

ESTIMATE RECALL NUMBER: 08/23/2018 11:23:06 19934

Mitchell Data Version: OEM: AUG_18_V
 MAPP: AUG_18_V
 Software Version: 7.1.230

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GLASSDOCTOR_x

HOME • AUTO • BUSINESS

We fix your panes![®]

The Glass Doctor of Central Nebraska
2304 Avenue A
Kearney, NE 68847
Ph:308 236 9970

Quote: 2-5599

Date: 08/23/2018

Customer

COMMON SCENTS

H (308)345-1541

Csr: YS Tech: PO Terms: C.O.D

Vehicle: 2000 FORD F SERIES F350 2 DOOR STANDARD CAB

<u>Qty</u>	<u>Part / Description</u>	<u>List Price</u>	<u>Material</u>	<u>Labor</u>	<u>Item Total</u>
1	DD11202GT - (DD09327)Door Green Tint (DD09327)(w/Attch)(Liftplate)(Front)(Right)(Solar)	187.95	140.96	50.00	190.96

Job Location Mobile

Tax Info:

MCCOOK 2.11
STATE TAX 7.75

Signature _____

<u>Material</u>	<u>Labor</u>	<u>Tax</u>	<u>Total</u>	<u>Deductible</u>	<u>Payments</u>	<u>Balance</u>
140.96	50.00	9.86	200.82	0.00	0.00	200.82

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 3.C. Public Hearing - Regarding the Amended Redevelopment Plan for the Next Generation Redevelopment Project Area as to its conformity with the general plan for the development of the City as a whole.

ITEM NO. 3.E. Approve Resolution No. 2018 - 13 approving an Amended Redevelopment Plan of the City of McCook, Nebraska, approving an Amended Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of amending the 2017 Next Generation Project Area in consideration of an additional development project.

BACKGROUND:

On January 19, 1998, a resolution was passed establishing Redevelopment Area # 2 in McCook, Nebraska. Redevelopment Area #2 includes McCook Industrial Park, which is located north of Ravenswood Road and east of Valmont Industries. The legal description of the specific lot at issue is, Lot 4 McCook Business Park in the City of McCook, Red Willow County, Nebraska. Next Generation, Inc. constructed an agricultural chemical handling and distribution facility in 2017/2018 at the above described location. Next Generation is planning on developing a second phase, symmetrical in size to the first phase. Next Generation has asked for Tax Incremental Financing (TIF) assistance to construct the second phase.

An Amended Redevelopment Plan has been prepared and the Amended Plan is included with this report. The Plan contemplates the construction of a \$6,500,000, rail served, agricultural chemical handling and distribution addition. The Amended Plan proposes an enhancement to the Redevelopment Area. The project includes TIF Eligible consideration for construction that exceeds normal building design standards, architect fees, legal fees, paving, and lighting. In addition, the Amended Plan anticipates \$5,242,116 of private investment as part of the project. Next Generation will secure its own loan to pay the up front costs associated with project and the City would incur no liability as a result of this Amended Plan. The content found in the Amended Plan outlines the project and provides the essential elements that are required to comply with State law.

The Planning Commission will consider the Amended Redevelopment Plan at a meeting to be held September 4, 2018 at 5:15 p.m., just prior to the regularly scheduled McCook City Council Meeting.

For this item, Council will want to conduct a public hearing, recess as a Council and convene as the Community Development Agency for the purpose of approving a Community Development Agency resolution, and then adjourn as the Community Development Agency and reconvene as the City Council for the purpose of approving a City Council resolution. The agenda maps out this process.

RECOMMENDATIONS:

ITEM NO. ___ Public Hearing - Regarding the Amended Redevelopment Plan for the Next Generation Redevelopment Project Area as to its conformity with the general plan for the development of the City as a whole.

ITEM NO. ___ Approve Resolution No. 2018 - 13 approving an Amended Redevelopment Plan of the City of McCook, Nebraska, approving an Amended Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of amending the 2017 Next Generation Project Area in consideration of an additional development project.

APPROVALS:



February 14, 2017

Nathan A. Schneider, City Manager



February 14, 2017

Lea Ann Doak, City Clerk

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APPROVALS:



February 14, 2017

Nathan A. Schneider, City Manager



February 14, 2017

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 3.I.

Approve Ordinance No. 2018-2968 providing for the adoption of the budget for FY 2018/2019 upon its second reading.

BACKGROUND:

Ordinance No. 2018-2968 provides for the adoption of the budget for Fiscal Year 2018/2019 after discussion and consideration by the Council

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve Ordinance No. 2018-2968 providing for the adoption of the budget for FY 2018/2019 upon its second reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 29, 2018



Nathan A. Schneider, City Manager

August 29, 2018

ORDINANCE NO. 2018-2968

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA:

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2018, through September 30, 2019. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of McCook. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and the County Clerk of Red Willow County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED THIS _____ day of _____, 2018.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 MCCOOK CITY COUNCIL MEETING**

ITEM: 3.A. Public Hearing - Request for a special exception by Brittany "Bee" Samms and Edward Rockenfield to provide in-home daycare at 107 North Cherokee Street, said property located in the Residential Medium (RM) District.

ITEM: 3.B. Approve a special exception request to allow an in-home daycare at 107 North Cherokee Street, property located within the Residential Medium (RM) District, said finding based upon special exception requirements A - I.

BACKGROUND:

An application for a special exception has been submitted by Brittany "Bee" Samms and Edward Rockenfield, to permit an in-home daycare to be operated at 107 North Cherokee Street. The property is located within the RM District. Article 10, Section 1003 of the McCook Zoning Ordinance allows child care centers within the RM District upon receipt of a special exception designation. After staff review, it appears the applicants adequately explain how they would address the special exception considerations A - I. It does not appear the request will negatively impact the neighborhood.

**FISCAL
IMPACT:** None.

RECOMMENDATIONS:

ITEM: Public Hearing - Request for a special exception by Brittany "Bee" Samms and Edward Rockenfield to provide in-home daycare at 107 North Cherokee Street, said property located in the Residential Medium (RM) District.

ITEM: Approve a special exception request to allow an in-home daycare at 107 North Cherokee Street, property located within the Residential Medium (RM) District, said finding based upon special exception requirements A - I.

APPROVALS:



Lea Ann Doak, City Clerk

August 28, 2018



Nathan A. Schneider, City Manager

August 28, 2018

EXHIBIT #1

PAGE(S) - 1

**AMENDED/CHANGE OF DATE
NOTICE OF HEARING**

**REQUEST FOR
SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held on a request for a special exception to allow an in home child care center in a Residential Medium Density (RM) District.

ADDRESS: 107 North Cherokee

LEGAL DESCRIPTION: Lot 5, Block 4, Fourth Parkview Subdivision of McCook, Red Willow County, Nebraska

PROJECT SPONSOR/
DEVELOPER: Brittany "Bee" Samms

LAND OWNER: Edward Rockenfield

Public Hearings will be held on the dates, times, and at the places listed below:

SEPTEMBER 4, 2018 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

SEPTEMBER 4, 2018 - 6:30 P.M.
MCCOOK CITY COUNCIL
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described request will be given an opportunity to be heard. Please direct all inquiries to Barry Mooney, City of McCook Building Official at 308-345-2022 ext. 232.

-s- Lea Ann Doak
City Clerk

Publish: August 24, 2018.
Post: August 24, 2018.
Mail: August 24, 2018.

EXHIBIT #2

PAGE(S) - 1

OWNERSHIP LIST FOR MAILING:

TOM BREDVICK, PRESIDENT
MCCOOK PUBLIC SCHOOLS
600 WEST 7TH STREET
MCCOOK, NE 69001

RED WILLOW CO. SCHOOL DIST. #17
700 WEST 7TH ST.
MCCOOK, NE 69001

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

ROCKENFIELD, EDWARD
107 NORTH CHEROKEE
MCCOOK NE 69001

KIPP, TERESA
109 NORTH CHEROKEE
MCCOOK NE 69001

DAY, GREGORY & CRYSTAL
111 N CHEROKEE
MCCOOK NE 69001

PANKONIN, TED & TRUDY
105 NORTH CHEROKEE
MCCOOK NE 69001

GOODENBERGER, PAUL & MARLENE
205 SEMINOLE
MCCOOK NE 69001

COREY, THOMAS E & NANCY J
110 NORTH CHEROKEE
MCCOOK NE 69001

WALTER, JUSTIN R & KODI L
108 NORTH CHEROKEE
MCCOOK NE 69001

HARRISON, VICKIE M
70944 RD 407
CAMBRIDGE NE 69022

ROUSE, KIM A
304 APACHE DRIVE
MCCOOK NE 69001

HESTERWERTH, KEVIN R
303 SEMINOLE DR
MCCOOK NE 69001

EXHIBIT #3

PAGE(S) - 1

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: Bumble Bee's Daycare

Description of Project: In home daycare

Project sponsor or developer:

Name: Brittany "Bee" Samms

Address: 107 N. Cherokee McCook, NE 69001

Phone number: (785) 470.1872

Fax number: N/A

E-mail Address: brittany.samms89@gmail.com

Land owner or owners:

Name: Edward Rockenfield

Address: 107 N. Cherokee McCook, NE 69001

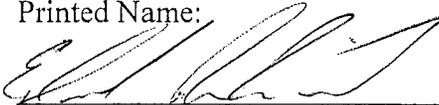
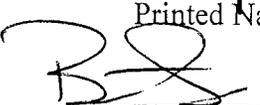
Phone number: (308) 655.1027

Fax number: N/A

E-Mail Address: edward.rockenfield@yahoo.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)

<u>Edward Rockerfield</u>	<u>Brittany Samms</u>
Printed Name:	Printed Name:
	
Signature:	Signature:
<u>7-25-18</u>	
Date:	

Address and physical location of the Proposed Land Use Action: 107 N. Cherokee
McCook, NE 69001

Property Description (Of the parent parcel for subdivisions): Single family home
Fourth Parkview Sub McCook
Blk 4, Lot 5

Required Information:

- See Attached sheets for required information for:
- Subdivisions
 - Zone Changes and special exceptions
 - Planned developments

FEE PAID: \$ _____ (See attached schedule of fees)

Fee, complete application, and required attachments accepted by:

_____	_____	_____
Printed name	Signature	Date

REQUIRED ATTACHMENTS:

For Zone Changes and Special Exceptions:

(For Zone Changes or Amendments see Article 27 of the Zoning Ordinance; for Special Exceptions see Article 24 Special Exceptions)

_____ Include a description of the reason for the request for a change of zone:

Opening of in home daycare to provide childcare in McCook, NE.

_____ Include a description of any special exception requested including the section of the zoning ordinance under which it is requested: (Example: Special exception to construct multi-family dwellings in (RM) Residential Medium Density area comprised of single family dwellings.)

Special exception to open an in home daycare in a residential area.

_____ Include a site plan (minimum 17" X 11") and a letter of explanation showing and explaining the following special exception requirements:

- (A) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe; automobiles will enter and exit North Cherokee or South Cherokee / pedestrian can also do the same
- (B) off-street parking and loading areas where required, with particular attention to the items in (A) above, the economic, noise, glare or odor effects of the special exception or change of zone on adjoining properties and the properties generally in the district or the area; parents will drop off children and pick up children in the driveway of 107. NO additional parking needed / no additional
- (C) the location of refuse and service areas, with particular reference to the items in (A) and (B) above; Sign will be posted on front porch of refuse service. NO lighting needed. neighbors parking or any additional parking noise or odor
- (D) utilities, with reference to locations, availability, and compatibility; will not be needed utilities remain the same
- (E) screening and buffering with reference to type, dimensions, and character; all screenings done by the state of NE and license
- (F) signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district; No signs needed or additional lighting needed.

(G) required yards and other open space; fenced in back yard 40x60
no additional yard space or open space needed

(H) general compatibility with adjacent properties and other properties in the district.

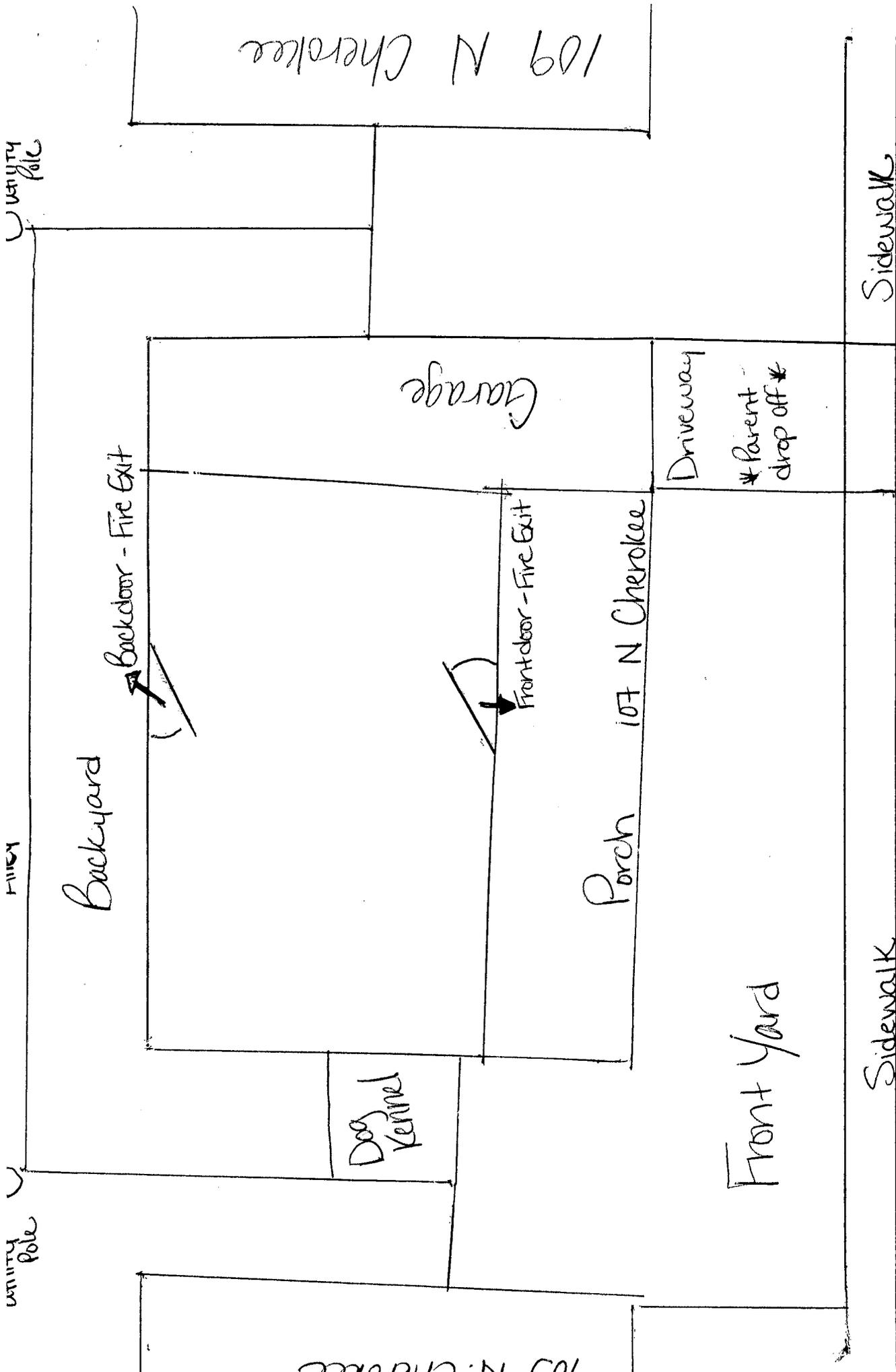
fence and yard is compatible with adjacent property and the district. Does not affect other property

Explain how the project complies with the Comprehensive Plan:

parents will use street access to drop off children and use driveway, kids will be cared for in the home and the fenced in yard. between 8:00 AM and 5:30 PM. no additional or very little noise and no additional lighting needed or signs. Very little additional traffic only parents dropping off and picking up kids between 8:00^{AM} - 5:30^{PM}. There will be no additional noise or odor.

This will be a benefit to the neighborhood giving families somewhere local and familiar to have the children cared for.

parents often prefer in home day care over larger day care center



* Additional parking for Parent drop off *

Parcel Information	
Parcel ID	001502300
Links	Photo #1 Sketch #1
Map Number	4281-00-0-00000-000-0000
Cadastral #	C1 50 20
Current Owner	ROCKENFIELD, EDWARD
Mailing Address	107 NORTH CHEROKEE MCCOOK NE 69001-
Situs Address	107 NORTH CHEROKEE
Tax District	80
Tax ID	C1 50 20
School District	S.D. #17 GEN/SPEC BLD
Neighborhood	2305
Property Class	Single Family
Lot Width x Depth	0 x 0
Legal Description	FOURTH PARKVIEW SUB MCCOOK BLK 4, LOT 5

Assessed Values				
Year	Total	Land	Improvements	Outbuildings
2018	\$77,669	\$10,080	\$67,589	\$0

2017 Tax Information	
Taxes	\$1,343.14
Tax Levy	1.817252

2017 Tax Levy	
Description	Rate
CITY OF MCCOOK GEN	0.349044
COUNTY	0.302105
ED UNIT #15	0.014990
HIGH PLAINS HISTORICAL	0.001400
MID-PLAINS GEN/CI/ADA	0.075453
NATURAL RESOURCE	0.031020
S.D. #17 BOND	0.075600
S.D. #17 GEN/SPEC BLD	0.967640

99 Year Sales History				
Date	Book/Page	# Parcels	Grantor	Price
2017/02/03	2017-00165	1	CONROY/WILLIAM M & ANITA C	\$0.00
2017/02/03	2017-00167	1	CONROY/ANITA C	\$87,500.00
1984/03/26	114-151	1		\$0.00

Property Classification	
Status:	Improved
Location:	Urban

Property Class:	Single Family	City Size:	5,001-12,000
Zoning:	N/A	Lot Size:	<10,000 sq. ft.

