

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Monday, August 9, 2021  
6:45 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Items.

1. Announcements & Recognitions.
2. Consent Agenda.
  - A. Adopt Resolution No. 2021-11 approving the execution of an Agency Agreement with the Nebraska Department of Transportation, Aeronautics Division for Grant No. 3-31-052-019-2021 and authorize the Mayor to sign.
  - B. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5th Street, on August 28, 2021 from 3:00 P.M. to 12:00 A.M.
3. Regular Agenda.
  - A. Review of Proposed FY2021/2022 Annual Budget.
  - B. Council Comments.

Adjournment.

**CITY MANAGER'S REPORT  
AUGUST 9, 2021 CITY COUNCIL MEETING**

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**ITEM:** \_\_\_\_\_

**RECOMMENDATION:**

**ADOPT RESOLUTION NO. 2021-11 APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION FOR GRANT NO. 3-31-052-019-2021 AND AUTHORIZE THE MAYOR TO SIGN.**

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**BACKGROUND:**

This is an agreement between the City of McCook and the Nebraska Department of Transportation, Aeronautics Division for non-developmental funding through The American Rescue Plan Act; known as the ARPA Act.

These funds, through the ARPA Act, can be used for purposes other than airport planning, development, construction, or maintenance.

This agreement will allow the City of McCook to receive \$32,000.00 from the ARPA Act.

**FISCAL**

**IMPACT:** An additional \$32,000.00 to be used lawfully for airport purposes.

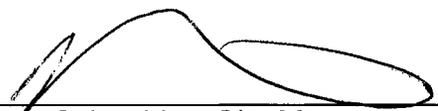
**RECOMMENDATION:**

**ADOPT RESOLUTION NO. 2021-11 APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION FOR GRANT NO. 3-31-052-019-2021 AND AUTHORIZE THE MAYOR TO SIGN.**

**APPROVALS:**

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

AUGUST 3, 2021

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

AUGUST 3, 2021

**RESOLUTION NO. 2021-11**

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION FOR GRANT NO. 3-31-052-019-2021 TO BE SUBMITTED BY THE DEPARTMENT TO THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN FEDERAL NON-DEVELOPMENT ECONOMIC ASSISTANCE FOR THE AIRPORT UNDER THE PROVISIONS OF THE FEDERAL CRRSA ACT:

Be it resolved by the Mayor and members of the City Council of Mc Cook, Nebraska, that:

1. The City of McCook shall enter into an Agency Agreement with the Department of Transportation, Aeronautics Division for Grant No. 3-31-0052-019-2021 for the purpose of obtaining Federal non-development economic assistance for the Airport and that such agreement shall be set forth hereinbelow.
2. The Mayor of the City of McCook is hereby authorized and directed to execute said Agency Agreement on behalf of the City of McCook, and the City Clerk is hereby authorized to attest said execution.
3. The said agreement, referred to hereinabove, is inserted in full and attached herewith, and made a part hereof as Exhibit "0".

PASSED AND APPROVED THIS 9<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Michael Gonzales, Mayor

ATTEST:

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

**AGENCY AGREEMENT**  
**ARPA Act-Only Funded Non-Development Grant**

**Grant No. 3-31-0052-019-2021**

This is an agreement between the City of MC Cook, of MC Cook, Nebraska, hereinafter referred to as the "Airport Sponsor" and the Nebraska Department of Transportation, Aeronautics Division, hereinafter referred to as the "Department," made and entered into in accordance with, and for the purpose of, complying with the laws of the State of Nebraska.

**WHEREAS**, the Coronavirus Disease 2019 (COVID-19), has resulted in significant damage to the economy of the United States. In response, the US Congress has passed an economic rescue package called The American Rescue Plan Act; known as the ARPA Act; and

**WHEREAS**, the Federal Aviation Administration (FAA) has received funding from the United States general fund, pursuant to the ARPA Act, to assist airports in defraying a portion of that economic damage in the form of 100% grants to be used for any lawful purpose for which airports are currently able to use their funds; and

**WHEREAS**, the Airport Sponsor desires to utilize ARPA Act funding for lawful purposes other than airport planning, development, construction, or maintenance.

**THEREFORE**, the Airport Sponsor hereby designates the Department as its agent in accordance with §3-124 and §3-239, Neb. Rev. Stat. (Reissue 2012, Cumulative Supp. 2018, and Supp. 2019), and the Department hereby accepts such designation and agrees to act as the agent of the Airport Sponsor.

The Airport Sponsor hereby warrants, undertakes and agrees that if the Federal Aviation Administration makes a grant offer, and the Airport Sponsor executes a Grant Agreement, it will manage said airport in the manner set forth in the Grant Agreement and abide by the conditions, rules and regulations of the Federal Aviation Administration.

