

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Tuesday, September 7, 2021  
5:30 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Pledge of Allegiance.

Items.

1. Announcements & Recognitions.
2. Public Hearings.
  - A. Public Hearing - consider the 2022 McCook Plan of Street Improvements.
    1. Adjourn the Public Hearing.
  - B. Adopt Resolution No. 2021-14 approving the 2022 McCook Plan of Street Improvements.
3. Consent Agenda.
  - A. Approve the minutes of the August 16, 2021 regular City Council meeting, the August 30, 2021 Budget Hearing, and the August 30, 2021 special City Council meeting.
  - B. Approve Resolution No. 2021-15 authorizing the Mayor to sign the 2021 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classification and Standards.
  - C. Approve a Memorandum of Understanding with the McCook Area Chamber of Commerce whereby ACE funds will be appropriated for promotional activities that benefit the City of McCook.
  - D. Appoint Councilmember Jared Muehlenkamp to represent the City of McCook on the Enhanced Emergency 911 Technical Committee.
  - 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 reception to be held at the Red Willow County Fairgrounds Alice Building, 1412 West 5th Street, on September 30, 2021 from 12:00 P.M. to 1:00 A.M.
  - F. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for the Farrell's Sip 'n Shop to be held at Farrell's Hallmark Shop, 116 West "B" Street, on October 22, 2021 from 1:00 P.M. to 9:00 P.M.
  - G. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Chamber Mixer to be held at MNB

Bank, 220 Norris Avenue, on September 22, 2021 from 8:00 A.M. to 11:00 P.M.

- H. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company LLC, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on October 23, 2021 from 4:00 P.M. to 12:00 A.M.
  - I. Receive and file the Property Damage Incident Form from Rosanne Olson and instruct that it be submitted to the City's insurance carrier for review and appropriate action.
  - J. Receive and file the Property Damage Incident Form from Cheryl E. Bridgmon and instruct that it be submitted to the City's insurance carrier for review and appropriate action.
  - K. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show on September 25 & 26, 2021; 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 24, 2021 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 25, 2021 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday, September 25, 2021 until after the parade; to allow overnight parking for vendors around Norris Park and to conduct their parade on public streets on September 25, 2021.
  - L. Approve the St. Patrick Catholic Church request to close portions of East 4th and East "G" Streets and to utilize city property for their Annual Fall Festival on October 9 and 10, 2021.
  - M. Approve Resolution No. 2021-16, adopting the Quad Counties Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety.
  - N. Consider and approve a request from the Discovery Center of Southwest Nebraska, to utilize the McCook City Auditorium's gymnasium and council chambers for a children's event, their third Cardboard Challenge, a "Museum Without Walls", and for the rental fees to be paid for by community betterment funds.
4. Regular Agenda.
- A. Approve on its third and final reading, Ordinance No. 2021-3018, updating McCook's Code of Ordinances to include a new section to Chapter 71, said Chapter and Section to be known as Chapter 71: Traffic Rules; Section 71.30: Engine Braking.
    - 1. Chairperson asks Clerk to read Ordinance by title.
    - 2. Consider approval of Ordinance No. 2021-3018 upon its third and final reading.
    - 3. Chairperson declaration after vote, if approved.
  - B. Approve on its third and final reading, Ordinance No. 2021-3019 providing for the adoption of the budget for FY2021/2022.
    - 1. Chairperson asks Clerk to read Ordinance by title.
    - 2. Consider approval of Ordinance No. 2021-3019 upon its third and final reading.

3. Chairperson declaration after vote, if approved.
  - C. Approve on its third and final reading, Ordinance No. 2021-3020 providing for the adoption of the FY2021/2022 Fiscal Year Employee Classification Pay Plan.
    1. Chairperson asks Clerk to read Ordinance by title.
    2. Consider approval of Ordinance No. 2021-3020 upon its third and final reading.
    3. Chairperson declaration after vote, if approved.
  - D. Ordinance No. 2021-3022 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. 2021-3022 upon its first reading.
  - E. Approve Employment Agreement with City Manager Nathan A. Schneider and authorize the Mayor to sign.
  - F. Consider Ordinance No. 2021-3021 setting the salary and compensation of City Manager Nathan A. Schneider.
    1. Chairperson asks Clerk to read Ordinance No. 2020-3012 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. 2021-3021.
    4. Chairperson declaration after vote and passage, if approved under suspension of the rule.
  - G. Council Comments.
- Adjournment.