Land Information				
Lot Width	Lot Depth	Value Method	# of Units	Lot Value
0	0	Sq ft.	10079.5	10080

Historical Valuation Information							
Year	Billed Owner	Land	Impr	Outldg	Total	Taxable	Taxes
2017	ROCKENFIELD/EDWAR	\$10,080	\$67,589	\$0	\$77,669	\$77,669	\$1,343.14
2016	ROCKENFIELD/EDWAR	\$10,080	\$60,347	\$0	\$70,427	\$0	\$0.00
2015	CONROY/WILLIAM M & ANITA C	\$10,080	\$60,347	\$0	\$70,427	\$0	\$0.00
2014	CONROY/WILLIAM M & ANITA C	\$10,080	\$57,759	\$0	\$67,839	\$0	\$0.00
2013	CONROY/WILLIAM M & ANITA C	\$10,080	\$57,249	\$0	\$67,329	\$346	\$0.00
2012	CONROY/WILLIAM M & ANITA C	\$10,080	\$52,126	\$0	\$62,206	\$0	\$0.00
2011	CONROY/WILLIAM M & ANITA C	\$10,080	\$52,126	\$0	\$62,206	\$0	\$0.00
2010	CONROY/WILLIAM M & ANITA C	\$10,080	\$52,126	\$0	\$62,206	\$0	\$0.00
2009	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$13,485	\$213.16
2008	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$14,929	\$244.48
2007	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$15,619	\$266.58
2006	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$27,437	\$553.60
2005	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$28,487	\$560.94
2004	CONROY/WILLIAM M & ANITA C	\$10,080	\$63,607	\$0	\$73,687	\$29,987	\$596.82
2003	CONROY/WILLIAM M & ANITA C	\$6,840	\$69,485	\$0	\$76,325	\$34,425	\$739.34
2002	CONROY/WILLIAM M & ANITA C	\$6,840	\$65,552	\$0	\$72,392	\$32,392	\$652.08
2001	CONROY/WILLIAM M & ANITA C	\$6,840	\$62,430	\$0	\$69,270	\$47,270	\$910.48
2000	CONROY/WILLIAM M & ANITA C		\$69,270		\$69,270	\$53,270	\$860.70
1999	CONROY/WILLIAM M & ANITA C		\$50,580		\$50,580	\$50,580	\$1,106.72
1998	CONROY/WILLIAM M & ANITA C		\$50,580		\$50,580	\$50,580	\$1,110.18

7/26/2018

Red Willow County Assessor

powered by:  GIS Workshop

1997	CONROY/WILLIAM M & ANITA C	\$50,580	\$50,580	\$50,580	\$1,265.28
1996	CONROY/WILLIAM M & ANITA C	\$46,405	\$46,405	\$46,405	\$1,159.28
1995	CONROY/WILLIAM M & ANITA C	\$47,880	\$47,880	\$47,880	\$1,282.80
1994	CONROY/WILLIAM M & ANITA C	\$45,270	\$45,270	\$45,270	\$1,157.38

Residential Datasheet			
Type	Single-Family	Heat Type	100 % WARM & COOLED AIR &
Quality / Condition	30 Average / 25 Fair+	Foundation	
Arch. Type		Slab Area	
Year Built	1952	Crawl Area	
Actual Age	66	Basement Area	1075sq. ft.
Ext. Wall 1	100 % WOOD SIDING	Min Finish	768 sq. ft
Ext. Wall 2		Rec Finish	
Base Area	1,075 sq. ft	Part Finish	
Total Area	1,075 sq. ft	Bedrooms	2
Style 1	100% One-Story	Bathrooms	2
Style 2		Garage Type	ATTACHED
Roof Type	COMP SHINGLES	Garage Area	273 sq. ft

Miscellaneous Improvements		
Improvement	Year	Units
OPEN PORCH W/ROOF		180
FLAT VALUE METAL SHED		500
FLAT VALUE METAL SHED		150
FLAT VALUE WOOD SHED		250

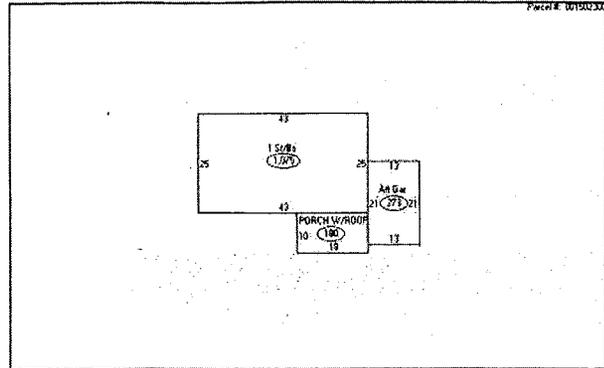
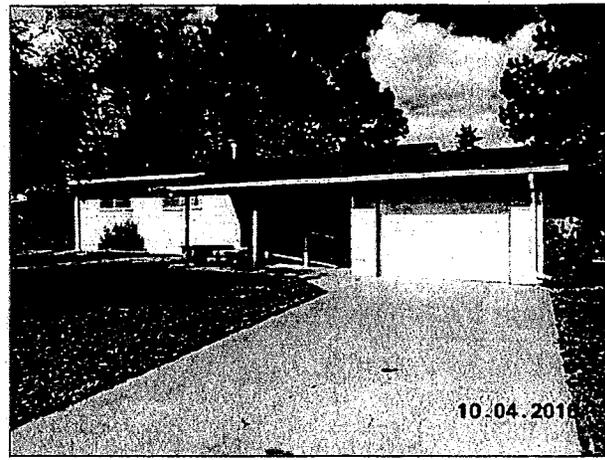
Building Permits			
Permit #	Date	Description	Amount
11509	04/20/2015	new roof	3000
9989	08/10/2012	new roof	4800

Photo/Sketch

7/26/2018

Red Willow County Assessor

powered by:  GIS Workshop



FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

SPECIAL EXCEPTION CONSIDERATIONS:

YES NO

1. The proposed special exception use would satisfactorily provide for:

a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

c) refuse and service areas, with particular attention to the items in a) and b) above;

d) utilities, with reference to locations, availability and compatibility;

e) screening and buffering with reference to type, dimensions and character;

f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;

g) required yard and other open space;

h) general compatibility with adjacent properties and other property in the district.

2. The specific rules governing special exceptions have been complied with.

CITY COUNCIL FINDINGS AND DECISION:

The McCook City Council hereby determines that the special exception will _____, will not _____ adversely affect the public interest. The special exception herein requested is _____, is not _____ hereby granted subject to the stipulations noted below, if any.

THIS _____ DAY OF _____, 2012.

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 5.B.

Introduce and approve, under suspension of the rule, Ordinance No. 2018-2971 setting the salary and compensation for City Manager Nathan A. Schneider.

BACKGROUND:

Council completed the annual evaluation of the job performance of City Manager Schneider at the August 20 meeting. The proposed ordinance sets the annual salary and compensation of the City Manager. A copy of his employment agreement is attached for your reference.

As set forth in the agreement, the City Manager's annual salary is to be determined by the Council. Included in the proposed budget for all regular employees, a 2% cost of living increase would be \$1,951 and 2.5% for merit would be \$2,439. The current salary set by Ordinance No. 2017-2957 (attached) is \$97,567.

In previous years, this ordinance has been approved under suspension of the rule. Whether or not to approve it under suspension of the rule, is entirely a Council decision.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Introduce and approve, under suspension of the rule, Ordinance No. 2018-2971 setting the salary and compensation for City Manager Nathan A. Schneider.

APPROVALS:



Lea Ann Doak, City Clerk

August 29, 2018

ORDINANCE NO. 2018-2971

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA SETTING THE SALARY AND COMPENSATION OF THE CITY MANAGER OF THE CITY OF MCCOOK; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA:

SECTION 1. From and after October 1, 2018, the City Manager of the City of McCook, Nebraska shall receive for his gross annual (12 month) salary \$_____, said salary to be paid bi-weekly; retirement benefit of 6% of his salary; and other benefits as shall be determined by the City Council of the City of McCook.

SECTION 2. The City Manager's employment agreement executed May 8, 2014, and effective June 23, 2014, includes these provisions.

SECTION 3. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS 4th day of September, 2018.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

Publish:

ORDINANCE NO. 2017-2957

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA SETTING THE SALARY AND COMPENSATION OF THE CITY MANAGER OF THE CITY OF MCCOOK; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA:

SECTION 1. From and after October 1, 2017, the City Manager of the City of McCook, Nebraska shall receive for his gross annual (12 month) salary \$97,567, said salary to be paid bi-weekly; retirement benefit of 6% of his salary; and other benefits as shall be determined by the City Council of the City of McCook.

SECTION 2. The City Manager's employment agreement executed May 8, 2014, and effective June 23, 2014, includes these provisions.

SECTION 3. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS 18th day of September, 2017.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

Publish: September 25, 2017

EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into this 8th day of May, 2014, by and between the City of McCook, Nebraska, a municipal corporation, hereinafter called the "City", and Nathan A. Schneider, hereinafter called the "City Manager", both of whom understand and agree to the following:

WITNESSETH:

WHEREAS, the City desires to contract for the professional services of said Nathan A. Schneider as City Manager of the City of McCook, Nebraska, as provided by Article 6 of Chapter 19 of the Statutes of the State of Nebraska, and the City of McCook Code of Ordinances, 2011, and

WHEREAS, it is the desire of the City Council to provide certain benefits, establish certain conditions of employment, and to set working conditions of said City Manager's position; and

WHEREAS, it is the desire of the City Council to (1) secure and retain the services of the City Manager and to provide inducement for him to remain in such employment; (2) to make possible full work productivity by assuring the City Manager with respect to his future security; (3) to act as a deterrent against malfeasance or dishonesty for personal gain on the part of the City Manager; and (4) to provide a just means for terminating the City Manager's services at such time as may be necessary; and

WHEREAS, Nathan A. Schneider desires to enter into and continue employment as City Manager of said City;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. DUTIES

The City hereby agrees to contract with Nathan A. Schneider as City Manager of said City to perform the functions and duties specified in the Statutes of the State of Nebraska and

the City of McCook Code of Ordinances, and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign.

SECTION 2. TERM

The term of this Agreement shall commence on the 23rd day of June, 2014. The City Manager shall be an "at will" employee, and shall serve at the pleasure of the City Council, without specific term or tenure.

SECTION 3. SALARY

The City agrees to pay the City Manager for his services a gross annual salary of \$86,000.00, payable in equal bi-weekly installments.

The City may increase the salary from time to time, in such amount as it may deem appropriate, as reward for meritorious service.

The City Council shall review the City Manager's salary and benefits at a convenient date and time near August 15, 2015, and determine whether to take action to adjust the compensation of the City Manager. Annual performance evaluations, and salary reviews shall be scheduled at approximately twelve-month intervals thereafter.

SECTION 4. HOURS OF WORK

The work week for the City Manager shall be 40 hours per week and such other hours as may be necessary to fulfill the duties of the position of City Manager.

SECTION 5. AUTOMOBILE

The City and City Manager agree that the City Manager shall use his own, personal automobile for City related business. The City Manager shall be reimbursed \$5,000.00 annually, with said payment to cover the City Manager's costs for insurance, maintenance, repair, fuel and any other costs that can reasonably be expected for said job related usage. Said payments shall be paid to the City Manager by the City on a bi-weekly basis with each bi-weekly payment to be in the amount of \$192.31. The City Manager will use his own personal automobile to travel to and from any work related event(s) that may occur inside of the State of Nebraska. Travel will be provided by the City outside the State of Nebraska. City Manager shall provide the City with a Certificate of Insurance.

SECTION 6. DUES, SUBSCRIPTIONS AND MEMBERSHIPS

The City shall pay, during his tenure, for the membership dues for the City Manager's membership in one local service organization and the Nebraska City Management Association.

SECTION 7. CELL PHONE (SMART PHONE) PROVISION

City agrees to provide the City Manager a cell phone (smart phone) and will pay for all monthly usage expenses.

SECTION 8. CONFERENCES

The City shall allow the City Manager to attend such conferences as the City may deem beneficial to the City and/or the professional development of the City Manager. The City shall pay all reasonable and necessary expenses of the City Manager while attending such conferences.

SECTION 9. VACATION

The City Manager will be granted vacation leave that shall be earned and accrued from the date of employment. City Manager shall be credited with 80 hours of vacation from the date of employment. Vacation shall accrue pursuant to the policies outlined in the City's Employee Handbook.

SECTION 10. SICK LEAVE

The City Manager shall accrue and take sick leave pursuant to the policies outlined in the City's Employee Handbook.

SECTION 11. OTHER TYPES OF LEAVE

Other types of leave, as outlined in the City's Employee Handbook, shall be applicable to the City Manager.

SECTION 12. HEALTH AND DENTAL INSURANCE

The City Manager shall receive health and dental insurance coverage for himself and his family pursuant to the policies outlined in the City's Employee Handbook. Coverage will begin the first of the month following thirty one (31) days of continuous full-time employment.

SECTION 13. GROUP LIFE INSURANCE

The City Manager shall receive life insurance coverage for himself pursuant to the policies outlined in the City's Employee Handbook. Specifically, the City Manager shall be provided, through the City's health insurance program, a life insurance policy equal to one year's gross salary as is set forth in Section 5.3.

SECTION 14. RETIREMENT

In addition to the salary paid by the City to the City Manager, the City agrees to pay an amount equal to six percent (6%) of the City Manager's gross salary into a qualified retirement plan on the City Manager's behalf. The plan to be used shall be selected by the City Manager. The City Manager shall advise the City of his selection upon commencing employment so that any necessary participation agreements may be completed prior to payroll. The City Manager shall be responsible for all administrative, or custodial charges made by the plan.

SECTION 15. PERFORMANCE EVALUATION

The Council shall review and evaluate the performance of the City Manager at least once annually in advance of the adoption of the annual operating budget after approval of this agreement. The City Council, by majority vote, may request more frequent evaluations. Said reviews will be written and oral. Said review and evaluation shall be in accordance with criteria developed jointly by the Council and the City Manager. The criteria may be added to or deleted from as the Council may from time to time determine, in consultation with the City Manager. Further, the Council shall provide the City Manager with a summary written statement of the findings of the Council and provide an adequate opportunity for the City Manager to discuss his evaluation with the Council.

Annually, the Council and the City Manager shall define such goals and performance objectives that they determine necessary for the proper operation of the City of McCook and in the attainment of the Council's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided.

SECTION 16. TERMINATION OR DISCHARGE

A(1). Termination for Any or No Reason and Consideration Given for Release of All Claims Against City. In the event the City Council, during the term of this Agreement, terminates City Manager during the term of this Agreement, terminates Employee for any or no reason, the City shall make payments as specified in Paragraph A(2) of this section in exchange for the amounts specified in Paragraph A(2) of this section. Termination shall occur for any of the following reasons:

1. The majority of the governing body votes to terminate the City Manager at a duly authorized public meeting.
2. If the City, citizens or legislature acts to amend any provisions of the pertaining to the role, powers, duties, authority, responsibilities of the City Manager's position that substantially changes the form of government, the City Manager shall have the right to declare that such amendments constitute termination.
3. If the City reduces the base salary, compensation or any other financial benefit of the City Manager, unless it is applied in no greater percentage than the average reduction of all department heads, such action shall constitute a breach of this agreement and will be regarded as a termination.
4. If the City Manager resigns following an offer to accept resignation, whether formal or informal, by the City, then the City Manager may declare a termination as of the date of the suggestion.

A(2). Value of Claims Against City Released by City Manager and Participation in Post-Agreement Proceedings. City agrees to provide such a lump sum payment of five (5) months salary to the City Manager to avoid the expense of:

1. Conducting a pre- and post-termination grievance hearing.
2. Conducting a Loudermill hearing and "full blown" due process hearing.
3. Defending a discrimination charge brought under the municipal code, state law, and/or federal law.
4. Defending a breach of contract claim.

5. The City Manager, in accepting this lump sum payment, agrees after termination of employment with the City that he will voluntarily participate and cooperate with the City in the defense of the City and its elected officials and employees and the prosecution of any action or proceeding about which the Employee has knowledge, including any litigation related to these actions. Such participation and cooperation includes, for example, agreeing to speak with the City's attorneys at mutually convenient times regarding the fact of the matter and agreeing to make himself available for a deposition and/or trial.
6. The City shall prepare a release and waiver form to be signed by the City Manager in accordance with this paragraph.

A(3). Non-Renewal. The failure of the City to renew any employment contract containing language similar or identical to Section 15 of this Agreement shall be treated as a termination for any or no reason and shall trigger the payment of amounts set forth in Paragraph A(2) of this section.

SECTION 17. DEFENSE AND INDEMNIFICATION

City shall, at its expense or that of its insurers, defend and indemnify the City Manager from liability for his acts or omissions performed in connection with his duties as City Manager to the extent the acts or omissions constituting the grounds for alleged liability, if actionable at all, were based upon the City Manager's good faith judgment that the acts or omissions were not contrary to the best interests of the City.

SECTION 18. GENERAL PROVISIONS

The text herein shall constitute the entire Agreement between the City and the City Manager and shall be binding upon and inure to the benefit of the heirs at law and the executors of the City Manager.

If any provision or any portion hereof contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the City of McCook has caused this Agreement to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and the City Manager has signed and executed this Agreement both in duplicate, and day and year first written above.

CITY OF MCCOOK

Dennis Berry, Mayor

ATTEST:

Lea Ann Doak, City Clerk

CITY MANAGER

Nathan A. Schneider

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 3.G. Public Hearing - FY 2018/2019 Annual Budget

ITEM: 3.H. Public Hearing - Set Final Tax Request at a different amount than the prior year

BACKGROUND:

Public Hearing - FY 2018/2019 Annual Budget

Each governing body, after the filing of the proposed budget statement, shall each year conduct a public hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed budget.

Public Hearing - Set Final Tax Request at a different amount than the prior year

The property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization, unless the governing body passes by a majority vote a resolution or ordinance setting the tax request at a different amount. The resolution to set this amount will be considered after final approval of the budget and must be forwarded to the County Clerk by October 13. The levy generates a different amount as the assessed valuation changes from year to year. The County Assessor must certify assessed value on all taxable property by August 20. The levy amount is subject to change upon approval by the Council.