The terms and conditions of this Agency Agreement and the respective duties, undertakings and agreements of the parties with respect to this Agency Agreement, and with respect to the ARPA Act grant, are as follows:

- A. The Department shall accept, receive, receipt for, and disburse all funds granted by the United States for airport aid in accordance with federal laws, rules and regulations and in accordance with §3-101 to §3-154 and §3-239, Neb. Rev. Stat. (Reissue 2012, Cumulative Supp. 2018, and Supp. 2019), as the agent of the Airport Sponsor.
- B. Upon receipt of such federal funds, the Department shall deposit them in the State Treasury, according to law, and shall cause disbursement to be made therefrom as follows:

**FIRST:** If the Department advances funds to the Airport Sponsor as the equivalent of the United States' share of allowable grant costs, the Department shall reimburse itself for any such advancement out of

such federal funds thereafter received.

SECOND: The Department shall cause the balance of such federal funds due the Airport Sponsor to be paid promptly to the Airport Sponsor.

- C. The Department shall maintain accurate records of all the funds received and expended by it in connection with the grant. These records shall be open to inspection by the Airport Sponsor, the Federal Aviation Administration and their authorized representatives in the offices of the Department at all reasonable times.
- D. The Airport Sponsor reserves the right, power and authority to execute the Application for Federal Assistance, the federal Grant Agreement, all contracts and agreements arising from the Airport Sponsor's use of ARPA Act funds, and all amendments to these items. Aside from the matters so reserved, the Department shall, as agent for the Airport Sponsor, process, execute and submit to the Federal Aviation Administration all papers, forms and documents required by that agency for the approval, carrying out and completion of the grant.
- E. The Department agrees to furnish all services performed by it as agent of the Airport Sponsor, including, but not limited to, the services set forth in the attached Exhibit A, "Administrative Services", free of charge.

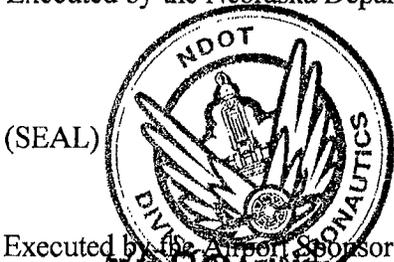
As used herein, the following words, terms and phrases shall have the meanings herein given:

"Application for Federal Assistance" means the document prepared as the formal application submitted to the Federal Aviation Administration for a grant of federal funds.

"Develop" means to plan, construct or improve the airport as defined in the Application for Federal Assistance.

"Grant Agreement" means the contract between the United States of America and the Airport Sponsor in which the Federal Aviation Administration, on behalf of the United States, agrees to pay a portion of the allowable costs of the grant.

Executed by the Nebraska Department of Transportation, Aeronautics Division this 23rd day of July, 2021.



*Cynthia B. Ceman*  
 for, Ann Richard, Director

Executed by the Airport Sponsor this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**RESOLUTION  
DO NOT SIGN**

Clerk

**RESOLUTION  
DO NOT SIGN**

Mayor

**EXHIBIT A**  
**AGENCY AGREEMENT**  
**ADMINISTRATIVE SERVICES**

1. Prepare and secure execution of Applications for Federal Assistance and associated documents.
2. Prepare and process program changes.
3. Process Grant Agreements and amendments.
4. Review periodic pay estimates and forward federal funds to the Airport Sponsor.
5. Prepare applications, requests, transfers or letters of credit for Grant Agreement payments.
6. Prepare and/or process other federal documents not otherwise specifically covered above.

**CITY MANAGER'S REPORT  
AUGUST 9, 2021 CITY COUNCIL MEETING**

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**ITEM:** \_\_\_\_\_

Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5<sup>th</sup> Street, on August 28, 2021 from 3:00 P.M. to 12:00 A.M..

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**BACKGROUND:**

Loops 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.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 5, 2021

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

August 5, 2021

**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

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

404 West A St McCook NE 69001  
Retail Liquor License Address or Non-Profit Business Address

093351  
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only  
Event Date(s): 8/28/21 \_\_\_\_\_

Event Start Time(s): 3 PM \_\_\_\_\_

Event End Time(s): 12 AM \_\_\_\_\_

Alternate Date: None

Alternate Location Building & Address: None

Event Building Name: McCook Community building

Event Street Address/City: 1412 W 5th St

Indoor area to be licensed in length & width: 50 X 200

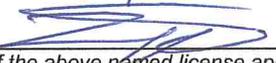
Outdoor area to be licensed in length & width: — X — (Diagram Form #109 must be attached)

Type of Event: Wedding Estimate # of attendees: 300

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: Candice Hubber Event Contact Phone Number: 340-2960

Event Contact Email: ACKFLTRNS@yahoo.com

\*Signature Authorized Representative:  Printed Name Jeremy Pace

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 \_\_\_\_\_ **OR** County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

\_\_\_\_\_  
Local Governing Body Authorized Signature Date

**CITY MANAGER'S REPORT  
AUGUST 9, 2021 CITY COUNCIL MEETING**

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**ITEM:** \_\_\_\_\_

Review of Proposed FY2021/2022 Annual Budget.

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**BACKGROUND:**

Copies of the proposed budget will be presented at the meeting on Monday evening.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 5, 2021

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

August 5, 2021