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

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**ITEM:**

- 2.A.** Public Hearing – consider the 2022 McCook Plan of Street Improvements.
- 2.B.** Adopt Resolution No. 2021-14 approving the 2022 McCook Plan of Street Improvements.
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**BACKGROUND**

Included with this Council Report are the following items:

1. McCook 2022 One Year Plan
2. McCook 2022 Long Range Street Plan
3. McCook 2022 Street Plan Map
4. McCook 2022 Street Plan Budget
5. McCook 2021 Completed Street Projects

Attached are documents outlining the One Year Plan, the Long Range Plan, a Map of the proposed Improvements, a Street Budget and a list of projects completed or contracted in the last fiscal year.

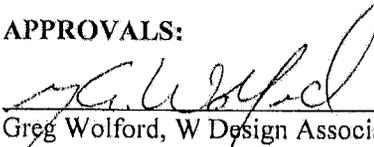
Last year two projects were completed. The first was the final payment for the three year Highway Concrete Repair Project. The projected final payment was significantly less than budgeted as noted. The second was the emergency repair of the storm sewer around Weiland Field. The final costs for that project are noted on Item 5 above.

There are three projects noted on the One Year Plan. The first is the North Highway 83 Drainage Repair Project. This project will repair some significant erosion which has been occurring on the east side of the Highway just north of the NPPD office. It will be paid for by federal stimulus funds. The second project is the reconstruction of North Cherokee, which has been on the plan for many years and is now the top project. The final project is milling and overlay on East 1<sup>st</sup>.

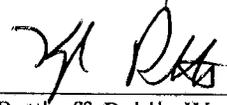
The Long Range Plan shows 26 separate projects, of which only 13 are budgeted for in the next 10 years. Two new projects were added this year to the plans. The first is the North Hwy 83 Drainage Repair mentioned above. The second is the overlay of W Old Hwy 6 to the Transfer Station.

**FISCAL IMPACT:** None.

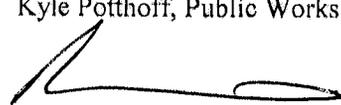
**APPROVALS:**

  
\_\_\_\_\_  
Greg Wolford, W Design Associates

Date: 31 Aug 21

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

Date: 9/1/21

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

Date: 9-1-21

**EXHIBIT #1**

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## **NOTICE OF PUBLIC HEARING**

Notice of a public hearing to be held in the City Council Chambers at the McCook Municipal Center, 505 West "C" Street, at 5:30 o'clock P.M., C.S.T., on the 7<sup>th</sup> day of September, 2021, is hereby given. The purpose of said hearing is for the presentation of the 2022 Plan of Street Improvements as Developed by the City Council in accordance with Nebraska Law.

-s- Lea Ann Doak  
City Clerk

Publish: August 31, 2021.

**EXHIBIT #2**

**PAGE - 1**

RESOLUTION NO. 2021-14

WHEREAS, in accordance with the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given by publication in the legal newspaper of McCook, Nebraska, of a Hearing on the 2022 Plan of Street Improvements of McCook to be held in the Council Chambers at the McCook Municipal Center on the 7<sup>th</sup> day of September, 2021, at 5:30 P.M. for the purpose of hearing comments and objections to said plan.

WHEREAS, upon said Hearing, the City Council finds that the Plans submitted are adequate for the purpose prescribed by law and that the same should be approved.

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of McCook, Nebraska that the 2022 Plan of Street Improvements for specific improvements are hereby approved and adopted.

PASSED AND APPROVED THIS 7<sup>th</sup> day of September, 2021.

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

ATTEST:

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

(SEAL)

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_ Vote: YEA \_\_\_\_\_ NAY \_\_\_\_\_

**EXHIBIT #3**

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# City of McCook

## One Year Street Plan

Period Including:

Oct., 2021 through Sept., 2022

PRIORITY No.	PROJECT No.	Location	Description	ESTIMATED COST <small>(Thousands)</small>	REMARKS
1	M-399(1)	North Highway 83	Drainage Repair	222	
2	M-399(5)	N. Cherokee Dr. - Seminole to Norris	Full Depth Asphalt Reconstruction	518	
3	M-399(38)	East 1st St. from B to H St.	Asphalt Overlay	227	
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PREPARED BY: Greg Wolford, P.E.				TITLE: Street Supt.	DATE: August 30, 2021

**EXHIBIT #4**

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# City of McCook

## Long Range Street Plan

Period Including:

Oct., 2021 to Sept., 2031

PRIORITY No.	PROJECT No.	Location	Description	Estimated Cost	Remarks
				(Thousands)	
1	M-399(1)	North Highway 83	Drainage Repair	222	Budgeted 2022
2	M-399(5)	N. Cherokee Dr. - Seminole to Norris	Full Depth Asphalt Reconstruction	518	Budgeted 2022
3	M-399(38)	East 1st St. from B to H St.	Asphalt Overlay	227	Budgeted 2022
4	M-399(10B)	West D & 8th from A to West 7th St.	Full Depth Asphalt Reconstruction	279	Budgeted 2023
5	M-399(49)	West C St. from West 7th to West 10th	Full Depth Asphalt Reconstruction	248	Budgeted 2023
6	M-399(44)	West 5th St. from J to Q St.	Full Depth Asphalt Reconstruction	468	Budgeted 2024
7	M-399(20)	Norris Ave. from F to O St.	Asphalt Overlay	422	Budgeted 2025
8	M-399(39)	West 1st St. from D to O St.	Full Depth Asphalt Reconstruction	965	Budgeted 2027
9	M-399(27)	West J St. Extension	Purchase ROW, Grade and Gravel	409	Budgeted 2028
10	M-399(17)	North Westridge Detention	New Stormwater Detention Pond	76	Budgeted 2029-31
11	M-399(19)	Country Club Drainage	Storm Sewer Upgrades	87	Budgeted 2029-31
12	M-399(43)	East 6th St. from B to C St.	Concrete Replacement	232	Budgeted 2029-31
13	M-399(23)	New Northern Connection	New Road from East 11th to West 3rd	2501	Budgeted 2030-32
14	M-399(46)	West 14th St. from O to Q St.*	New Concrete Street	265	
15	M-399(12)	W 3rd St. Prairie Ridge to Henton Rd.*	Replace Asphalt with New Concrete	399	
16	M-399(32)	East A St. from 4th to 6th St.	New Storm Sewer in Existing Ditch	187	
17	M-399(6)	Norris Ave. from F to O St.	Replace Exist. Concrete with New	1865	
18	M-399(42)	Norris Ave. from O to Park Ave.	Asphalt Reconstruction	366	
19	M-399(50)	West 9th St. from B to W 7th.	Full Depth Asphalt Reconstruction	345	
20	M-399(2)	West Q St. from 3rd to 5th. St.	Full Depth Asphalt Reconstruction	165	
21	M-399(3)	West 3rd St. from O to Q St.	Asphalt Overlay	54	
22	M-399(11)	N Hwy 83 from B to North City Limits	New Sidewalks and Handicap Ramps	605	
23	M-399(14)	W 2nd & Q Intersection	Replace Exist. Concrete with New	51	
24	M-399(8)	West 9th and S St. North of R St.*	North Point Subdivision	365	
25	M-399(18)	P St, West 1st & Marsh	Full Depth Asphalt Reconstruction	339	
26	M-399(4)	W Old Hwy 6	Asphalt Overlay	149	
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*Paving District Funded					
PREPARED BY: Greg Wolford, P.E.			TITLE: Street Supt.	DATE: August 30, 2021	