Please note that two separate hearings are required to be held.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Advertized Public Hearings:

- FY 2018/2019 Annual Budget
- Set Final Tax Request at a different amount than the prior year

APPROVALS:



Lea Ann Doak, City Clerk

August 29, 2018



Nathan A. Schneider, City Manager

August 29, 2018

EXHIBIT #1

PAGE(S) - 1

City of McCook
IN
Red Willow County, Nebraska

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 4 day of September 2018, at 6:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

/s/ **Lea Ann Doak**

	Clerk/Secretary
2016-2017 Actual Disbursements & Transfers	\$ 29,746,326.00
2017-2018 Actual/Estimated Disbursements & Transfers	\$ 19,964,350.00
2018-2019 Proposed Budget of Disbursements & Transfers	\$ 33,565,457.00
2018-2019 Necessary Cash Reserve	\$ 958,008.00
2018-2019 Total Resources Available	\$ 34,523,465.00
Total 2018-2019 Personal & Real Property Tax Requirement	\$ 1,419,468.14
Unused Budget Authority Created For Next Year	\$ 493,725.42

Breakdown of Property Tax:

Personal and Real Property Tax Required for Non-Bond Purposes	\$ 1,419,468.14
Personal and Real Property Tax Required for Bonds	\$ -

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 4 day of September 2018, at 6:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

2017-2018 Property Tax Request	\$ 1,390,781.00
2017 Tax Rate	0.349044
Property Tax Rate (2017-2018 Request / 2018 Valuation)	0.341990
2018-2019 Proposed Property Tax Request	\$ 1,419,468.14
Proposed 2018 Tax Rate	0.349044

Publish: August 30, 2018

EXHIBIT #2

PAGE(S) - 1

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.I.

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Family Fun Night to be held at the McCook Municipal Auditorium, 302 West 5th Street, on September 27, 2018 from 10:00 A.M. to 2:00 A.M.

BACKGROUND:

The Chamber will be hosting 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.

RECOMMENDATION:

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Family Fun Night to be held at the McCook Municipal Auditorium, 302 West 5th Street, on September 27, 2018 from 10:00 A.M. to 2:00 A.M.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

August 27, 2018

Mr. Nate Schneider, City Manager

Lea Ann Doak, City Clerk,

McCook City Council

PO Box 1059

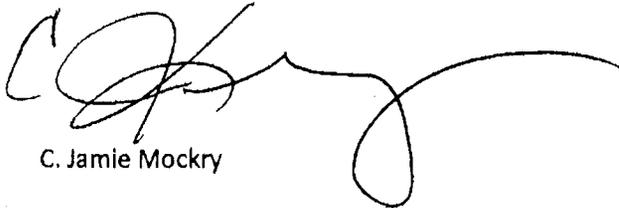
McCook Ne 69001

Dear Nate, Lea Ann and City Council Members:

Please reserve time on your agenda for the September 4, 2018 meeting to approve a request for a special liquor license to be held at the McCook City Auditorium on September 27, 2018 hosted by the Chamber of Commerce for Heritage Days.

If you have any questions please feel free to contact me, Jamie Mockry at 308.345.3200.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Mockry', with a long horizontal flourish extending to the right.

C. Jamie Mockry

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.loc.nebraska.gov

Special Designated License Local Recommendation Form

McCook Chamber of Commerce
Retail Liquor License Name or Non-Profit Organization

203 West 2 McCook Ne 69001 PO Box 337
Retail Liquor License Address or Non-Profit Business Address

47-D233780
Retail License Number or Non-Profit Federal ID # (Form #201 must be submitted as attachment)

Event Date(s): 9/27/18

Event Time(s): 10AM-2AM

Alternate Date: X

Alternate Location Building & Address: X

Event Building Name: McCook City Auditorium

Event Street Address/City: 302 W 5th St McCook

Indoor area to be licensed in length & width: 75 x 150

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

Type of Event: Family Night Estimate # of attendees: _____

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: C. JAMIE Mockay

Event Contact Phone Number: 308.340.6332 (Please print)

Event Contact Email: director@mccockchamber.org

Local Governing Body completes below:

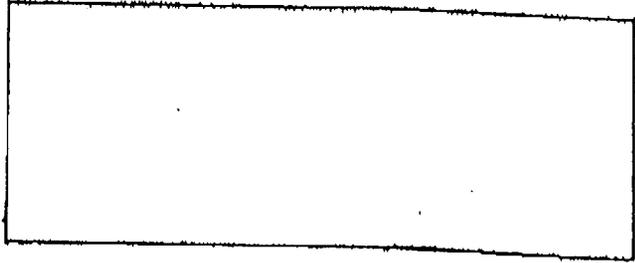
The local governing body for the City/County of _____ approves the issuance of a Special Designated License as requested above.

Local Governing Body Authorized Signature

Date

APPLICATION FOR SPECIAL
DESIGNATED LICENSE
Non-Profit Applicants ONLY

NEBRASKA LIQUOR CONTROL COMMISSION
301 OBERTERRELL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE (402) 471-2371
FAX (402) 471-2314
Website: www.lcc.nebraska.gov/
Email Applications: michelle.porter@nebraska.gov



This page is required to be completed by Non-Profit applicants only.

Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124,11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL, OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

McCook Chamber of Commerce
NAME OF CORPORATION

47-0233780
FEDERAL ID NUMBER

[Signature]
SIGNATURE OR TITLE OF CORPORATE OFFICER

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT; IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW, (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 7th DAY OF March, 2017.

GENERAL NOTARY - State of Nebraska
NICOLE K. CRIBBY
My Comm. Exp. Nov. 23, 2018

Nicole K. Cribby
NOTARY PUBLIC SIGNATURE & SEAL

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

5.A.

ITEM NO. ___ Introduce and approve on first reading, Ordinance No. 2018-2976, adopting an economic development program pursuant to the provisions of the Local Option Municipal Economic Development act.

BACKGROUND:

At the primary election held on May 10, 2016, electors of the City of McCook approved an Economic Development Program, pursuant to the provisions of the Local Option Municipal Economic Development Act. In effect, the approval served as an extension of the Economic Development Program that was implemented in 2008.

The Economic Development Program will be funded by sales tax collected under the one and one half cent city sales tax at a 1/6th percentage. Funding shall continue for a period of fifteen years.

As was the case in 2008, an Economic Development Plan will serve as the framework by which the Program will be guided. The rules and regulations in the "new" Economic Development Plan are, for the most part, the same as the preceding document. The proposed Plan does contain a few differences from. Notably, the Loan and Grant Fund and the Project Fund have been merged, to account for all eligible activities. This change was prompted in an effort to provide flexibility in funding eligible activities. In particular, pursuant to the original Economic Development Plan, the Project Fund balance was perpetually low due to the fact that the Keystone TIF Bond was financed through it. At the same time, the Loan and Grant Fund was always fully funded. Often times, the two appeared to have similar objectives and neither category was defined clearly. Related to this change, language has been added to the proposed Plan that clarifies the preliminary annual budget can be modified if needed, upon approval of the City Council. Other changes to the Plan include: the provision of grants or loans for the construction or rehabilitation for sale or lease of workforce housing, adding to the types of businesses that are eligible for Plan consideration, and extending the criteria for participants to meet employment/expansion goals related to the revolving loan fund (setting the maximum time frame at five years). A few additional minor changes were made for clarification purposes. The remainder of the Plan will remain the same.

RECOMMENDATIONS:

ITEM NO. ___ Introduce and approve on first reading, Ordinance No. 2018-2970, adopting an economic development program pursuant to the provisions of the Local Option Municipal Economic Development act.

APPROVALS:



Nathan A. Schneider, City Manager

August 29, 2018



Lea Ann Doak, City Clerk

August 29, 2018

CITY OF MCCOOK

ECONOMIC DEVELOPMENT PLAN

OCTOBER 2018

Original Plan adopted by Ordinance No. 2008-2808 on March 17, 2008
Original Plan amended by Ordinance No. 2011-2852 on February 21, 2011
Revised Plan adopted by Ordinance No. 2018-2970 on September 17, 2018
Pursuant to the Local Option Municipal Economic Development Act
Neb. Rev. Stat. §§18-2701 to 18-2738

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NOTE: Nowhere in this manual or in the City of McCook's Economic Development Plan should this document supersede the State of Nebraska Statue 18-2701 - 18-2738. Laws 1991, LB 840, §2: Laws 2001, LB 827, §10. This Plan will be interpreted in a manner consistent with state statues.

ORDINANCE NO. 2018-2970

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA, TO ADOPT AN ECONOMIC DEVELOPMENT PROGRAM PURSUANT TO THE PROVISIONS OF THE LOCAL OPTION MUNICIPAL ECONOMIC DEVELOPMENT ACT, AS AMENDED; AND TO REPEAL ALL ORDINANCES INCONSISTENT HEREWITH.

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

SECTION 1. The Economic Development Program as approved by the electors of the City of McCook, Nebraska, at the primary election held on May 10, 2016; extending the Economic Development Program as approved by the electors of the City of McCook, Nebraska, at the special election held on November 13, 2007, pursuant to the provisions of the Local Option Municipal Economic Development Act is hereby adopted. The Economic Development Program is published in pamphlet form and incorporated herein by reference as though printed in full. At least one (1) copy of the economic development plan shall be kept on file with the Municipal Clerk and made available for inspection by any member of the public during office hours.

The City shall provide funding for the economic development program equal to one sixth (16.66%) of the tax collected under the one and one half cent city sales tax. Funding for the economic development program as, from time to time amended shall remain in effect for a fifteen year period ending June 2033.

SECTION 2. Any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form as required by law.

PASSED AND APPROVED this _____ day of September, 2018.

-s- Michael D. Gonzales, Mayor

ATTEST:

-s- Lea Ann Doak, City Clerk

CITY OF MCCOOK, NEBRASKA ECONOMIC DEVELOPMENT PLAN

Nebraska voters enacted a constitutional amendment in November 1990, granting cities and villages the power to use local sources of revenue for economic or industrial projects and programs. In 1991, the Unicameral implemented this amendment with the passage of Legislative Bill 840, the Local Option Municipal Economic Development Act.

The Local Option Municipal Economic Development Act is based on the premise that communities should use their own tax dollars in ways that best meet local needs. While ongoing planning processes in many towns have identified development, job creation, and increased economic opportunity as their highest priority for the future, a variety of constitutional and legislative prohibitions kept them from investing local public funds in development programs. The removal of these limitations gives municipalities greater latitude in determining and acting upon local needs.

As towns have witnessed population declines and a loss of younger people, they have thought about their future and the types of actions and investments needed to reverse these past trends. At the same time smaller towns and cities began to realize a period of significant opportunity. In a period of uncertainty, complexity, and growing concern about the problems and quality of urban life, including cost and relative safety, the advantages offered by smaller cities have become uniquely attractive. At the same time, the revolution in information and communication technology, as well as goods distribution, has reduced the isolation of small towns. As a result, it is increasingly possible to operate a significant business in growth areas outside of major urban centers.

1. GENERAL COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY

McCook's Community and Economic Development Strategy involves building on our strengths to promote existing industries and the retention of jobs, to recruit new industries and jobs to the community and to facilitate the development and expansion of new entrepreneurial businesses. The principle activities are directed at maintaining a good quality of life for our citizens, reversing population decline and maintaining a strong workforce by developing community resources, attracting new capital investment, broadening the community's tax base, building economic diversity and ensuring economic stability and viability for the area.

Economic diversification will continue to be a critical priority for McCook's Economic Development Program. The recruitment of new business from outside and development of new businesses from inside the area will strengthen diversification. A small business development program can establish the city as a nurturing environment for small business and as a center for economic opportunity. This atmosphere, in turn can encourage people with skills and ideas to move or return to the area to make a start in business.

In addition to recruitment, the city can create job opportunities by helping existing businesses in the city to expand their markets and compete more successfully. The successful marketing of McCook as a center for opportunity is important to the city's effort to expand its labor force and attract new residents.

The City of McCook recognizes that the attraction of new business and industry to a community, starting a new business, expanding a current business, or the recruitment of a skilled, creative workforce all takes place in a very competitive market place. In order to keep McCook, Nebraska as competitive as possible in that market place, the community will strive to use all financial and human resources available in a partnership with federal, state, municipal, and private entities.

2. STATEMENT OF PURPOSE, GENERAL INTENT AND GOALS

It is the general intent of the City of McCook, Nebraska to implement an Economic Development Program, the purpose and goals that will be: to create jobs; to expand labor markets of McCook and Red Willow County; to attract new capital investment to the community; to broaden the tax base; to retain existing jobs, to create new businesses and make existing businesses more competitive and profitable; to improve the retention of youth and young adults; and to provide economic diversification to ensure economic stability and vitality for the City of McCook and surrounding areas. The plan will be consistent with other comprehensive development and redevelopment plans for the City.

The Fund as it relates to funds for loans, grants, projects and program operation may be referred to as the "McCook Growth Fund".

The intent of the City of McCook is to administer the Economic Development Program by contracting with McCook Economic Development Corporation (MEDC) herein referred to as "Program Administrator," **except funds restricted by state statute to be administered by the city.**

3. OPERATION AND ADMINISTRATION OF ECONOMIC DEVELOPMENT PROGRAM

It is the intent of the program that the majority of the funds be used for supporting eligible activities including a robust business support and recruitment effort and only the minimum required amount be spent to assist in the administration of the program. The following groups share the administration of the program. These are:

1. Program Administrator:
 - Operations: Will provide a full range of Economic Development services including business recruitment, business retention and expansion activities, entrepreneurship support, business technical support including business plan development assistance, securing financing, site location, working with the City in utilizing Tax Increment Financing, housing development activities, workforce recruitment and people attraction, community promotion. The Program Administrator may also engage in building, site and infrastructure development and other

- activities that support the creation of jobs, new business activity, increases to the tax base or creating an environment that is attractive to those businesses to do the same.
- Administration: Will be responsible for the day-to-day activities of promoting, directing, record keeping and otherwise administering the financing programs.
 - Assist applicants and conduct active recruiting for potential applicants.
 - Provides someone to serve as an ex-officio, nonvoting member of the Citizen Advisory Review Committee who will provide that committee with necessary advice and information.
2. Loan Fund Administrator:
- Account for the status of each loan outstanding and program income on a monthly basis.
 - Keep records on accounts and make reports to include name of the borrower, purpose of the loan, date the loan was made, amount of the loan, basic terms of the loan, and payments made to date and the current balance due.
 - Monitor the status of each loan and, with the cooperation of the governing body and the primary lender(s), take appropriate action when a loan becomes delinquent.
3. Citizen Advisory Review Committee:
- A group of citizens who are registered voters of the City, appointed by the Mayor and subject to approval by the City Council, who will review the functioning and progress of the Economic Development Program and advise the City Council with regard to the program.
 - Committee organization will consist of
 - * Not less than five or more than ten members
 - * At least one individual with expertise or experience in the field of business, finance or accounting.
 - * A city official or employee responsible for the administration of the Economic Development Program who will serve as ex-officio member.
 - No member of the committee shall be an elected or appointed city official, an employee of the city, a participant in a decision-making position regarding expenditures of program funds, or an official or employee of any qualifying business receiving financial assistance under the Economic Development Program or of any financial institution participating directly in the Economic Development Program, **except the Ex-officio.**
 - The Citizen Advisory Committee will meet regularly as required to review the program and will report to the City Council at least once every three months on its findings and suggestions at a public hearing called for that purpose.
4. City Council:
- Will have final authority on the expenditure of funds in support of the Economic Development Program.
 - Will approve the membership of the Citizens Advisory Committee.
 - Will have ultimate responsibility for the Economic Development Program.
5. Loan Committee:
- The Loan Committee shall be responsible for determining the credit worthiness of applications to the Revolving Loan Program. Applications having received approval of the Loan Committee will then be forwarded to the Program Administrator Board of Directors for final funding approval and to the City Council if required under Section 5. Phase II.

- The City Council will ratify all selections to the Loan Committee, with said Loan Committee to consist of five members with three being selected by the City Council and two being selected by the Program Administrator. Terms shall be for four years, except that initial terms shall be established on a staggered basis to provide continuity on the committee. No member may be an elected or appointed official of the City of McCook, employee of the City of McCook, nor anyone who is an applicant, employee, agent, shareholder, or officer of an applicant for program funds. All members on the committee must have experience in the field of business, finance, or accounting. All members of the Loan Committee shall be City of McCook residents.

4. BUDGET

This section describes a preliminary source of funds and budget for McCook's Economic Development Program. It is important to note that this budget must be developed annually and may be modified from time to time by the City Council. In the field of economic development, it is impossible to anticipate every condition or requirement. The city should maintain the flexibility to respond to specific requirements and opportunities on a short-term basis.

4.1 Time Period for Collection of Funds and Proposed Total Collections

The Program tax collection will be in effect from July, 2018 to June, 2033, a fifteen year period. One sixth (16.66%) of the tax collected under the one and one half cent sales and use tax will be allocated to this Economic Development Program. The annual amount to be collected is estimated to be \$400,000 for fiscal year 2018-2019 and shall increase or decrease each year based upon sales and use tax revenues collected. The total amount to be collected for this Economic Development Program is estimated to be \$6,000,000 for fiscal years 2018-2033. The Economic Development Plan, for use of these funds, will be in effect from July, 2018 to June, 2033, a fifteen year period of time. However, uncommitted funds and revenues including but not limited to repayment of loans, return on investments, fees for activities such as loan guarantees and sales proceeds from properties, may continue to be used for activities contained within the Economic Development Program as such shall be available. The amount of funds to be collected will not exceed the maximum amount allowable by law.

4.2 Preliminary Annual Budget for the Program (McCook Growth Fund)

Annual Estimated Funds Collected 2018-2019:	\$400,000.00
Estimated Motor Vehicle Sales Tax (funds restricted by state statute)	(\$ 40,000.00)
Annual Estimated Program Funds	<u>\$360,000.00</u>
Proposed Budget	
Program Execution and Operations - 33.33%	\$120,000.00
All Other Eligible Activities- 66.67%	\$240,000.00
Total Expenditures - 100.00%	<u>\$360,000.00</u>

The preliminary budget will be reviewed by the program administrator annually and any changes from the preliminary annual budget deemed necessary shall be allowed upon approval by the city council.