**EXHIBIT #5**

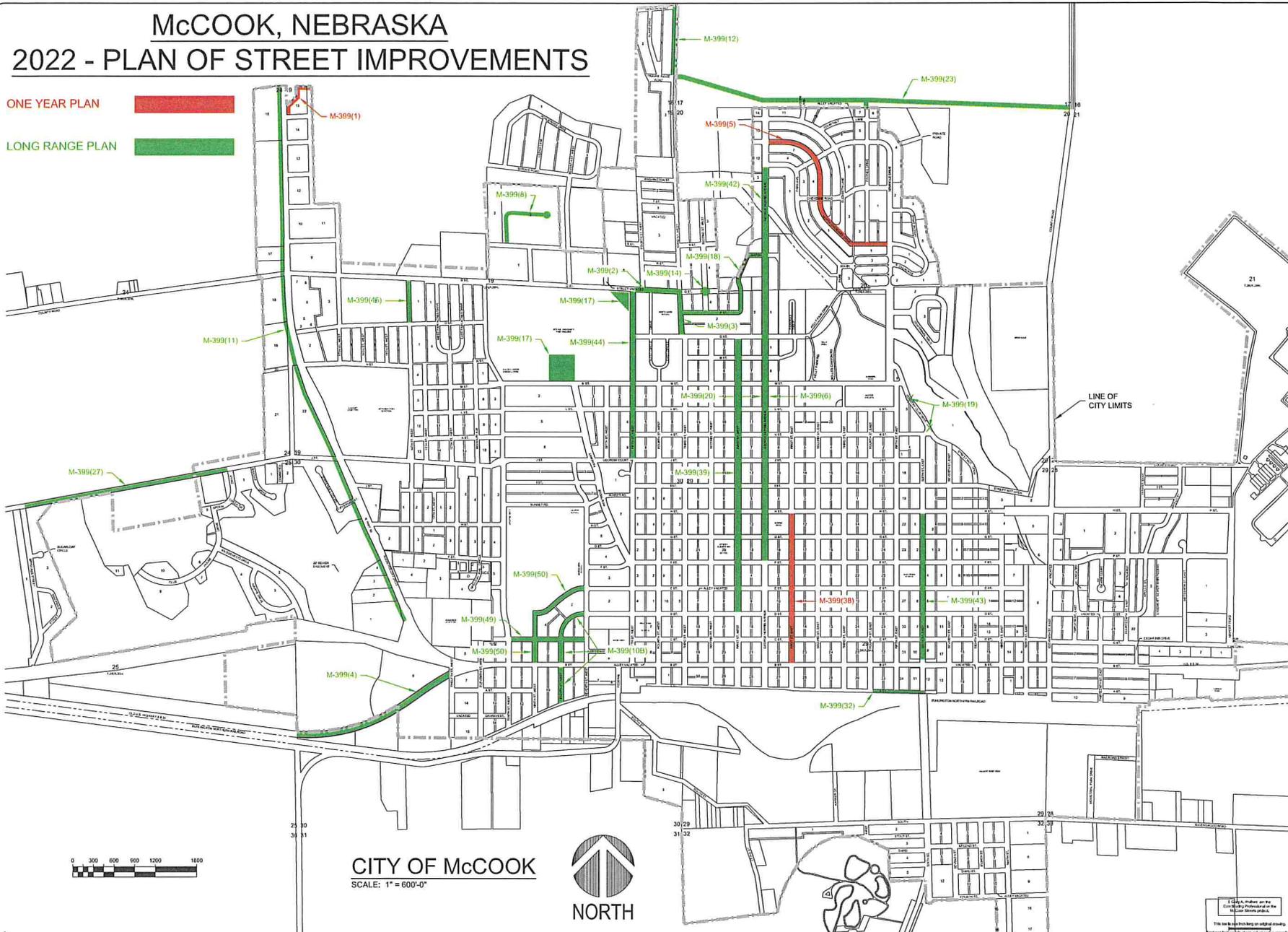
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# McCOOK, NEBRASKA 2022 - PLAN OF STREET IMPROVEMENTS

ONE YEAR PLAN



LONG RANGE PLAN



CITY OF McCOOK  
SCALE: 1" = 600'-0"



2022 STREETS ONE & SIX YEAR PLAN  
CITY OF McCOOK  
McCOOK, NEBRASKA

DESIGN ASSOCIATES  
1111 S. 17th Street, Suite 100  
McCook, NE 68801  
Tel: 402.883.1111  
Fax: 402.883.1112  
www.designassociates.com

PRELIMINARY  
NOT FOR CONSTRUCTION

DATE	BY	REVISIONS

DATE: AUGUST, 2022

EXHIBIT #6

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**City of McCook  
2022 One & Six Year Plan Budget**

Year	Proposed Projects	Actual Spent	Income State Buyout	Income Sales Tax	Income Add'l Gas Tax	Grant or Assessment Inc.	Available Funds From Current Yr.	Accumulated Funds
2021	\$ 181,000	\$ 304,000	\$ -	\$ -				\$ 675,000
1 2022	\$ 967,000		\$ 150,000	\$ 350,000		\$ 222,000	\$ 1,397,000	\$ 430,000
2 2023	\$ 527,000		\$ 137,000	\$ 250,000			\$ 817,000	\$ 290,000
3 2024	\$ 468,000		\$ 137,000	\$ 250,000			\$ 677,000	\$ 209,000
4 2025	\$ 422,000		\$ 137,000	\$ 250,000			\$ 596,000	\$ 174,000
5 2026			\$ 137,000	\$ 250,000			\$ 561,000	\$ 561,000
6 2027	\$ 965,000		\$ 137,000	\$ 250,000			\$ 948,000	\$ (17,000)
7 2028	\$ 409,000		\$ 137,000	\$ 250,000			\$ 370,000	\$ (39,000)
8 2029	\$ 395,000		\$ 137,000	\$ 250,000			\$ 348,000	\$ (47,000)
9 2030	\$ 250,000		\$ 137,000	\$ 250,000			\$ 340,000	\$ 90,000
10 2031	\$ 500,000		\$ 137,000	\$ 250,000			\$ 477,000	\$ (23,000)

Projects planned that year

- 1/3 Highway Repair
- N Cherokee, N Hwy 83 Drainage, E 1st St. Overlay
- West C and West D Streets
- West 5th St.
- Norris Ave. Overlay, F to O St.
- West 1st Street
- West J St. Extension
- Westridge North Detention, Country Club Drainage & East 6th Concrete
- ROW Purchase
- Grading on New Northern Connection