4.3 Bond Authority

McCook may have a business opportunity or other economic development project that requires initial funds that exceed the single year proceeds of the local option sales tax. In order to take advantage of such an opportunity, the City of McCook has the ability to issue bonds. Future sales tax receipts would then retire the debt. The City Council may authorize the issuance of bonds to carry out the Economic Development Program following a public hearing.

5. ELIGIBILITY

5.1 Eligible Activities

Eligible activities under the Economic Development Program may include, but shall not be limited to, the following:

1. Job credits for full-time jobs created (full-time jobs defined as 2000 hours) to include grants, which are subject to job credit performance.
2. Direct loans or grants to qualifying businesses for fixed assets or working capital or both.
3. Equity investment or loan guarantees in a qualifying business.
4. Grants or loan agreements for job training.
5. Grants or loans for public works improvements essential to the location or expansion of a qualifying business.
6. The construction or rehabilitation of affordable housing. Affordable housing for the purposes of this program shall be housing available or affordable to those families at or below 120% of Area Median Income as reported by HUD.
7. Grants or loans for the construction or rehabilitation for sale or lease of housing as part of a Workforce Housing Plan. Workforce Housing Plan means a program to construct or rehabilitate single family housing or market rate multi-family housing which is designed to address a housing shortage that impairs the ability of a city to attract new businesses or the ability of existing businesses to recruit new employees.
8. The purchase of real estate, options for such purchases, and the renewal or extension of such options.
9. Rehabilitation of commercial buildings or potential commercial buildings.
10. Purchase of existing buildings or construction of new buildings.
11. Demolition of blighted buildings.
12. Business facade improvements.
13. Small business development including expansion of existing businesses.
14. Tourism related activities.
15. The provisions of technical assistance to businesses such as marketing assistance, management counseling, preparing financial packages, engineering assistance, etc.
16. Expenses for business recruitment activities.

17. Expenses for locating a qualifying business into the area.
18. Activities to attract and recruit new residents and workers.
19. Contracting with an outside entity to implement any part of the program, as necessary.
20. The authority to issue bonds pursuant to the Act.
21. The eligible activities described above are considered priority activities for the use of funds generated under the Local Option Municipal Economic Development Act. The City of McCook recognizes that the attraction of new business to a community or the expansion of existing businesses takes place in a very competitive market place. In order to stay as competitive as possible in that market place, and in the creation of new jobs in the area, the City retains the right to include as eligible activities those additional activities allowable by law.
22. The Local Option Municipal Economic Development Act has been changed in several legislative sessions since it was signed into law on June 3, 1991. It is reasonable to presume the law will change during the course of McCook's Economic Development Program. In order to stay current with Nebraska Statutes, the City of McCook retains the right to amend this Economic Development Program when such amendment pertains to changes made to the Local Option Municipal Economic Development Act or to other statutes that affect McCook's Program. Such amendments can only be made after a public hearing and a majority vote of McCook's City Council.

5.2 Types of Businesses That Will Be Eligible

A qualifying business shall mean any corporation, partnership, limited liability company or sole proprietorship, which derives its principle sources of income from any of the following:

1. The manufacture of articles of commerce.
2. The conduct of research and development.
3. The processing, storage, transport or sale of goods or commodities that are sold or traded in interstate commerce.
4. The sale of services in interstate commerce.
5. Headquarter facilities relating to eligible activities as listed in this section.
6. Telecommunications activities.
7. Development, sale and support of technology, hardware and software for information technology and telecommunications.
8. Tourism-related activities.
9. Production of films or television programs.
10. Retail business (up to 20% within a 5 year period or up to 40% in any one year).
11. Construction or Rehabilitation of Housing (either as Low/Moderate Income or under a Workforce Housing Plan).
12. Any other business deemed as a qualifying business through action of the legislature.

If a business that would otherwise be a qualifying business employs people and carries on activities in more than one city in Nebraska or will do so at any time during the first year following application for participation in the Program, it shall be a qualifying business only if, in each such city, it maintains employment for the first two years following the date on which such business begins operations in the city as a participant in its Program at a level not less than its average employment

in such city over the twelve-month period preceding participation.

A qualifying business need not be located within the territorial boundaries of the city if the Program Administrator determines that there is a clear economic benefit to the city. Eligible qualifying businesses may apply more than once and receive program benefits more than once, if approved by the Program Administrator.

6. BUSINESS DIRECT FINANCIAL ASSISTANCE APPLICATION PROCESS

Submission of applications and selection of participants involves a two-phase process.

Phase I

Phase I determines the potential of financing for proposed project or activity.

To be considered for direct financial assistance under this program, an applicant must provide the following unless waived by the Program Administrator:

1. A business description verifying that the business satisfies program goals.
2. A detailed description of the proposed project.
3. A business plan, including employment and financial projections, current financial statements, financing requirements for the project, and total project costs.
4. A completed application for financial assistance.

Additional information, as necessary, to determine the eligibility and economic viability of the proposed project(s), may be requested by the Program Administrator and/or by the City Council.

The Program Administrator will review applications and requests for direct financial assistance in the order in which the Program Administrator receives them. Application review and approval or disapproval by the Program Administrator will be based on project feasibility as determined by review of the applicant's business plan and other requested information. The potential future economic benefits to the community of McCook and the surrounding area will also be evaluated. The Program Administrator will be responsible for verification of information in the applications.

Phase II

Phase II is the approval and execution portion of the process.

The Program Administrator and applicant will negotiate the terms and conditions of assistance for the project. The Program Administrator will then determine whether the project is approved. Once the project receives approval from the Program Administrator only those projects containing the purchase or sale of land or buildings need be submitted to the City Council for approval. During the annual budget process, the City Council may request that projects of a particular size also be submitted for approval. Once approved, the Program Administrator will take the necessary actions to execute the agreements.

7. OPERATION OF THE REVOLVING LOAN FUND

This section will describe details of the operation of the Revolving Loan Fund. The size and special features of this fund, combined with the requirement of state statutes, requires that its operation be outlined. The Program Administrator may contract with a financial institution for loan document preparation and loan servicing. The Program Administrator shall provide the City of McCook an account of the status of each loan outstanding, program income, on a quarterly basis. All delinquent accounts will be governed by section 8.6 herein.

7.1 General Guidelines

1. The amount of funds available for any single project shall not exceed the amount of funds available under the Economic Development Program during the project term, nor shall it provide for more than fifty percent (50%) of applicant's total project costs. An applicant must provide participation and evidence of participation through private funding as distinguished from Federal, State, or local funding in the minimum amount of ten percent (10%) equity investment. The right is reserved to negotiate the terms and conditions of the loan with each applicant, which terms and conditions may differ substantially from applicant to applicant.
2. The interest rate shall be fixed and negotiated on an individual basis; usually one-half of the lending rate for the project at a traditional banking source. The term shall not exceed ten (10) years for loans used for capital assets and seven (7) years for loans involving any other asset category. Security for loans will include, but will not be limited to, Promissory Notes, Mortgages or Deeds of Trust, and personal and/or corporate guarantees as appropriate and may be in a subordinate position to the primary lender.
3. If the loan is approved as performance based, a qualifying business may be approved to recapture a portion of the loan amount. The recaptured amount will be determined by the Program Administrator, based upon job creation or retention and economic impact on the project to the community.
4. A loan repayment schedule providing for monthly, quarterly, or annual payments will be approved in conjunction with project approval. Repayment will be held in the revolving loan fund for future projects when approved.
5. The Program Administrator is responsible for auditing and verifying job creation and retention and determining grant credits toward any loans made. No grant credits are available unless pre-approved in the initial application and project approval.
6. It is anticipated that the Program can be fully administrated by the Program Administrator. Administration costs for the loan fund may be defrayed by loan fees and the portion of sales tax revenue directed to administration expenses as outlined in the Plan Budget.

7.2 Priority Applicants

The revolving loan fund can provide loans or loan guarantees to any business eligible for assistance under LB 840. While not meant to restrict the scope or flexibility of the fund, evaluation of applications should give special priority to businesses which meet one or more of the following criteria:

1. Businesses which create one job for each \$25,000 or less in public financing assistance.
2. Expansion or enhancement of existing businesses, transitions to new ownership and retention of jobs in those businesses.
3. New business starts.
4. Businesses that in the opinion of the loan committee have unusual potential for growth.
5. Businesses that are relocating from outside Nebraska.
6. Businesses that provide for important local or regional needs.
7. Businesses that bring revenue into McCook from outside Nebraska.

7.3 Application Requirements

1. Applications may be obtained from the office of the Program Administrator (McCook Economic Development Corporation), 402 Norris Avenue, Suite 301 McCook NE 69001 or online at www.mccookne.org.
2. Submit the completed application together with all information as set out below to the office of the Program Administrator (McCook Economic Development Corporation). The application will then be reviewed by the Program Administrator and the loan committee, and upon completion of the review the committee will make a final decision on the project.
3. The Program Administrator will notify any applicant of the decision of the committee.
4. A non-refundable \$100 application fee to help with administration costs, including a Criminal History Check, is to be submitted with the completed application.

7.4 Information Required

The qualifying business shall provide the following information, as applicable, before the Program Administrator and the Loan Committee considers any application:

1. Submit a City of McCook LB 840 Economic Development Revolving Loan Program application.

2. Business plan.
3. Two years complete individual federal tax returns, if over 25% ownership (signed).
4. Two years complete corporate tax returns (signed).
5. Current year to date profit and loss statement (signed).
6. Recent balance sheet (signed).
7. Articles of Incorporation, By-Laws, and Minutes of last meeting.
8. Corporate Resolution authorizing loan application and execution of required documents.
9. Credit Bureau Report (CBR) for Shareholders with over 25% ownership.
10. Other information as requested by the Program Administrator, Loan Committee or by the City Council

7.5 Required Timeline to Meet Goals

The criteria to meet the employment and/or expansion goals as indicated in the revolving loan application shall be established by the loan committee, with a maximum timeframe of five years.

7.6 Loan Default

The Loan Fund Administrator will be responsible for contacting the borrower if a payment is in default. If a payment is more than 30 days in default, a letter will be sent by the Loan Fund Administrator to the borrower and the primary lender requesting immediate payment. If payment is not made within 10 days of the letter, a committee composed of the City Attorney, City Clerk, City Manager, Program Administrator, Loan Fund Administrator, and the President of the Program Administrator will meet to determine appropriate action.

8. PROCESS TO ENSURE CONFIDENTIALITY OF BUSINESS INFORMATION RECEIVED

In the process of gathering information about a qualifying business, the city may receive information about the business, which is confidential and if released, could cause harm to the business or give unfair advantage to its competitors. State law authorizes cities and other public entities to maintain the confidentiality of business records, which come into their possession.

To protect the business applying for funds and to encourage them to make full and frank disclosure of business information relevant to their application, the city may take the following steps to ensure the confidentiality of the information it receives:

1. The adoption of an ordinance that makes such information confidential and punishes disclosure; and
2. A restriction on the number of people with access to the files with the Program Administrator primarily responsible for their safekeeping; and
3. A requirement that personnel involved in the program sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

Any information provided to the City Council on the Loan Recommendation form, is considered public information. This information includes the following information: business entity, project description, borrower(s), loan amount, length of loan, interest rate, security, repayment, loan closing date and any other pertinent information.

All members of the Loan Committee and Citizen's Advisory Committee and Program Administrator Board of Directors and staff will sign a confidentiality statement for the Economic Development Program. The confidentiality statements will be renewed each January. The Confidentiality Statement will have attached the corresponding statute, which outlines that disclosure of confidential business information is a Class III misdemeanor. All loan applications will be referred to with their assigned loan number. Loan numbers will be issued with the year and number of application in that year. Loan Committee members will receive a copy of the application materials prior to the loan review meeting. These materials will be kept confidential. After the final meeting for a particular application, all loan committee members are required to return all loan forms and copies to the Program Administrator office for shredding.

9. PURCHASE OF REAL ESTATE OR OPTION TO PURCHASE

Eligible activities include the purchase directly or indirectly through the Program Administrator of commercial or industrial site(s) and obtaining options for the purchase of such real estate. Land to be purchased or optioned may be within or outside the corporate limits of the City of McCook.

In addition, the funds may be used to provide the infrastructure to these sites or other sites to make them attractive to new or expanding businesses. Eligible infrastructure improvements will include, but not be limited to, street, storm drainage, water, sewer, gas, electric, or railroad extension. Infrastructure improvements and costs may extend beyond the corporate limits of the City of McCook.

The funds may also be used to construct facilities, structures, and/or appurtenances for new or proposed development or to attract new business or industry. These facilities, structures and appurtenances are not required to be within the corporate limits of McCook, Nebraska.

These sites and facilities will improve the attractiveness of McCook, Nebraska, as a location for new business and industry and may be used as an incentive to aid in the location, relocation or expansion of a business. These sites and facilities may be sold or leased at a price at or below current market value. The proceeds from the sale or lease of land purchased and developed with funds generated by Local Option Municipal Economic Development Act may be used for the purchase and development of additional land and may be used for all other eligible activities.

10. INVESTMENT OF ECONOMIC DEVELOPMENT FUNDS

The City of McCook will establish a separate Economic Development Fund.

1. The money from the Economic Development Fund shall not be commingled with any other City or Program Administrator fund.
2. Any money in the Economic Development Fund not currently required or committed for the purposes of Economic Development shall be invested by the City of McCook.
3. In the event that the Economic Development Program is terminated, any funds not committed will be transferred as provided by the statute to the General Fund of the City and will be used on an installment basis to reduce the property tax levy of the City as provided by the Act.
4. If there is a conflict between this plan and State Statute, the State Statute will control.

11. LEGAL AND REGULATORY COMPLIANCE

In order to ensure that all laws and regulations are being complied with, the City Attorney will review the Economic Development Program and all laws and regulations pertaining to it annually. The City Attorney will review all contracts, official documents, land transactions and other official actions related to the Economic Development Program to ensure compliance with existing law to ensure compliance.

12. AUDIT

The City shall provide for an audit on an annual basis to insure that the assistance given through loans is used appropriately and that the City is protected against fraud or deceit in the conduct or administration of the program. The City shall provide for an annual, outside, independent audit of its Economic Development Program by a qualified private auditing business. The audit maybe included as part of the City's annual audit. The auditing business shall not at the time of the audit or any period during the term subject to the audit, have an contractual or business relation with:

- a. Any qualifying business receiving funds or assistance under the Economic Development Program.
- b. Any financial institution directly involved with a qualifying business receiving funds or assistance under the Economic Development Program.

The results of the audit shall be filed with the City Clerk and made available for public review during normal business hours.

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.H.

Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for a mixer/anniversary to be held at VK Electronics, 606 West "B" Street, on October 10, 2018 from 10:00 A.M. to 2:00 A.M.

BACKGROUND:

The Chamber will be hosting 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.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce for a mixer/anniversary to be held at VK Electronics, 606 West "B" Street, on October 10, 2018 from 10:00 A.M. to 2:00 A.M.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

August 27, 2018

Mr. Nate Schneider, City Manager

Lea Ann Doak, City Clerk,

McCook City Council

PO Box 1059

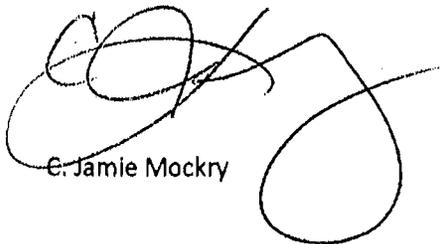
McCook Ne 69001

Dear Nate, Lea Ann and City Council Members:

Please reserve time on your agenda for the September 4, 2018 meeting to approve a request for a special liquor license to be held at VK Electronics on October 10, 2018 hosted by the Chamber of Commerce for Anniversary Mixer.

If you have any questions please feel free to contact me, Jamie Mockry at 308.345.3200.

Sincerely,



C. Jamie Mockry

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Special Designated License Local Recommendation Form

McCook Chamber of Commerce
Retail Liquor License Name or Non-Profit Organization

203 W 2 PO Box 337 McCook Ne 69001
Retail Liquor License Address or Non-Profit Business Address

Retail License Number or Non-Profit Federal ID # (Form #201 must be submitted as attachment)

Event Date(s): 10/10/18 _____

Event Time(s): 10AM-2AM _____

Alternate Date: _____

Alternate Location Building & Address: ~~XXXXXXXXXX~~ _____

Event Building Name: VK Electronics _____

Event Street Address/City: 606 West B _____

Indoor area to be licensed in length & width: 179 x 65

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

Type of Event: Mixer/Anniversary Estimate # of attendees: 200

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: C. JAMIE Mackey _____

Event Contact Phone Number: 308.340.6332 _____
(Please print)

Event Contact Email: director@mccookchamber.org _____

Local Governing Body completes below:

The local governing body for the City/County of _____ approves the issuance of a Special Designated License as requested above.

Local Governing Body Authorized Signature

Date

APPLICATION FOR SPECIAL
DESIGNATED LICENSE
Non-Profit Applicants ONLY

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 93046
LINCOLN, NE 68509-3046
PHONE (402) 471-2571
FAX (402) 471-2414
Website: www.lcc.nebraska.gov/
Small Applications: michelle.porter@nebraska.gov



This page is required to be completed by Non-Profit applicants only.

Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL, OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

McCook Chamber of Commerce
NAME OF CORPORATION

47-0233750
FEDERAL ID NUMBER

[Signature]
SIGNATURE OF TITLE OF CORPORATE OFFICER

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT. IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 7th DAY OF March, 2017.



Nicole K. Orsini
NOTARY PUBLIC SIGNATURE & SEAL

CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING

ITEM: 4.G.

Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce and the McCook Economic Development Corporation for the Heritage Days Mixer to be held at McCook National Bank, 220 Norris Avenue, on September 26, 2018 from Noon to Midnight.

BACKGROUND:

The Chamber will be hosting 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.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the application for a Special Designated Liquor License submitted by the McCook Area Chamber of Commerce and the McCook Economic Development Corporation for the Heritage Days Mixer to be held at McCook National Bank, 220 Norris Avenue, on September 26, 2018 from Noon to Midnight.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018



August 20, 2018

Mr. Nate Schneider, City Manager

Lea Ann Doak, City Clerk,

McCook City Council

PO Box 1059

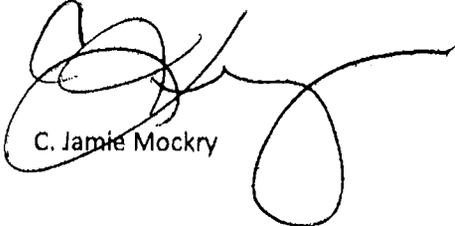
McCook Ne 69001

Dear Nate, Lea Ann and City Council Members:

Please reserve time on your agenda for the September 3, 2018 meeting to approve a request for a SDL for our Heritage Days Mixer to be held at McCook National Bank September 26, 2017. We will meet all state requirements according to the liquor commission. We thank you for your consideration.

If you have any questions please feel free to contact me, Jamie Mockry at 308.345.3200.

Sincerely,



C. Jamie Mockry

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.leo.nebraska.gov

Special Designated License Local Recommendation Form

McCook Economic Development Corporation
Retail Liquor License Name or Non-Profit Organization

402 Norris Ave McCook Ne 69001
Retail Liquor License Address or Non-Profit Business Address

47-0685662
Retail License Number or Non-Profit Federal ID # (Form #201 must be submitted as attachment)

Event Date(s): 9/26/18

Event Time(s): noon

Alternate Date: midnight

Alternate Location Building & Address: _____

Event Building Name: MNB Bank

Event Street Address/City: 220 Norris Ave McCook

Indoor area to be licensed in length & width: 100x100

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

Type of Event: meet & greet Estimate # of attendees: 150

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: Jamie Mackey

Event Contact Phone Number: 308.340.6332
(Please print)

Event Contact Email: director@mccookchamber.org

Local Governing Body completes below:

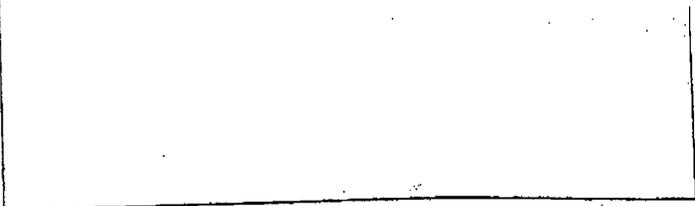
The local governing body for the City/County of _____ approves the issuance of a Special Designated License as requested above.

Local Governing Body Authorized Signature

Date

LICENSE
Applicants ONLY

NEBRASKA LIQUOR CONTROL COMMISSION
101 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov/
Email Applications: michelle.porter@nebraska.gov



This page is required to be completed by Non-Profit applicants only.

**Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

McCord Economic Development Corporation
NAME OF CORPORATION

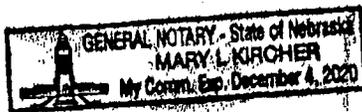
47-0685462

FEDERAL ID NUMBER

[Signature]
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14th DAY OF June, 2017



[Signature]
NOTARY PUBLIC SIGNATURE & SEAL

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 3.L.

Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.

BACKGROUND:

State law states no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable increases.

Restricted funds are defined as:

1. Property Tax (includes Real Estate and Personal Property)
2. Payments in Lieu of Property Tax
3. Local Option Sales Tax
4. Motor Vehicle Tax
5. State Aid (Pro-Rate Motor Vehicle, Homestead Exemption, Municipal Infrastructure Redevelopment Fund or MIRF, Highway Allocation and Incentive Payments, Motor Vehicle Fees, State Aid to Cities, Municipal Equalization Aid, and insurance premium tax)
6. Surplus Fees (Transfers of surpluses from any user fee, permit fee, or regulatory fee if the fee surplus is used to fund a service or function not directly related to the fee and the costs of the activity funded from the fee)
7. Prior Year Budgeted Capital Improvements Amount that was used as a lid exception, but was not spent or is not expected to be spent for capital improvements.

Allowable Increases:

- ✓ Base Limitation - All political subdivisions have the ability to increase their base of restricted funds by 2.5%.
- ✓ Allowable Growth - If a political subdivision had allowable growth due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property and any increase in valuation due to annexation and any personal property valuation over the prior year above the 2.5%, we can use the amount over the 2.5% to increase the base of restricted funds.
- ✓ Special Election - A governmental unit may exceed the applicable allowable growth percentage by an amount approved by a majority of legal voters on the issue at a special election called for such purpose.
- ✓ Additional 1% - An additional 1% is allowed if at least 75% of the governing body votes to approve the increase. There is no special hearing or notice required to consider the additional 1% increase.
- ✓ A vote for the increase has no effect on the tax dollars, just allows for future growth in restricted funds. For example, if it would become necessary to increase our levy to the maximum of \$.45 to maintain services, we may not be able to do so if we did not have any Unused Restricted Funds Authority available.

CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING
Page - 2

Attachment #1 is a copy of form LC-3 Supporting Schedule which shows the preliminary Calculation of Restricted Funds and the Total Unused Restricted Funds Authority (page 10),

Attachment #2 is a copy of the instructions for completing this schedule, which is a part of the budget document as prepared for the State Auditor's Office.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

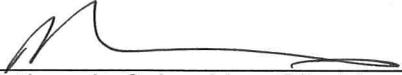
Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

ATTACHMENT

#1

City of McCook in Red Willow County

2018-2019 LID SUPPORTING SCHEDULE

Calculation of Restricted Funds

Total Personal and Real Property Tax Requirements	(1)	\$	1,419,468.14
Motor Vehicle Pro-Rate	(2)	\$	4,000.00
In-Lieu of Tax Payments	(3)	\$	120,500.00
Prior Year Budgeted Capital Improvements that were excluded from Restricted Funds.			
Prior Year Capital Improvements Excluded from Restricted Funds (From 2017-2018 Lid Support, Line (17))		\$	455,337.00
LESS: Amount Spent During 2017-2018	(4)	\$	455,337.00
LESS: Amount Expected to be Spent in Future Budget Years	(5)	\$	-
Amount to be included as Restricted Funds (<i>Cannot Be A Negative Number</i>)	(6)	\$	-
Motor Vehicle Tax	(7)	\$	165,000.00
Local Option Sales Tax	(8)	\$	2,436,000.00
Transfers of Surplus Fees	(9)	\$	930,000.00
Highway Allocation and Incentives	(10)	\$	966,000.00
MIRF	(11)	\$	-
Motor Vehicle Fee	(12)	\$	68,000.00
Municipal Equalization Fund	(13)	\$	340,000.00
Insurance Premium Tax	(14)	\$	-
Nameplate Capacity Tax	(15a)	\$	-

TOTAL RESTRICTED FUNDS (A)	(16)	\$	6,448,968.14
-----------------------------------	------	----	---------------------

Lid Exceptions

Capital Improvements (Real Property and Improvements on Real Property)		\$	442,485.00	(17)
LESS: Amount of prior year capital improvements that were excluded from previous lid calculations but were not spent and now budgeted this fiscal year (<i>cannot exclude same capital improvements from more than one lid calculation.</i>) Agrees to Line (6).		\$	-	(18)
Allowable Capital Improvements	(19)	\$	442,485.00	
Bonded Indebtedness	(20)			
Public Facilities Construction Projects (Statutes 72-2301 to 72-2308)	(21)			
Interlocal Agreements/Joint Public Agency Agreements	(22)	\$	154,536.00	
Public Safety Communication Project (Statute 86-416)	(23)			
Payments to Retire Interest-Free Loans from the Department of Aeronautics (Public Airports Only)	(24)			
Judgments	(25)			
Refund of Property Taxes to Taxpayers	(26)			
Repairs to Infrastructure Damaged by a Natural Disaster	(27)			

TOTAL LID EXCEPTIONS (B)	(28)	\$	597,021.00
---------------------------------	------	----	-------------------

TOTAL RESTRICTED FUNDS For Lid Computation (To Line 9 of the Lid Computation Form)		\$	5,851,947.14
<i>To Calculate: Total Restricted Funds (A)-Line 16 MINUS Total Lid Exceptions (B)-Line 28</i>			

Total Restricted Funds for Lid Computation cannot be less than zero. See Instruction Manual on completing the Lid Supporting Schedule.

LID COMPUTATION FORM

City of McCook
IN
Red Willow County

COMPUTATION OF LIMIT FOR FISCAL YEAR 2018-2019

PRIOR YEAR RESTRICTED FUNDS AUTHORITY OPTION 1 OR OPTION 2

OPTION 1

2017-2018 Restricted Funds Authority (Base Amount) = Line (8) from last year's Lid Form 5,848,546.14
Option 1 - (1)

OPTION 2 - *Only use if a vote was taken at a townhall meeting to exceed Lid for one year*

Line (1) of 2017-2018 Lid Computation Form Option 2 - (A)

Allowable Percent Increase **Less** Vote Taken %
 (From 2017-2018 Lid Computation Form Line (6) - Line (5)) Option 2 - (B)

Dollar Amount of Allowable Increase Excluding the vote taken -
 Line (A) X Line (B) Option 2 - (C)

Calculated 2017-2018 Restricted Funds Authority (Base Amount) = -
 Line (A) **Plus** Line (C) Option 2 - (1)

ALLOWABLE INCREASES

1 BASE LIMITATION PERCENT INCREASE (2.5%) 2.50 %
(2)

2 ALLOWABLE GROWTH PER THE ASSESSOR MINUS 2.5% - %
(3)

$$\frac{\text{2018 Growth per Assessor}}{\text{2017 Valuation}} = \frac{0.00}{\text{Multiply times 100 To get \%}} \%$$

3 ADDITIONAL ONE PERCENT COUNCIL/BOARD APPROVED INCREASE 1.00 %
(4)

$$\frac{5}{\text{\# of Board Members voting "Yes" for Increase}} / \frac{5}{\text{Total \# of Members in Governing Body at Meeting}} = \frac{100.00}{\text{Must be at least 75% (.75) of the Governing Body}} \%$$

ATTACH A COPY OF THE BOARD MINUTES APPROVING THE INCREASE.

4 SPECIAL ELECTION/TOWNHALL MEETING - VOTER APPROVED % INCREASE 5.00 %
(5)

Please Attach Ballot Sample and Election Results OR Record of Action From Townhall Meeting

LID COMPUTATION FORM

City of McCook
IN
Red Willow County

TOTAL ALLOWABLE PERCENT INCREASE = Line (2) + Line (3) + Line (4) + Line (5)	<u>8.50 %</u> (6)
Allowable Dollar Amount of Increase to Restricted Funds = Line (1) x Line (6)	<u>497,126.42</u> (7)
Total Restricted Funds Authority = Line (1) + Line (7)	<u>6,345,672.56</u> (8)
Less: Restricted Funds from Lid Supporting Schedule	<u>5,851,947.14</u> (9)
Total Unused Restricted Funds Authority = Line (8) - Line (9)	<u>493,725.42</u> (10)

**LINE (10) MUST BE GREATER THAN OR EQUAL TO ZERO OR
YOU ARE IN VIOLATION OF THE LID LAW.**

**THE AMOUNT OF UNUSED RESTRICTED FUNDS AUTHORITY ON LINE (10)
MUST BE PUBLISHED IN THE NOTICE OF BUDGET HEARING.**

ATTACHMENT

#2

Budget Form Instructions

10. Page 2-A

- Levy Setting Purposes
 - Used to break down the property tax request between levying funds.
 - This page assists the County Clerk in setting levies for individual funds of the subdivision.
- Documentation of Transfers
 - Indicate what fund the monies were transferred from, what fund they were transferred to, amount of the transfer, and the reason for the transfer.

11. Correspondence Information

E-Mail Addresses – The Auditor of Public Accounts communicates with political subdivisions by e-mail whenever possible. Please provide an e-mail address whenever available.

Board Chairperson – Include name of the Board Chairperson of the governing board. NOTE: If Budget Document is to be used as an Audit Waiver, approval of the Audit Waiver will be sent to the Board Chairperson via e-mail. If no e-mail address is included for the Board Chairperson, notification will be mailed via the US Mail to the entity address.

Preparer – Include the name, phone number, and e-mail address of the individual who prepared the budget document.

Who To Contact with Questions – Please indicate whether questions regarding the Budget Document and/or Audit Waiver should be directed to the Board Chairperson, Preparer, or Other Contact.

Other Contact – If you would like to have someone other than the Board Chairperson or Preparer contacted with questions regarding the Budget Document and/or Audit Waiver complete the “Other Contact” area.

Changes in Contact Information – If there is a change in any of the Correspondence Information or you obtain a new e-mail address after submitting your budget form, please contact our office so we can maintain the most current information.



12. Lid Supporting Schedule

The budget limitations have been incorporated into State Statute Sections 13-518 through 13-522. The Lid Supporting Schedule is used to calculate restricted funds applicable to the lid limitation.

Restricted Funds

- As the limitation is on “budgeted” restricted funds, you need to compare the current budgeted amount to the prior year actual amount when budgeting these receipts on page 2.
- State Statute Section 13-518 defines restricted funds as:
 - Property Tax – Includes Real Estate and Personal Property
 - Payments In Lieu of Property Tax
 - Local Option Sales Tax
 - Motor Vehicle Tax
 - State Aid

Budget Form Instructions

- All governmental units - aid paid pursuant to section 60-3,202 (Pro-Rate Motor Vehicle) and 77-3523 (Homestead Exemption). *Note: Homestead Exemption should not be budgeted as a separate line item. It is included within Property Tax.*
 - Community Colleges - aid paid pursuant to section 90-517.
 - Educational Service Units - State aid appropriated under section 79-1241 (Aid for Core Services and Technology Infrastructure).
 - Local Public Health Departments - aid as distributed under section 71-1628.08 (County Public Health Aid).
 - Municipalities - aid paid pursuant to sections 18-2605 (MIRF), 39-2501 through 39-2520 (Highway Allocation and Incentive Payments), 60-3,190 (Motor Vehicle Fee), 77-27,139.04 (Municipal Equalization Aid), and insurance premium tax.
 - Surplus Fees
 - The transfer of a user fee, permit fee or regulatory fee which is used to fund a service or function not directly related to the earning of that fee. *Surplus Fees can be used for other functions without being transferred to another fund.*
 - Prior Year Budgeted Capital Improvements that was used as a lid exception on the LC-3 Supporting Schedule, but was not spent or is not expected to be spent for capital improvements.
- All amounts should agree to the amounts budgeted to receive on page 2.

Lid Exceptions

If budgeted to be paid for with restricted funds the following items are lid exceptions:

Capital Improvements – Must include listing of projects. Defined as follows:

- i. Acquisition of real property.
- ii. Improvements on real property.

Retirement of Bonded Debt

Retirement of bank loans and other financial instruments entered into before July 1, 1999, for *Fire Districts* only.

Retirement of interest-free loans from the Department of Aeronautics for *public airports* only.

Interlocal Agreement(s)/Joint Public Agency Agreement(s).

Repairs to infrastructure damaged by a natural disaster. The disaster must have been declared a disaster pursuant to the Emergency Management Act.

Judgments. Except judgments or orders from the Commission of Industrial Relations, and only to the extent that such judgment is not covered by liability insurance.

Property Tax Refunds

Public Safety Communication Project. State Statute Section 86-416 allows a *fire district* or municipality to have a special tax for a Public Safety Communication Project. The special tax has the same status as Bonded Indebtedness. Board minutes **must** be attached.

Budget Form Instructions

Ground Water Management. A *NRD* can exclude the dollar amount by which restricted funds budgeted to administer and implement ground water management activities and integrated management activities under the Nebraska Ground Water Management Act exceed its restricted funds budgeted to administer and implement ground water management activities and integrated management activities for fiscal year 2003-2004.

Public Facilities Construction Projects. State Statute Sections 72-2301 through 72-2308 allows bonds to be issued to finance Public Facilities Construction Projects. Resolution must be attached. Review the statutes to determine if applicable for your type of political subdivision.

When determining lid exceptions there are many factors that can only be determined by using your own judgment. For example, it may not be clear if an item is budgeted to be paid for with restricted funds or non-restricted funds. This should be discussed with the governing board if you are unsure. **Be sure not to claim lid exceptions that exceed the total amount of restricted funds.**

Total Restricted Funds for Lid Computation is calculated by taking the Total Restricted Funds (A) minus the Total Lid Exceptions (B)

13. Lid Computation Form (ESU's & Community Colleges see form)

The law says no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable increases.

The current year Restricted Funds authority is calculated by carrying forward the prior year authority and applying applicable increases as follows:

- **Option 1 – This option will be used by most political subdivisions. Your subdivision did not hold a townhall meeting last year to exceed the lid.**

Line (1) – Restricted Funds Authority (Base Amount) is equal to the Total Restricted Funds Authority from last year's LC-3 Lid Computation Form

- **Option 2 – This option will only be used if a vote was taken last year at a townhall meeting to exceed the lid on restricted funds for one year.**

Line (A) – Line (1) of last year's LC-3 Lid Computation Form.

Line (B) – Total Allowable Percent Increase from prior year's LC-3 Lid Computation Form less the Townhall Meeting approved increase from prior year's LC-3 Lid Computation Form.

Line (C) – Dollar amount of allowable increases excluding the vote taken equals Line (A) multiplied by Line (B).

Line (1) – Calculated Restricted Funds Authority (Base Amount) is equal to Line (A) plus Line

- **Allowable Increases**

Base Limitation - All political subdivisions have the ability to increase their base of restricted funds by 2.5%.

Budget Form Instructions

Allowable Growth – Growth per the Assessor (noted on current year Certification of Valuation) divided by the prior year's Total Valuation less 2.5%.

Additional 1% - An additional 1% increase is allowed if at least 75% of the governing body votes to approve the increase. **If a 1% increase is approved, a copy of the resolution or board minutes documenting that at least 75% of the governing body approved the increase must be attached to the lid computation form.**

Special Election - A governmental unit may exceed the applicable allowable growth percentage by an amount approved by a majority of legal voters on the issue at a special election. **If a special election is held, a ballot sample and election results must be attached to the lid computation form.**

Townhall Meeting - In lieu of the election procedures, any governmental unit may exceed the allowable growth percentage by an amount approved by a majority of legal voters at a meeting of the residents,

- ⌘ Notice of the meeting must be published at least 20 days prior to the meeting.
- ⌘ At least 10% of the registered voters shall constitute a quorum for purposes of taking action.
- ⌘ If a majority of the registered voters at the meeting vote in favor of exceeding the lid, a copy of the record of that action shall be forwarded to the Auditor of Public Accounts along with the budget document.
- ⌘ LB 289 (2007) requires "A record shall be made of the registered voters residing in the political subdivision or village who are present at the meeting. The method of voting at the meeting shall protect the secrecy of the ballot."