**EXHIBIT #7**

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# City of McCook

## Projects Completed or Contracted in the Last Fiscal Year

Period Including:

Oct., 2020 to Sept., 2021

PRIORITY No.	PROJECT No.	Location	Description	Estimated Cost	Contract Cost
				(Thousands)	(Thousands)
1	M-399(9)	1/3 Highway Concrete Repair	Concrete Repair on State Highways	181	78.5
2	N/A	Welland Field and L St.	Storm Sewer Repair		225.3*
3					
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5					
6		* City Contract Cost	\$ 190,956.25		
7		City Emergency Repair Cost	\$ 15,318.50		
8		McCook Public Schools Cost	\$ 19,074.45		
9		<b>Total Repair Cost</b>	<b>\$ 225,349.20</b>		
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		*Paving District Funded			
PREPARED BY: Greg Wolford, P.E.				TITLE: Street Supt.	DATE: August 30, 2021

**EXHIBIT #8**

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**CITY MANAGER'S REPORT  
AUGUST 16, 2021 CITY COUNCIL MEETING**

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**ITEM:**        **3.A.**

Approve the minutes of the August 16, 2021 regular City Council meeting, the August 30, 2021 Budget Hearing, and the August 30, 2021 special City Council meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

September 1, 2021

McCook City Council  
August 16, 2021  
5:30 P.M. Central

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Calvin, Weedin, Muëhlenkamp, Rambali.

Absent: City Attorney Mustion.

City Officials present: City Manager Schneider, City Clerk Doak, Library Director Crocker, Utilities Director Dutcher, Water Superintendent Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 12, 2021, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

**1. Announcements & Recognitions.**

City Manager Schneider reminded the Council that the second reading of the budget ordinance will be held at a special meeting on August 30, 2021 at 6:00 P.M.

**2. Public Hearings.**

- 2.A. Conduct a public hearing on the application of Ambriz Ventures, LLC; dba "Sehnert's Bakery & Bieroc Café", for Class "CK" License #124450 - (Beer, Wine Distilled Spirits, On and Off Sale & Catering) License under the Nebraska Liquor Control Commission, to be located at 312 Norris Avenue, McCook, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Ambriz Ventures, LLC; dba "Sehnert's Bakery & Bieroc Café", for Class "CK" License #124450 - (Beer, Wine Distilled Spirits, On and Off Sale & Catering) License under the Nebraska Liquor Control Commission, to be located at 312 Norris Avenue, McCook, Nebraska, with the City Manager to act as hearing officer. This motion, made by Calvin and

seconded by Gonzales, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

The City Manager offered and received into evidence Exhibit #1 - the City Manager's Report dated August 16, 2021 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Notice of Receipt from NLCC - Kim Frederic and email indicating the form was returned on August 2, 2021 (2 pages); Exhibit #4 - Application and all attachments (38 pages); Exhibit #5 - Police Department Report (7 pages); and Exhibit #6 - Recommendation to the Nebraska Liquor Control Commission (1 page).

Andrew Ambriz, applicant, was present to address questions from the Council.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

- 2.B. Recommend approval to the Nebraska Liquor Control Commission the application of Ambriz Ventures, LLC; dba "Sehnert's Bakery & Bieroc Café", for Class "CK" License #124450 - (Beer, Wine Distilled Spirits, On and Off Sale & Catering) License under the Nebraska Liquor Control Commission, to be located at 312 Norris Avenue, McCook, Nebraska.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Ambriz Ventures, LLC; dba "Sehnert's Bakery & Bieroc Café", for Class "CK" License #124450 - (Beer, Wine Distilled Spirits, On and Off Sale & Catering) License under the Nebraska Liquor Control Commission, to be located at 312 Norris Avenue, McCook, Nebraska. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

- 2.C. Public Hearing - Request for a special exception by Anita Bartels to locate a Vacation Rental in a Residential High Density (RH) District - property located at 408 East 1st Street.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception from Anita Bartels to locate a Vacation Rental in a Residential High Density (RH) District - property located at 408 East 1st Street, with the City Manager to act as hearing officer. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

The City Manager received into evidence Exhibit #1 - City Manager's Report prepared for the August 16, 2021 Planning Commission meeting (1 page), Exhibit #2 - Notice of Hearing

published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Application and attachments (6 pages); Exhibit #5 - Findings and Determinations of McCook City Council (2 pages); and Exhibit #6 - minutes of the August 9, 2021 Planning Commission meeting (3 pages).

City Manager Schneider reviewed the information contained in Exhibit #1 and noted that he had not received any public comment prior to the meeting and that the City did have a copy of the purchase agreement on file.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Muehlenkamp and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

2.D. Approve the special exception request from Anita Bartels to allow a Vacation Rental in a Residential High Density (RH) at property legally described as Lot Three (3), Block Ten (10), Original Town to the City of McCook, Red Willow County, Nebraska (a/k/a 408 East 1st Street); said special exception based upon special exception requirements A - I.

Motion to approve special exception request from Anita Bartels to allow a Vacation Rental in a Residential High Density (RH) at property legally described as Lot Three (3), Block Ten (10), Original Town to the City of McCook, Red Willow County, Nebraska (a/k/a 408 East 1st Street); said special exception based upon special exception requirements A - I. This motion, made by Weedin and seconded by Calvin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

2.E. Public Hearing - Consider Replat of Original Clary Subdivision and Replat No. 1, part of Block 2 and Block 3, said replat to be known as Clary Subdivision Replat No. 6.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment with respect to the proposed Replat of Original Clary Subdivision and Replat No. 1, part of Block 2 and Block 3, said replat to be known as Clary Subdivision Replat No. 6, with the City Manager to act as hearing officer. This motion, made by Weedin and seconded by Calvin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

The City Manager received into evidence Exhibit #1 - City Manager's Report prepared for the August 16, 2021 Planning Commission meeting (1 page), Exhibit #2 - Notice of Hearing published and posted (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (1 page); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); Exhibit #5 - proposed Final Plat Bishop Acres Fourth Subdivision; Exhibit #6 - minutes of the August 9, 2021 Planning Commission meeting (3 pages); and Exhibit #7 - proposed Resolution No. 2021-12.

City Manager Schneider reviewed the information contained in Exhibit #1.

Andy Long, McCook Economic Development Director, was present to address questions from the Council regarding their application.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Muehlenkamp and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

2.F. Adopt Resolution No. 2021-12 providing for approval of Replat of Original Clary Subdivision and Replat No. 1, Part of Block 2 and Block 3, said replat to be known as Clary Subdivision Replat No. 6.

Motion to adopt Resolution No. 2021-12 providing for the approval of the Replat of Original Clary Subdivision and Replat No. 1, Part of Block 2 and Block 3, said replat to be known as Clary Subdivision Replat No. 6. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

### **3. Consent Agenda.**

Councilmember Calvin requested that Item J be removed from the Consent Agenda and placed on the Regular Agenda.

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

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

3.A. Approve the minutes of the August 2, 2021 regular City Council meeting, the August 9, 2021 special City Council meeting, and the August 11, 2021 Community meeting.

3.B. Adopt Resolution No. 2020-13 amending the rates for the ambulance service operated by the City of McCook, Nebraska.

3.C. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a Celebration of Life to be held in the Keystone Outdoor Space, 406 Norris Avenue, on September 25, 2021 from 3:00 P.M. to 12:00 A.M., with an alternate location of the Keystone Business Center, 402 Norris Avenue.

3.D. Receive and file the claims for the months of July 2021, published August 6, 2021.

3.E. Approve the Land Lease between the City of McCook, Red Willow County, and the Red Willow County Fair Board for a portion of the County Fairgrounds, also known as the Jaycees Ball Complex, and authorize the Mayor to sign.

- 3.F. Approve Supplemental Agreement 001 between the State of Nebraska, Department of Transportation (Department), and the City of McCook (Contractor) to increase federal funds to \$227,743 and reduce state funds to \$17,457 funding for the contract year between July 1, 2019 and ending June 30, 2021 and authorize the Mayor to sign said agreement.
- 3.G. Approve a request from McCook Community Hospital to close Industrial Park Drive from 5:15 P.M. to 7:30 P.M. on September 15, 2021, to conduct a community-wide full scale exercise.
- 3.H. Receive and file Topic for consideration for City Council Agenda received on August 3, 2021.
- 3.I. Receive and file the minutes of the August 9, 2021 Planning Commission meeting.

**4. Regular Agenda.**

- 3.J. Recommend approval to the Nebraska Liquor Control Commission the Application for Manager submitted by McCook Lodging LLC, dba "Holiday Inn Express McCook, 711 N Highway 83, which holds License #C-122854, the applicant being Kirti K. Trivedi.

Councilmember Calvin questioned how often Mr. Trivedi would be on-site.

Motion to recommend approval to the Nebraska Liquor Control Commission the Application for Manager submitted by McCook Lodging LLC, dba "Holiday Inn Express McCook, 711 N Highway 83, which holds License #C-122854, the applicant being Kirti K. Trivedi. This motion, made by Calvin and seconded by Gonzales, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

- 4.A. Consider on its second reading, Ordinance No. 2021-3018, updating McCook's Code of Ordinances to include a new section to Chapter 71, said Chapter and Section to be known as Chapter 71: Traffic Rules; Section 71/30: Engine Braking.