- **Unused Restricted Funds Authority**

The total unused restricted funds authority is calculated on the lid computation form.

- Must be greater than or equal to zero.
- Must be included in the Notice of Budget Hearing.

14. Consequences of Noncompliance with Budget Limits

State Statute Section 13-522 states if the Auditor of Public Accounts determines from the budget documents that a governmental unit is not complying with the budget limits, the following shall occur:

- The Auditor shall notify the governing body of this determination and notify the State Treasurer of the noncompliance.
- The State Treasurer shall then suspend distribution of State aid allocated to the governmental unit until the budget has been corrected.
 - ⌘ The funds will be held for six months until the governmental unit complies.
 - ⌘ If the governmental unit complies within the six month period it shall receive the suspended funds.
 - ⌘ After six months, the suspended funds shall be forfeited and shall be redistributed to other recipients of the State aid.

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: **3.G.** Public Hearing - FY 2018/2019 Annual Budget

ITEM: **3.H.** Public Hearing - Set Final Tax Request at a different amount than the prior year

BACKGROUND:

Public Hearing - FY 2018/2019 Annual Budget

Each governing body, after the filing of the proposed budget statement, shall each year conduct a public hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed budget.

Public Hearing - Set Final Tax Request at a different amount than the prior year

The property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization, unless the governing body passes by a majority vote a resolution or ordinance setting the tax request at a different amount. The resolution to set this amount will be considered after final approval of the budget and must be forwarded to the County Clerk by October 13. The levy generates a different amount as the assessed valuation changes from year to year. The County Assessor must certify assessed value on all taxable property by August 20. The levy amount is subject to change upon approval by the Council.

Please note that two separate hearings are required to be held.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Advertized Public Hearings:

- FY 2018/2019 Annual Budget
- Set Final Tax Request at a different amount than the prior year

APPROVALS:



Lea Ann Doak, City Clerk

August 29, 2018



Nathan A. Schneider, City Manager

August 29, 2018

EXHIBIT #1

PAGE(S) - 1

City of McCook
IN
Red Willow County, Nebraska

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 4 day of September 2018, at 6:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

/s/ **Lea Ann Doak**

	Clerk/Secretary
2016-2017 Actual Disbursements & Transfers	\$ 29,746,326.00
2017-2018 Actual/Estimated Disbursements & Transfers	\$ 19,964,350.00
2018-2019 Proposed Budget of Disbursements & Transfers	\$ 33,565,457.00
2018-2019 Necessary Cash Reserve	\$ 958,008.00
2018-2019 Total Resources Available	\$ 34,523,465.00
Total 2018-2019 Personal & Real Property Tax Requirement	\$ 1,419,468.14
Unused Budget Authority Created For Next Year	\$ 493,725.42

Breakdown of Property Tax:

Personal and Real Property Tax Required for Non-Bond Purposes	\$ 1,419,468.14
Personal and Real Property Tax Required for Bonds	\$ -

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 4 day of September 2018, at 6:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

2017-2018 Property Tax Request	\$ 1,390,781.00
2017 Tax Rate	0.349044
Property Tax Rate (2017-2018 Request / 2018 Valuation)	0.341990
2018-2019 Proposed Property Tax Request	\$ 1,419,468.14
Proposed 2018 Tax Rate	0.349044

Publish: August 30, 2018

EXHIBIT #2

PAGE(S) - 1

CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING

ITEM: 4.C.

RECOMMENDATION:

OFFER A CONTRACT TO BSB CONSTRUCTION, INC. WITH A BID OF \$78,927.00 AS THE LOWEST RESPONSIBLE BIDDER FOR WEST 4TH STREET SEWER MAIN REPLACEMENT AND AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY PAPERWORK TO AWARD THE CONTRACT.

BACKGROUND:

Bids were received and opened on August 28, 2018 in the City Council Chambers. There were two bidders who offered bids for the project. The results of the bids are detailed on the Engineer's recommendation letter provided in ATTACHMENT 1. A list of the contractors that advertisements were provided and the bid tabulation are also provided with ATTACHMENT 1.

The proposed project is for the replacement of the existing 8-inch diameter clay tile sewer main with new 8-inch diameter PVC sewer main. The sewer main to be replaced is located in the alley north of the existing City Office located between West 4th Street and West 5th Street with approximately 370 lineal feet of sewer main being replaced between existing manholes located on D Street and E Street.

The project has a 21-day construction period to be selected by the Contractor prior to the final completion date of December 31, 2018.

FISCAL IMPACT:

This project is being funded through the City's capital improvements budget.

RECOMMENDATION:

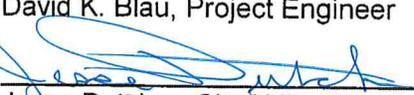
OFFER A CONTRACT TO BSB CONSTRUCTION, INC. WITH A BID OF \$78,927.00 AS THE LOWEST RESPONSIBLE BIDDER FOR WEST 4TH STREET SEWER MAIN REPLACEMENT AND AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY PAPERWORK TO AWARD THE CONTRACT.

APPROVALS:



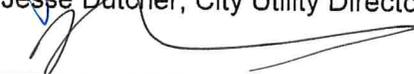
David K. Blau, Project Engineer

Date: 8/29/18



Jesse Dutcher, City Utility Director

Date: 8/29/18



Nate Schneider, City Manager

Date: 8/29/18

ATTACHMENT 1

August 29, 2018
Kearney, Nebraska



109 East 2nd McCook, NE 69001-3719

Tel: 308-345-3710
Fax: 308-345-7370
www.miller-engineers.com

Mayor and City Council
City of McCook
P.O. Box 1059
505 West "C" Street
McCook, NE 69001

Re: West 4th Street Sewer Main Replacement
Project No. 200-D1-023

Dear Council Members:

On August 28, 2018 at 2:00 PM, two (2) bids were received, publicly opened, and read aloud at the McCook City Hall. Attached is a bid tabulation sheet. The bids are summarized below:

BIDDERS	TOTAL BID
BSB Construction, Inc, Curtis, Nebraska	\$78,927.00
Midlands Contracting, Inc., Kearney, Nebraska	\$100,165.00

All proposals have been reviewed and no errors were noted. The Contractor's completion date for this contract is December 31, 2018.

The Engineer's Opinion of Probable Construction Cost was \$95,350.00. The low bid from BSB Construction, Inc. is 17.22% below the Engineer's Opinion of Probable Construction Cost. Advertisements for Bids were transmitted to the attached list of Contractors and suppliers in the area. Plan houses were also sent full sets of documents for their publication/advertising. It is therefore recommended the bids be accepted and the contract awarded to BSB Construction, Inc. in the amount of \$78,927.00 and authorization given to your authorized representative to execute agreements.

Respectfully submitted,
MILLER & ASSOCIATES
CONSULTING ENGINEERS, P.C.


David K. Blau, P.E.

DKB/db

Enclosures

Date Opened: August 28, 2018		1		2	
at 2:00 PM (Local Time)		BSB Construction, Inc.		Midlands Contracting, Inc.	
Project Name: West 4th Street Sewer Main Replacement		Curtis, Nebraska		Kearney, Nebraska	
Project Location: McCook, Nebraska		Total Bid \$ 78,927.00		Total Bid \$ 100,165.00	
Project Number: 200-D1-023		5% Bid Bond		5% Bid Bond	
Bid Guarantee (type and amount)		5% Bid Bond		5% Bid Bond	
No.	Description	Quantity	Unit	Unit Price	Total Price
1	Mobilization	1	L.S.	\$ 5,035.00	\$ 7,900.00
2	Furnish & Install 8" PVC SDR-35 with Bedding and Appurtenances, complete in place	380	L.F.	\$ 45.25	\$ 17,195.00
3	Tap Existing Sewer Manhole	2	L.S.	\$ 434.00	\$ 3,000.00
4	Remove & Replace 6" Thick Concrete Pavement, Complete in place	680	S.Y.	\$ 58.85	\$ 40,018.00
5	Furnish & Install Sewer Service Reconnection	9	Each	\$ 758.00	\$ 6,822.00
6	By-Pass Pumping of Existing Wastewater Flow	1	L.S.	\$ 5,750.00	\$ 3,000.00
7	Furnish & Install Seeding	1	L.S.	\$ 850.00	\$ 750.00
8	Furnish & Install Erosion Controls	1	L.S.	\$ 450.00	\$ 1,300.00
9	Provide Traffic Control & Barricades & Coordinate Alley Access	1	L.S.	\$ 275.00	\$ 2,500.00
10	Provide CCTV Inspection Upon Completion	380	L.F.	\$ 2.10	\$ 798.00
11	Construction Staking	1	L.S.	\$ 1,300.00	\$ 1,300.00
TOTAL BID				\$ 78,927.00	\$ 100,165.00

ADVERTISEMENTS FOR BIDS	
Project No.	200-D1-023
Project Name:	West 4 th Street Sewer Main Replacement
Date Mailed:	8/7/2018

OP360-WL@construction.com
Dodge.bidding@construction.com
cnps@nebsafe.com

BRB Contractors
P.O. Box 75094
Topeka, KS 66675-0940

BSB Construction, Inc.
209 East 2nd
Curtis, NE 69025

Diamond Engineering Company
P.O. Box 1327
Grand Island, NE 68802

Eriksen Construction Company
2546 S. Highway 30
Blair, NE 68008

General Excavating Company
6701 Cornhusker Highway
Lincoln, NE 68507

Interstate Irrigation, Inc.
P.O. Box 147
5643 East Highway 34
Yuma, CO 80759

K.L. Wood & Co.
2651 CR 59 #2
Alliance, NE 69301

M.E. Collins Contracting
P.O. Box 83
Wahoo, NE 68066

Midlands Contracting, Inc.
P.O. Box 1065
Kearney, NE 68848

Myers Construction Company
79849 Highway 2
Broken Bow, NE 68822

Paulsen, Inc.
PO Box 17
Cozad, NE 69130

Rutjens Construction
800 Lucas Lane
P.O. Box 99
Tilden, NE 68781

Van Kirk Bros. Contracting
P.O. Box 585
Sutton, NE 68979

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.B.

Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 29 & 30, 2018; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 28, 2018 until Sunday evening, the 700 and 800 blocks of East 1st, the 100 and 200 blocks of East "H" Street beginning at 5:00 A.M., September 29, 2018 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 29, 2018 until after the parade; to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 29, 2018; the use of City Streets around Norris Park from the conclusion of the parade until 4:00 P.M. on Saturday, September 29, 2018 for a car and tractor show.

BACKGROUND:

The McCook Area Chamber of Commerce requests permission to conduct their annual Heritage Days activities in McCook on September 28, 29, and 30, 2018.

The Chamber of Commerce requests to conduct a parade beginning at 10:00 A.M. on Saturday, September 29, 2018. The parade will necessitate the temporary closing of much of Norris Avenue and West "C" Street during the parade.

The Chamber of Commerce also requests the use of Norris Park and the bandshell, as well as the closing of the 700 and 800 blocks of East 1st Street, the 100 and 200 blocks of East "H", the 100 block of East "G" Street and Norris Avenue from East "G" to East "H". The Chamber is also requesting the closing of the 100 block of West "G" street prior to the parade for the staging of parade entries. Overnight parking is also requested for the craft show vendors.

The Chamber of Commerce also requests the use of the area around Norris Park on Saturday for a car and tractor show which will begin following the parade and continue until 4:00 P.M. on Saturday.

A certificate of Insurance Coverage has been requested.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 29 & 30, 2018; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 28, 2018 until Sunday evening, the 700 and 800 blocks of East 1st, the 100 and 200 blocks of East "H" Street beginning at 5:00 A.M., September 29, 2018 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 29, 2018 until after the parade; to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 29, 2018; the use of City Streets around Norris Park from the conclusion of the parade until 4:00 P.M. on Saturday, September 29, 2018 for a car and tractor show.

APPROVALS:



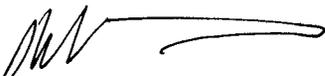
Kyle Potthoff, Public Works Director

August 24, 2018



Ike Brown, Police Chief

August 24, 2018



Nate Schneider, City Manager

August 24, 2018

August 20, 2018

McCook City Council
Attn: Nate Schneider
P. O. Box 1059
McCook, NE 69001

Dear Nate Schneider and Council:

Please reserve time on the City Council agenda for your September 4, 2018 meeting to approve a request from the McCook Area Chamber of Commerce. We will be requesting permission for the following items during the Heritage Days which is scheduled for September 26-30.

1. The use of Norris Park for our annual Heritage Days Arts & Crafts Show as well as the Band Shell for entertainment on September 29 & 30. We will need use of the electricity at Norris Park as in past years for the food vendors and the entertainment including the sound system. We would also like to request the closing of East "G" Street from Norris Avenue to East 1st on Friday evening beginning at 3 p.m. so that our food vendors are able to set up. We further request the closing of the streets around Norris Park for September 29-30. Norris Avenue would be blocked off after the parade on Saturday and the remaining streets including "H", "G" and East 1st would be blocked off at 5:00 a.m. Saturday and remain closed throughout the weekend. Prior to the parade, we also request that G Street, between Norris Avenue and West 1st Street, be closed to vehicle parking. Also, due to the ever-growing car & tractor show, we would like to add a request to close East "H" Street to East 2nd in the event that the other streets are filled and East 1st thru "I" Street. We also request overnight parking for the vendors on Norris Avenue that is closed off.

2. We also request permission to hold the annual parade. The parade will begin at 10:00 a.m. with the Flag Ceremony at the Norris Avenue flag pole at 9:45. The route is the same as last year's which begins at "F" street, proceeds South on Norris Avenue to "C" street and then West to 5th street. The parade will fall out and disband when they arrive at West 5th. We will also

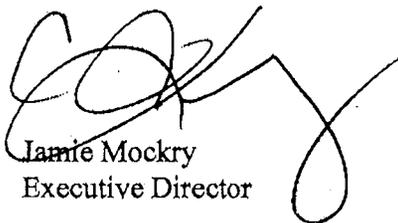
need to line parade entries on the side streets on both sides of Norris Avenue from "F" street North to "O" Street. This date would be September 29, 2018.

3. Our request includes permission to hold the Heritage Days Car Show and Tractor Show at Norris Park on Saturday, September 23, which will begin following the parade and continue until 4:00 p.m. The shows will be coordinated by Mike Towery and the Southwest Nebraska Tractor Club of McCook and will be located from Norris Avenue on East H Street to the alley between East 1st and East 2nd Street and on East 1st from the middle of East G and H Street thru "I" Street, of which are to be closed as per our request in Item #1 of this letter.

I will plan to attend the City Council meeting to answer any questions that may arise. However, if you have any questions regarding our request prior to the meeting, please contact me at the Chamber office at 345-3200.

Sincerely,

McCOOK AREA CHAMBER OF COMMERCE

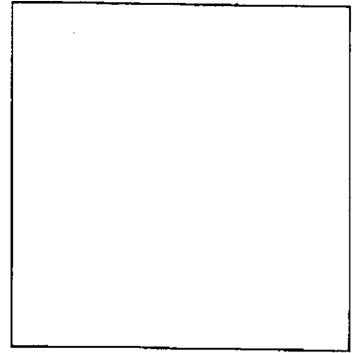
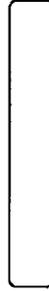
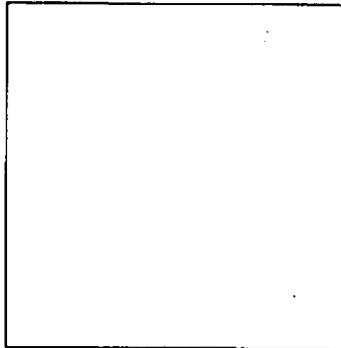
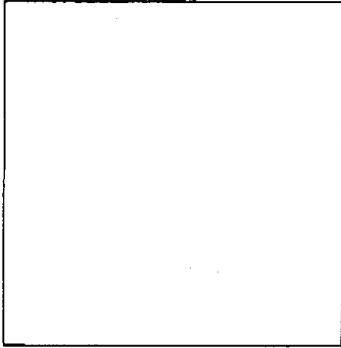


Jamie Mockry
Executive Director

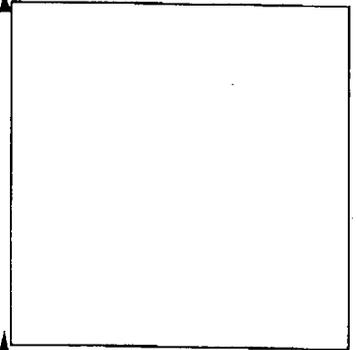
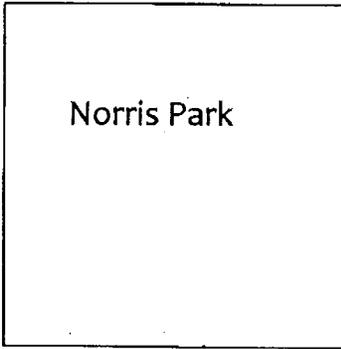
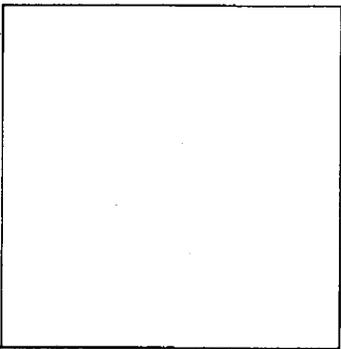
F Street