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3018 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 71 - TRAFFIC RULES, OF THE CITY OF MCCOOK CODE OF ORDINANCES; ADDING SUBSECTION - MOTOR VEHICLES; SECTION 71.30 - ENGINE BRAKES; DEFINITIONS, PROHIBITED, AFFIRMATIVE DEFENSE, AND PENALTY; PROVIDING FOR THE REPEAL OF ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2021-3018 has been read by title and I move to approve upon its second reading. This

motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

4.B. Ordinance No. 2021-3019 providing for the adoption of the budget for FY 2021/2022.

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3019 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. 2021-3019 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

Police Chief Smith and Fire Chief Harpham gave an update on the estimated cost of a new radio console for police dispatch and the necessary vehicle and mobile radios. The estimated cost is \$733,100, which includes a Nebraska State Discount and a System Discount for signing a contract by September 17. Post Warranty Services fees for years 2 - 7 total \$132,224. All equipment would be State Radio System compatible.

Councilmember Calvin requested that staff present options for funding of two additional police officers, should the city not be awarded the COPS grant.

4.C. Ordinance No. 2021-3020 providing for the adoption of the FY 2021/2022 Fiscal Year Employee Classification Pay Plan.

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3020 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2021/2022 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. 2021-3020 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

4.D. Council Comments.

Council comments included thanking the McCook Christian Church for hosting the recent pool needs community meeting, it was well attended; encouraged all to complete the pool survey; and thanking the Police and Fire for all that they did during and after the recent severe lightning storm.

4.E. Annual evaluation of the job performance of City Manager Nathan A. Schneider; as allowed by state law, upon a majority vote, the Council may go into Closed Session for consideration of this item.

Motion to go into executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 6:34 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: 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 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 7:14 P.M. This motion, made by Weedon and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

**Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:15 P.M.

---

Michael D. Gonzales, Mayor

ATTEST:

---

Lea Ann Doak, City Clerk-Treasurer

McCook City Council  
August 30, 2021  
6:00 P.M. Central  
Budget Hearing

THE BUDGET HEARING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA was held the 30<sup>th</sup> day of August, 2021, at 6:00 P.M. in the City Council Chambers. Notice of the budget hearing was published in McCook Gazette on the 26<sup>th</sup> day of August, 2021.

Present: Mayor Gonzales, Councilmembers Calvin (arrived 6:20 P.M.), Weedin, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Utilities Director Dutcher, Water Superintendent Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Others present: Lorri Sughroue, McCook Gazette report; no members of the public were present.

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.

## **1. Public Hearings.**

### **1.A. Public Hearing - FY 2021/2022 Annual Budget.**

At 6:03 P.M., motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed FY 2021/2022 Annual Budget with the City Attorney to act as hearing officer. This motion, made by Gonzales and seconded by Muehlenkamp, passed. Gonzales: YEA, Calvin: ABSENT, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated August 30, 2021 meeting (1 page); Exhibit #2 - Notice of Hearing published (1 page); and Exhibit #3 - Transmittal Letter dated August 30, 2021 (5 pages). Three copies of the proposed budget statement were available to the public.

City Manager Schneider read the Budget Transmittal Letter, outlining the key provisions of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget.

The floor was then opened for public comment on the proposed budget statement. No members of the public were present to comment.

The Council discussed various items from the Transmittal letter, including review of new personnel positions, job classification/title changes, needed capital items, possibility of constructing a splash pad, and the future of the AARF truck that is becoming hard to find repairs for.

With no one present to comment, motion to close the budget hearing. This motion, made by Gonzales and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0, ABSENT: 0

The budget hearing was closed at 7:20 P.M.

**Adjournment.**

There being no further business, motion to adjourn the budget hearing. This motion, made by Gonzales and seconded by Weedon, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0, ABSENT: 0

---

Michael D. Gonzales, Mayor

ATTEST:

---

Lea Ann Doak, City Clerk-Treasurer

McCook City Council  
August 30, 2021  
Special Meeting

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, special, and public session at 7:20 o'clock P.M. in the City Council Chambers. The Budget Hearing was held previously on the 30<sup>th</sup> day of August, 2021, at 6:00 o'clock P.M.

Present: Mayor Gonzales, Councilmembers Calvin, Weedon, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Utilities Director Dutcher, Water Superintendent Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 26, 2021, 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, called the meeting to order.

**1. Announcements & Recognitions.**

There were no announcements or recognitions.