East 1st

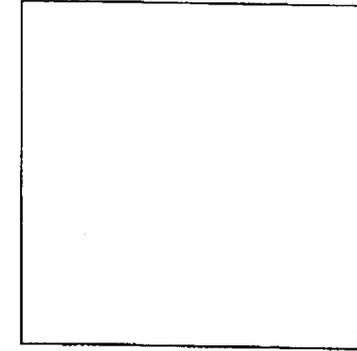
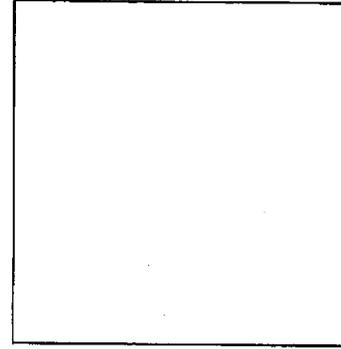
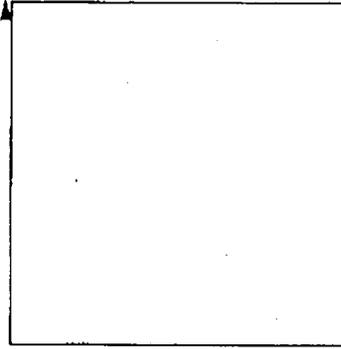
Norris



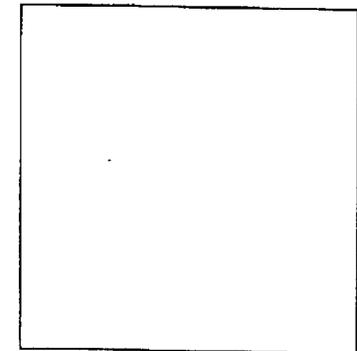
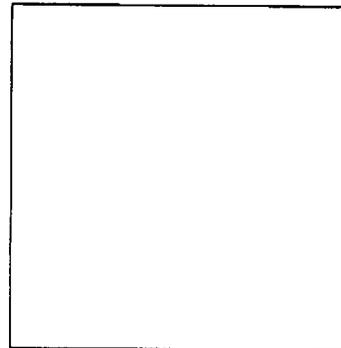
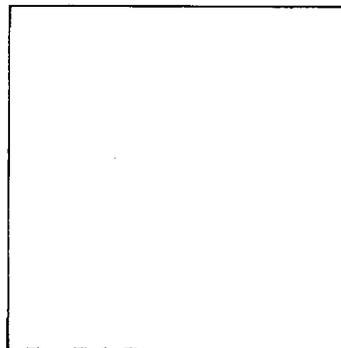
G Street

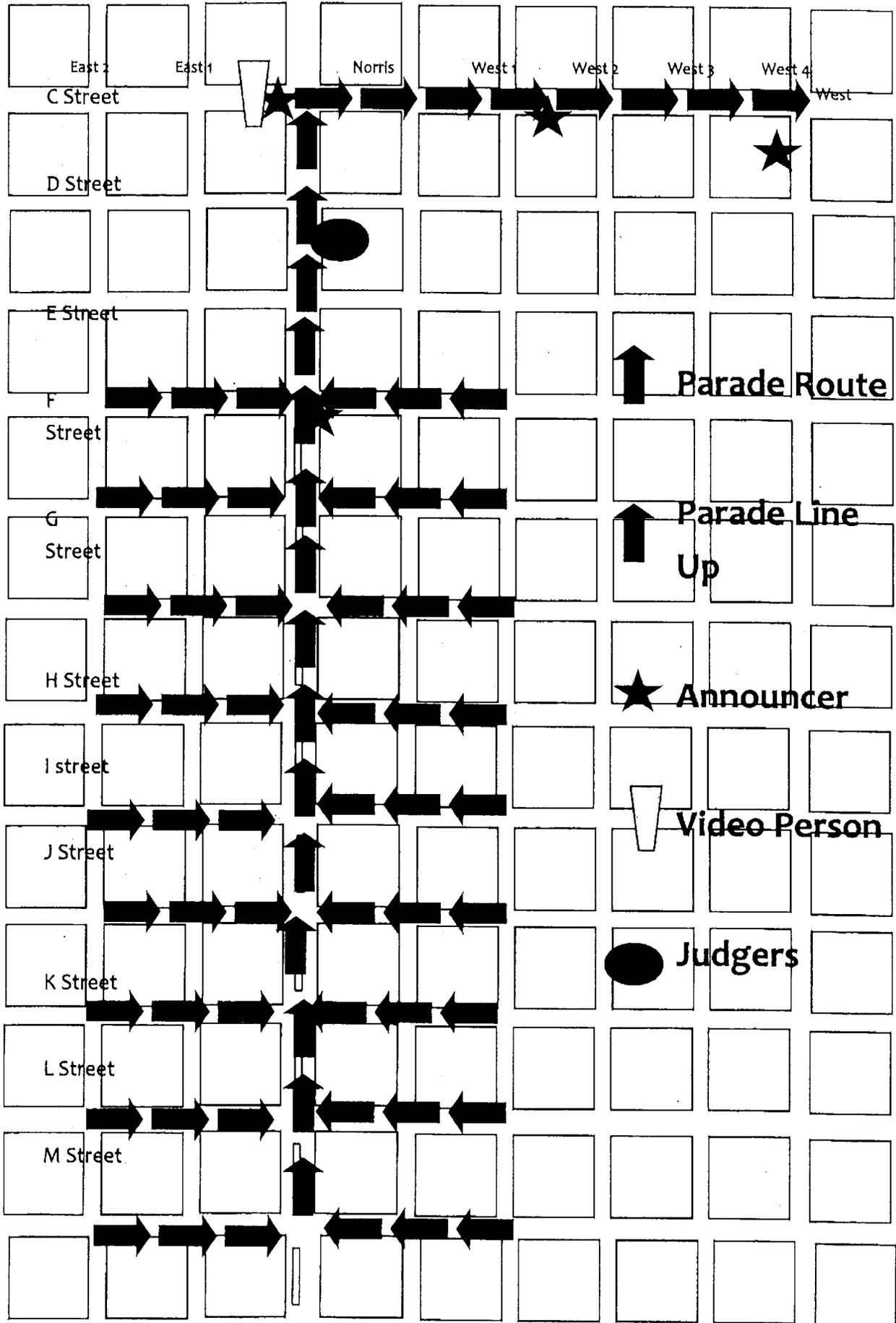


H Street



I Street





**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.A.

Approve the minutes of the August 20, 2018 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the August 20, 2018 regular City Council meeting.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018

McCook City Council
August 20, 2018
6:30 PM Central

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

Present: Mayor Gonzales, Councilmembers Hepp, Calvin, McDowell, Weedon.

Absent: None

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown, Library Director Crocker, Utilities Director Dutcher, Water Superintendent Fawver, 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 August 16, 2018, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Brad Brauer, Our Savior Lutheran Church and St. Albans Church, was present for the invocation. 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.

Police Chief Brown announced that the City of McCook is ranked No. 9 in the 10 Safest Cities for 2018 in Nebraska. He commended the citizens and the men and women of the Police Department for all that they do to help make this happen.

3. Public Hearings.

- 3.A. Public Hearing - Regarding the purchase of real property from Maureen Giorgione, said property legally described as part of vacated East 8th Street - South 80' x 140' Block 11, John E. Kelley Memorial Addition to McCook, Red Willow County, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed purchase of real property from Maureen Giorgione, said property legally described as part of vacated East 8th Street - South 80' x 140' Block 11, John E. Kelley Memorial Addition to McCook, Red Willow County, Nebraska. This motion, made by Calvin and seconded by Hepp, passed.

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

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated August 20, 2018 (2 pages); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - proposed Resolution No. 2018-12 (1 page); and Exhibit #4 - the Farm, Ranch and Land Purchase Agreement dated August 8, 2018 (3 pages).

City Manager Schneider reviewed the following information contained in Exhibit #1:

“Recently, real property located adjacent to the southeast corner of Felling Field was listed for sale by Maureen Giorgione. The partial lot is unimproved and is 11,200 square feet in area. The lot's proximity to Felling Field makes it desirable to the City of McCook for potential future park expansion. The property could be used for ball field expansion or parking purposes. The property was listed at \$9,000. Staff contacted Randy Bauer to determine how to best package an offer for the lot. Mr. Bauer shared recent, comparable land sales with staff. Mr. Bauer also explained how to determine the value of an unimproved lot in McCook. As for comparable sales, a similar sized residential lot located near Central Elementary School recently sold for \$6,500. Staff determined an offer of \$6,000 was reasonable based on comparable sales and standard valuation practices. An offer was made, and a purchase agreement was executed, contingent on ultimate approval by the city council. Staff was concerned that the real estate could be sold if we did not execute a conditional purchase agreement prior to the August 20th meeting. The city's conditional offer was accepted by Mrs. Giorgione and the conditional purchase agreement was executed on August 13th. Pursuant to the agreement, the city would pay cash for the property. The city has funds in its ballpark reserve fund to pay for the property. The terms of the agreement are standard. Closing of the sale is scheduled to occur on or before September 7th.”

Motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Calvin and seconded by Weedon, passed.

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

- 3.B. Approve Resolution No. 2018-12, to purchase real property legally described as part of vacated East 8th Street - South 80' x 140' Block 11, John E. Kelley Memorial Addition to McCook, Red Willow County, Nebraska, for \$6,000, said purchase to be paid out of the City's ballpark reserve.

Motion to approve Resolution No. 2018-12, to purchase real property legally described as part of vacated East 8th Street - South 80' x 140' Block 11, John E. Kelley Memorial Addition to McCook, Red Willow County, Nebraska, for \$6,000, said purchase to be paid out of the City's ballpark

reserve. This motion, made by Weedon and seconded by Calvin, passed.
Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedon: YEA
YEA: 5, NAY: 0

4. Consent Agenda.

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

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

- 4.A. Approve the minutes of the August 6, 2018 regular City Council meeting and the August 13, 2018 special City Council meeting.
- 4.B. Recommend approval to the Nebraska Liquor Control Commission the Application for Manager submitted by GIPH Restaurants, LLC, dba "Pizza Hut of McCook", 811 North Highway 83, which holds License #A-56127, the applicant being David W. Staab.
- 4.C. Approve the drawings and specifications for Barnett Park Lift Station renovation and set the date to receive bids for September 10, 2018 at 2:00 P.M.
- 4.D. Receive and file the claims for the month of July 2018 as published August 8, 2018.
- 4.E. Approve the application from Consolidated Companies Inc. to occupy city right-of-way for the purpose of installing an underground fiber optic cable and authorize the Mayor to sign the application.
- 4.F. Receive and file the Financial Report for the period ending July 31, 2018.

5. Regular Agenda.

- 5.A. Ordinance No. 2018-2968 providing for the adoption of the budget for FY 2018/2019 upon its first reading.

Mayor Gonzales introduced Ordinance No. 2018-2968 by title. The Clerk read the Ordinance by title:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

Ordinance No. 2018-2968 was introduced, read by title, and motion to approve upon its first reading. Motion by Gonzales and seconded by Calvin, passed.

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

Discussion included the possible financing of the larger items - street sweeper and ambulance; library boiler installation in phases; and the need to establish reserves for purchase of equipment instead of financing them.

Utilities Director Dutcher and Public Works Director Potthoff presented information regarding the lease of the mini excavators instead of purchase. Municipal leases are available for the excavators for \$4,750 annually and a skid loader could be leased for \$4,800 annually, with maintenance included in the lease payment. They proposed not purchasing the equipment and lease them instead. A trailer would need to be purchased for them at an estimated cost of \$7,000. Potthoff noted that he had neglected to include in the proposed budget the Norris Bandshell repainting and wood trim replacement, totaling \$15,000.

5.B. Ordinance No. 2018-2969 providing for the adoption of the FY 2018/2019 Fiscal Year Employee Classification Pay Plan.

Mayor Gonzales introduced Ordinance No. 2018-2969 by title. The Clerk read the Ordinance by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2018/2019 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2018-2969 was introduced, read by title, and motion to approve upon its first reading. Motion by Gonzales and seconded by Calvin, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, McDowell: YEA, Weedin: YEA

YEA: 5, NAY: 0

City Manager Schneider noted that in comparing the salary with other communities the Human Resource Officer was lower. That position has been increased from Pay Grade 85 to Pay Grade 145 in the proposed budget.

5.C. Ordinance No. 2018-2967 providing for the amendment of Appendix F, Solid Waste Collection Fees of the City of McCook Code of Ordinances.

Mayor Gonzales introduced Ordinance No. 2018-2967 by title. The Clerk read the Ordinance by title:

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2017-2954 AND ANY AND ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR PUBLICATION IN

PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ordinance No. 2018-2967 has been introduced, read by title, and motion to approve upon its first reading. Motion by Calvin and seconded by McDowell, passed.

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

5.D. Council Comments.

Council comments included thanking of Department Heads for all that they have done to make this budget session easier, explaining their needs, and for being frugal throughout the year.

5.E. An Executive Session may be held upon a majority vote of the Council for the annual evaluation of the job performance of City Manager Nathan A. Schneider.

Motion to go into executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 7:35 P.M. This motion, made by Calvin and seconded by McDowell, passed.

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

Mayor Gonzales stated for the record, that, at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of conducting the annual evaluation of the job performance of City Manager Nathan A. Schneider. The Council will reconvene in public session following this closed session.

Motion to come out of executive session at 8:19 P.M. This motion, made by Calvin and seconded by Hepp, passed.

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

Adjournment.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:20 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.E.

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 October 27, 2018 from 12:00 P.M. to 1:00 A.M.

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.

RECOMMENDATION:

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 October 27, 2018 from 12:00 P.M. to 1:00 A.M.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

**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 TIMES 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): 10-27-18 _____

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 5 TH STREET

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

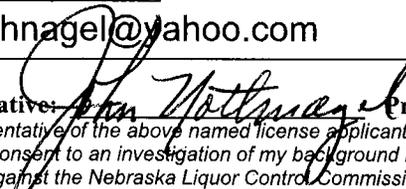
Outdoor area to be licensed in length & width: _____ X _____ (Diagram Form #109 must be attached)

Type of Event: WEDDING RECEPTION **Estimate # of attendees:** 400

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** John 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 RED WILLOW 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

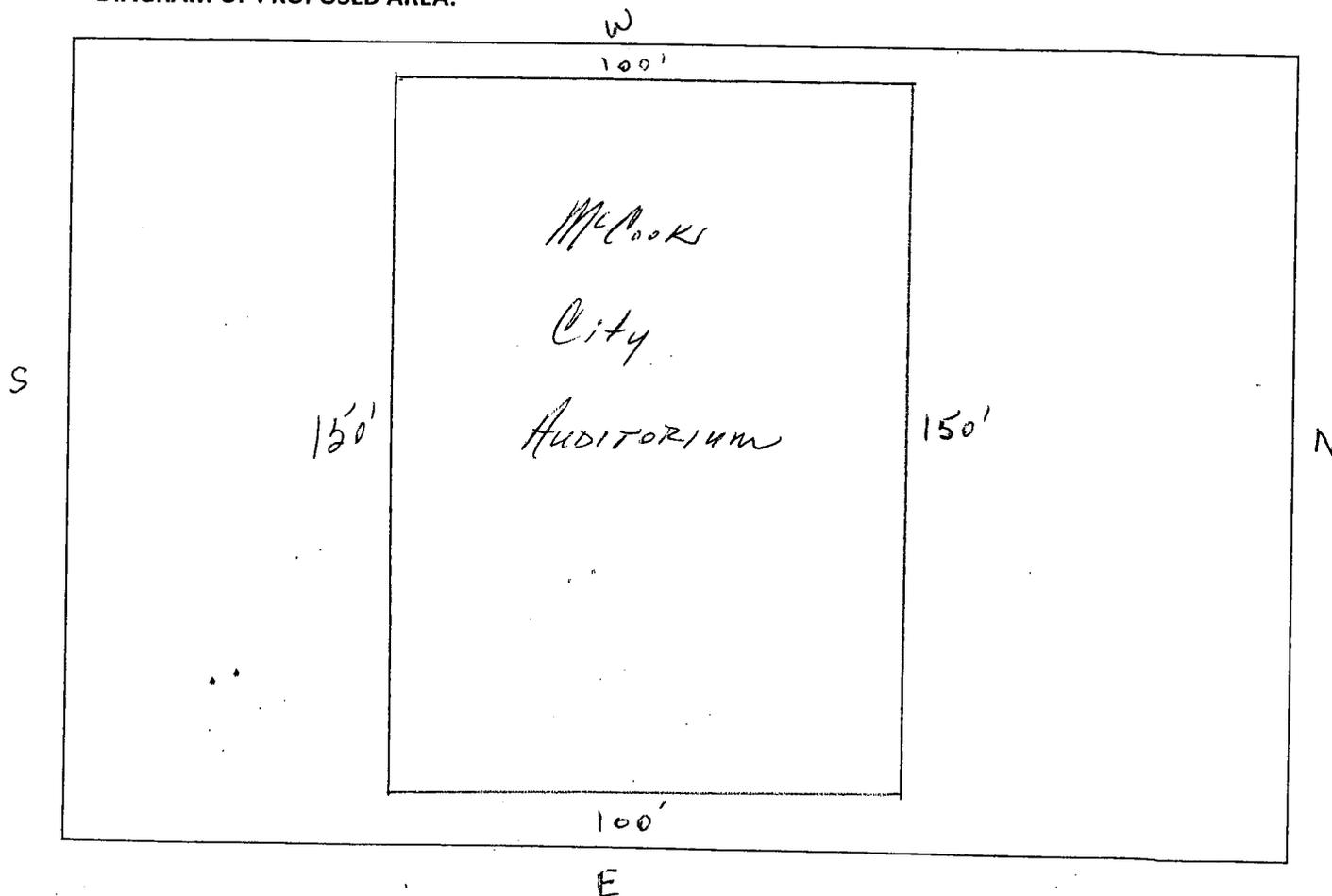
WE WILL HAVE CERTIFIED ALCOHOL

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
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 4.D.

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 Christmas party to be held at the McCook Municipal Auditorium, 302 West 5th Street, on December 15, 2018 from 12:00 P.M. to 1:00 A.M.

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.

RECOMMENDATION:

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 Christmas party to be held at the McCook Municipal Auditorium, 302 West 5th Street, on December 15, 2018 from 12:00 P.M. to 1:00 A.M.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

**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 TIMES 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): 12-15-18 _____

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 5 TH 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: X-MAS PARTY Estimate # of attendees: 400

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: [Signature] Printed Name John 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 RED WILLOW 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

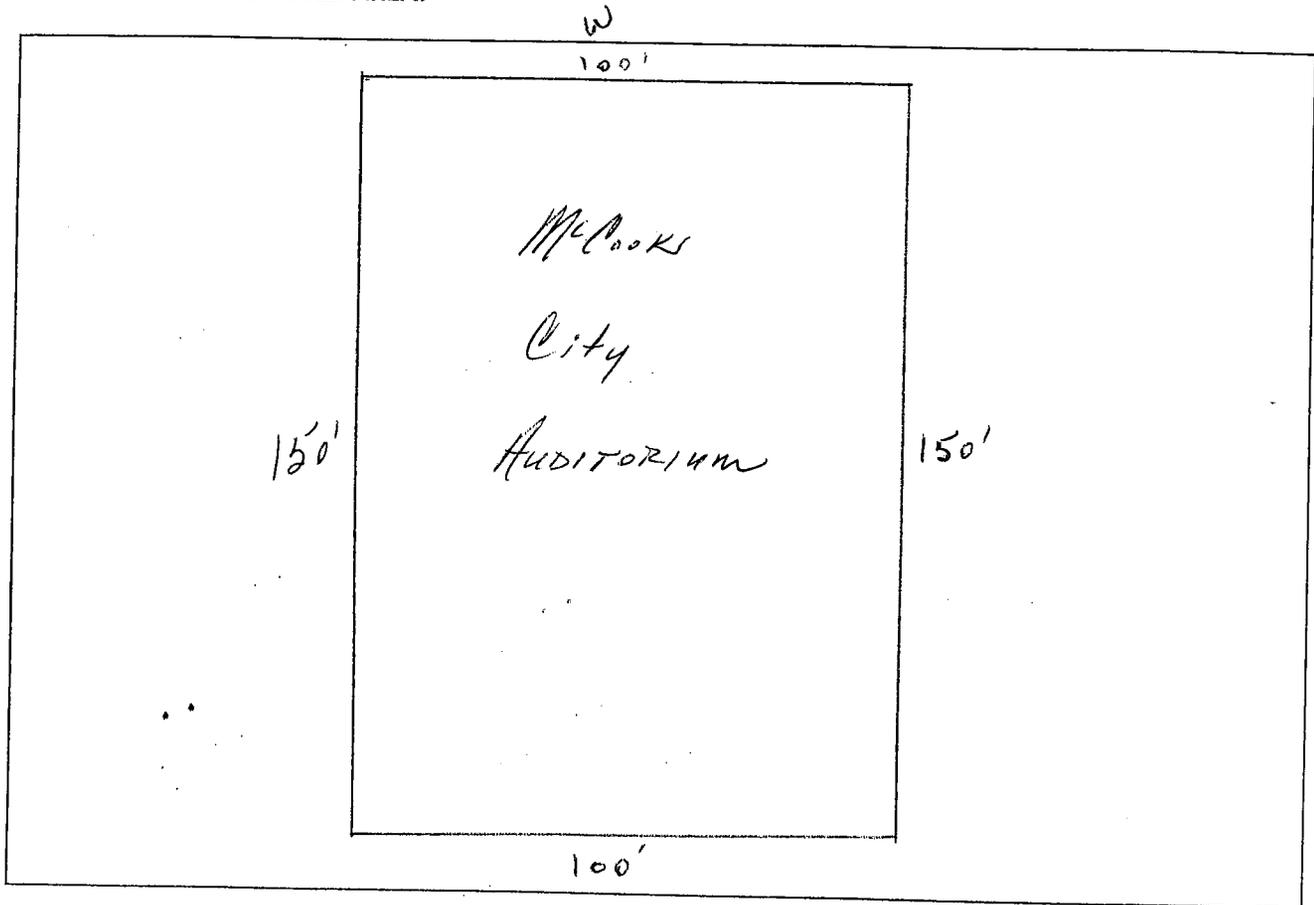
WE WILL HAVE CERTIFIED ALCOHOL

SERVERS AT EVENT ALONG WITH

HOW AREA WILL BE PATROLLED SOME ONE WATCHING THE DOORS

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- 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
SEPTEMBER 4, 2018 CITY COUNCIL MEETING**

ITEM: 3.J.

Approve Ordinance No. 2018-2969 providing for the adoption of the 2018/2019 Fiscal Year Employee Classification Pay Plan upon its second reading.

BACKGROUND:

The attached ordinance provides for the adoption of the Employee Classification and Pay Plan for Fiscal Year 2018/2019.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

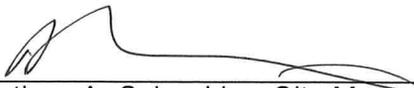
Approve Ordinance No. 2018-2969 providing for the adoption of the 2018/2019 Fiscal Year Employee Classification Pay Plan upon its second reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 30, 2018



Nathan A. Schneider, City Manager

August 30, 2018

ORDINANCE NO. 2018-2969

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2018/2019 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

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

SECTION 1. The 2018/2019 Employee Classification and Pay Plan shall be and is hereby adopted. Said Classification and Pay Plan is incorporated herein by reference the same as if set out in full. A copy of the Classification and Pay Plan shall be on file in the office of the City Clerk and is available for public inspection at any reasonable time. (Ref. City of McCook Code of Ordinances, § 30.075).

SECTION 2. The Employee Classification and Pay Plan shall be effective October 1, 2018.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2018.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

Publish:

**CITY OF MCCOOK
CLASSIFICATION AND PAY PLAN
FY 2018/2019**

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(S1)	Pool Basket Help	6.750 6.750	
(S2T)	Temporary Seasonal - work less than 90-Days Part-Time Laborer Maintenance Man Part-Time Clerical	9.000 - 10.500	
(3P)	Permanent Part-Time Part-Time Clerical Part-Time Transit Driver Senior Center Aide Part-Time Maintenance	9.000 - 10.780	
(S4)	Pool Seasonal Pool Manager Assistant Pool Manager Pool Guard	10.200 - 13.000 9.000 - 10.500 8.500 - 10.000	
(5)	Clerk (No Review)		
(10)	Assistant Cook	11.592 - 15.688	
(15)	Bus Driver (Public Transportation)	12.165 - 17.209	24,111 - 32,631
(20)	Head Cook	12.480 - 19.113	25,300 - 35,798
(25)	Full-Time Custodial/Maintenance	12.549 - 18.845	25,959 - 39,750
(30)	Disposal Plant Operator Trainee (WWTP)	13.029 - 18.441	27,101 - 38,357

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(35)	Clerk II (Public Transit Dispatcher)	13.043 - 18.161	27,128 - 37,777
(40)	Circulation Librarian Catalogue/Media Librarian	13.201 - 18.601	27,455 - 38,689
(45)	Laborer I	13.664 - 18.651	28,421 - 38,792
(50)	Equipment Operator I	13.847 - 18.684	28,802 - 38,865
(55)	Public Safety Office Assistant Office Assistant	13.956 - 19.016	29,029 - 39,553
(58)	Public Safety Dispatcher (Union Contract)		
(60)	Laborer II	14.297 - 19.245	29,737 - 40,029
(65)	Disposal Plant Operator WWTP Operator I	14.504 - 19.501	30,170 - 40,566
(70)	Equipment Operator II	14.882 - 20.393	30,955 - 42,415
(75)	Refuse Collection Driver	15.017 - 20.775	31,234 - 43,211
(80)	Administrative Assistant	15.054 - 20.379	31,312 - 42,389
(85)	Human Resource Officer** **Reclassified to 145 FY18/19	15.078 - 21.221	31,361 - 44,139
(90)	Utility Service Technician I	15.199 - 20.136	31,616 - 41,882
(95)	Assistant Mechanic	15.285 - 21.536	31,790 - 44,797
(100)	Juvenile Services Librarian	15.443 - 19.940	32,122 - 41,478
(105)	Disposal Plant Operator II	15.881 - 21.123	33,034 - 43,937

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(110)	Chief Dispatcher	15.942 - 21.283	33,161 - 44,266
(115)	Utility Service Technician II	16.807 - 22.658	34,958 - 47,130
(120)	Equipment Operator III Tractor-Trailer Operator	16.833 - 22.697	35,010 - 47,208
(125)	Cemetery Sexton	16.930 - 23.560	35,213 - 49,005
(130)	Maintenance/Groundskeeper II	17.066 - 22.427	35,495 - 46,651
(135)	Mechanic	17.259 - 23.389	35,899 - 48,651
(140)	Disposal Plant Operator III Water Plant Operator I	17.259 - 23.135	35,899 - 48,120
(145)	Deputy City Clerk Human Resource Officer	17.296 - 23.964	35,974 - 49,843
(150)	Patrol Officer (42 hour) (Union Contract)		
(155)	Detective (42 hour) (Union Contract)		
(160)	Water Plant Operator II	20.575 - 27.206	42,795 - 56,588
(165)	Police Sergeant (42 hour) Sergeant/Patrol Supervisor	21.561 - 28.862	47,085 - 63,037
(170)	Solid Waste Superintendent Public Works Supervisory Library Director** Senior Services Director**	22.024 - 30.121	45,813 - 62,652

**Effective December 2016 - Minimum
Salary for exempt positions - \$47,476

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(175)	Laborer Foreman	22.049 - 28.437	45,863 - 59,142
(180)	Building Inspector/Code Compliance Officer	22.587 - 30.253	46,979 - 62,927
(185)	Wastewater Superintendent Water Superintendent	22.768 - 30.766	47,358 - 63,990
(190)	Airport Maintenance Operator	23.329 - 26.535	48,524 - 55,193
(195)	Library Director (Masters Degree)	25.328 - 33.435	52,684 - 69,544
(200)	City Clerk (No Review)		
(205)	Utilities Director	27.962 - 38.309	58,159 - 79,685
(210)	City Clerk/Treasurer	28.084 - 40.638	58,411 - 84,526
(215)	Public Works Director	30.155 - 40.406	62,722 - 84,047
(220)	Fire Chief Chief of Police	30.899 - 41.846	64,270 - 87,036

NOTE:

- 20 hour/week = 1,040 hour/year
- 30 hour/week = 1,560 hour/year
- 40 hour/week = 2,080 hour/year
- 42 hour/week = 2,184 hour/year
- 56 hour/week = 2,912 hour/year

Firefighter/Paramedic - Union Contract

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/1/2017											
9/30/2018	\$ 15.141	\$ 15.773	\$ 16.222	\$ 16.795	\$ 17.396	\$ 17.988	\$ 18.621	\$ 19.269	\$ 19.942	\$ 20.636	\$ 21.360

The pay grid above is for firefighters/paramedics. Firefighters/paramedics/lieutenants will receive 15% more than the salaries shown on this grid. New employees hired as firefighters/EMT-1 will receive 7.5% less than the salaries shown on this grid. New employees hired as firefighters/EMT-B will receive 12.5% less than the salaries shown on this pay grid.

Firefighter/Paramedic (40 hour work week)- Union Contract

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/1/2017											
9/30/2018	\$ 21.195	\$ 22.082	\$ 22.709	\$ 23.511	\$ 24.355	\$ 25.183	\$ 26.070	\$ 26.977	\$ 27.917	\$ 28.894	\$ 29.904

The pay grid above is for firefighters/paramedics. New employees hired as firefighters/EMT-1 will receive 7.5% less than the salaries shown on this grid. New employees hired as firefighters/EMT-B will receive 12.5% less than the salaries shown on this pay grid.

Police Officers/Detectives/Dispatchers - Union Contract

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
10/1/2017 - 9/30/2019								
Police Officers	\$ 17.380	\$ 18.162	\$ 18.979	\$ 19.833	\$ 20.725	\$ 21.658	\$ 22.633	\$ 23.627
Detectives	\$ 19.292	\$ 20.160	\$ 21.067	\$ 22.015	\$ 23.006	\$ 24.041	\$ 25.123	\$ 26.759
Dispatchers	\$ 13.275	\$ 13.872	\$ 14.496	\$ 15.148	\$ 15.830	\$ 16.542	\$ 17.286	\$ 18.088

POLICE UNION POSITIONS -- Contract year of October 1, 2017 - September 30, 2019

Using the CPI as a guide, during the two (2) years of their contract, the annual across the board increase will not exceed the maximum of 4.5% nor go below the minimum of 2%. This COLA policy shall apply only to the bargaining unit members who have reached the top step on the step schedule. All other bargaining unit members shall receive no additional COLA increase, as contemplated in Step Schedule - Attachment A of said contract.

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 MCCOOK COMMUNITY DEVELOPMENT AGENCY MEETING**

3.F.

ITEM NO. ___ Approve Resolution No. CDA 2018-~~03~~ authorizing and providing for the issuance of an additional tax increment revenue bond, note or other obligation and authorizing the administration of said tax increment revenue bond process, said authorization including the approval of an Amended Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and Next Generation, Inc.

BACKGROUND:

In addition to the Amended Redevelopment Plan, an Amended Redevelopment Contract and accompanying bond resolution is needed. The Amended Redevelopment Contract is different than the Amended Redevelopment Plan. The Amended Plan is required to establish the general objectives and requirements of a project. It ensures that a potential project meets the requirements established by the State. It does not create a contractual relationship between the developer and the City. In contrast, the Amended Redevelopment Contract establishes the contractual responsibilities each party owes to the other. For the City, the obligations include dividing the ad valorem taxes paid on the lot at issue, establishing the terms associated with a bond purchase, setting the method of eligible cost repayment, and committing to separating the project funds from other City funds. The developer commits to progressing with the project, promises to carry adequate insurance and performance bonds, guarantees proper submission of pay requests in conformity with the Contract, and agrees to assignment restrictions.

The Contract contains provisions indemnifying the City from repayment of the indebtedness. It also establishes a mechanism for dealing with a default.

In concert with the Contract, a resolution must be passed by the Council. It is important to note that the terms of the bond purchase are included. A bond will ultimately be paid back through ad valorem tax increases attributable to the improvements on the project area. The recapture period for the amended portion of the project will be 14 years. Typically, and with the initial resolution passed in 2017, the recapture period is 15 years. Due to the fact that one year has already elapsed under the original terms, 14 years was the maximum time period allowable. As such, at the expiration of 14 years (considering the original resolution and this resolution), all of the ad valorem tax collected on the building will be payable to the local taxing authorities.

As of the date of packet dissemination, Staff was waiting on Attorney Mike Bacon to complete the Amended Redevelopment Contract and bond resolution. Mr. Bacon indicated that the documents will be completed at the beginning of the week. We will review the documents with Mr. Bacon, and after completion, the final drafts will be forwarded as soon as possible.

RECOMMENDATIONS:

ITEM NO. ___ Approve Resolution No. CDA 2018-~~03~~ authorizing and providing for the issuance of an additional tax increment revenue bond, note or other obligation and authorizing the

administration of said tax increment revenue bond process, said authorization including the approval of an Amended Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and Next Generation, Inc.

APPROVALS:



Nathan A. Schneider, City Manager

September 4, 2018

Lea Ann Doak, City Clerk

September 4, 2018

**CITY MANAGER'S REPORT
SEPTEMBER 4, 2018 MCCOOK COMMUNITY DEVELOPMENT AGENCY MEETING**

ITEM NO. 3.D. Recommend approval of Resolution No. CDA2018-62 to the McCook City Council which approves an Amended Redevelopment Plan of the City of McCook, Nebraska; approves an Amended Redevelopment Project of the City of McCook, Nebraska; and approves the related actions for the purpose of continued development of the 2017 Next Generation Project Area.

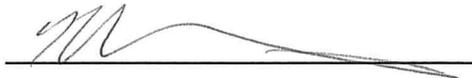
BACKGROUND:

This item is a continuation of the requirements established by the State of Nebraska for Tax Increment Financed (TIF) projects. The CDA must recommend approval of the Redevelopment Plan to the City Council after a public hearing on the issue is held.

RECOMMENDATIONS:

ITEM NO. ___ Recommend approval of Resolution No. CDA2018-62 to the McCook City Council which approves an Amended Redevelopment Plan of the City of McCook, Nebraska; approves an Amended Redevelopment Project of the City of McCook, Nebraska; and approves the related actions for the purpose of continued development of the 2017 Next Generation Project Area.

APPROVALS:



Nathan A. Schneider, City Manager

September 4, 2018

Lea Ann Doak, City Clerk

September 4, 2018

**CITY MANAGERS REPORT
4 SEPTEMBER, 2018 CITY COUNCIL MEETING**

ITEM: 4.J.

RECOMMENDATION:

**DECLARE THE LISTED ABANDONED AND UNCLAIMED
VEHICLES AS SURPLUS CITY PROPERTY TO BE
DISPOSED OF IN THE APPROPRIATE LEGAL MANNER.**

BACKGROUND:

**Due to the limited storage space available and the extended length of time the Police Department has stored the listed abandoned and unclaimed vehicles, I recommend the listed abandoned vehicles be declared as surplus City property.
2005 Kia Spectra, VIN# KNAFE121055079507;
1996 Geo Prism, VIN# 1Y1SK2563TZ052168;
2004 Chevrolet Impala, VIN# 2G1WF55K449311046;
2010 Chevrolet Impala, VIN# 2G1WD5EMXA1186233**

State Statutes prescribe the manner of disposition of surplus property of a city or other political subdivision. Titles must be acquired for all abandoned or unclaimed vehicles. The City holds title to all vehicles listed in the Surplus Property Inventory. Vehicles valued at \$250.00 or less may be disposed of as desired. The prescribed manner of disposition of vehicles with a value greater than \$250.00 is sale at public auction. The net proceeds from the auction to be delivered to the City Clerk for disposition as provided by law.

FISCAL IMPACT:

**NET PROCEEDS FROM THE SALE OF SURPLUS ITEMS
ARE RETAINED BY THE CITY FOR A PERIOD OF TIME
AS PRESCRIBED BY STATUTE AND THEN ADDED TO
THE CITY GENERAL FUND.**

**CITY MANAGERS REPORT
4 SEPTEMBER, 2018 CITY COUNCIL MEETING**

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RECOMMENDATION:

**DECLARE THE LISTED ABANDONED AND UNCLAIMED
VEHICLES AS SURPLUS CITY PROPERTY TO BE
DISPOSED OF IN THE APPROPRIATE LEGAL MANNER.**

APPROVALS:



Isaac S. Brown, Police Chief

8-28-2018
Date



Nate Schneider, City Manager

8/28/18
Date