**2. Public Hearings.**

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

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on setting the final tax request at a different amount than the prior year, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Weedon, passed. Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated August 30, 2021 (1 page) and Exhibit #2 - Notice of Hearing published (1 page).

City Manager Schneider reviewed the information contained in the notice of special hearing.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Weedon and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

**3. Regular Agenda.**

**3.A. Ordinance No. 2021-3019 providing for the adoption of the budget for FY 2021/2022.**

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3019 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. 2021-3019 has been read by title and I move to approve upon its second reading. This motion, made by Calvin and seconded by Gonzales.

Discussion included the need for the AARF vehicle at the airport, could it be put off for a year; were tasers still a need for the police department; did the Council want to move forward with the two additional patrol officer positions if the City did not receive the COPS grant; if so, was a \$.03 levy increase necessary to fund the positions; and the possibility of working into the \$.03 addition, a \$.01 per year, over the next three years.

Motion to amend the presented budget by putting off the purchase of the AARF vehicle for one year; that the \$100,000 in sales tax capital projects be designated as uncommitted; and that the levy be increased by \$.01. This motion, made by Gonzales and seconded by Calvin, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

**3.B. Ordinance No. 2021-3020 providing for the adoption of the FY 2021/2022 Fiscal Year Employee Classification Pay Plan.**

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3020 by title:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2021/2022 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. 2021-3020 has been read by title and I move to approve upon its second reading. This

motion, made by Weedon and seconded by Rambali, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

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

Motion to approve an increase of the Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority. This motion, made by Calvin and seconded by Gonzales, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0

3.D. Council Comments.

Council comments included thanking the Public Works Department for all that they did to have Kelley Park in excellent condition for the Prairie Roots Festival held this past weekend; thanking all who put on the Festival, it was a success; encouraging all to complete the pool needs survey; and thanking staff for all that they do in putting the budget together.

City Attorney Mustion stated that he would have documents for presentation at the September 20 meeting for creation of a land bank.

### **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:09 P.M.

---

Michael D. Gonzales, Mayor

ATTEST:

---

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**            3.B.

**RECOMMENDATION:**

Approve Resolution No. 2021-15 authorizing the Mayor to sign the 2021 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.

---

**BACKGROUND:**

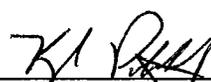
The City of McCook is required to certify annually that we are in program compliance to the Board of Public Roads Classifications and Standards. These requirements are as follows:

- we have developed, adopted and included in its public records the plans, programs, and standards which are required;
- we meet the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- we expend all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- we use a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- we use a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- we use an accounting system including an inventory of machinery, equipment, and supplies;
- we use an accounting system that tracks equipment operation costs;
- we have included in our public records the information required under subsection(2) of section 39-2520;
- we will attach to the certification, a copy of the resolution of the governing body authorizing the signing of this certification by the Mayor.

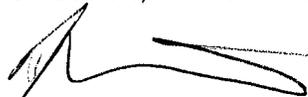
**FISCAL**

**IMPACT:**        None.

**APPROVALS:**

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

September 1, 2021

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

September 1, 2021

**RESOLUTION NO. 2021-15**

**SIGNING OF THE**

**MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
2021**

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**Be it resolved** that the Mayor of the City of McCook is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this 7<sup>th</sup> day of September, 2021 at McCook, Nebraska.

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

ATTEST:

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

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to return both pages of the original document by the filing deadline (October 31) may result in the suspension of Highway Allocation funds until the documents are filed.

**RESOLUTION**

**SIGNING OF THE  
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
2021**

Resolution No. 2021-15

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

**Be it resolved** that the Mayor  Village Board Chairperson  of the City of McCook is hereby authorized to sign the Municipal Annual Certification of Program Compliance.  
(Check one box) (Print name of municipality)

Adopted this 7th day of September, 2021 at McCook, Nebraska.  
(Month)

City Council/Village Board Members

<u>Mayor Gonzales</u>	_____
<u>Councilmember Calvin</u>	_____
<u>Councilmember Weedin</u>	_____
<u>Councilmember Muehlenkamp</u>	_____
<u>Councilmember Rambali</u>	_____

City Council/Village Board Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Abstained \_\_\_\_ Absent  
Resolution adopted, signed and billed as adopted.

Attest:

\_\_\_\_\_  
Lea Ann ~~Shank~~ ~~of City~~ Clerk

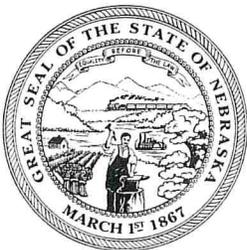
**Do not recreate or revise the pages of this document**, as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31) may result in the suspension of Highway Allocation funds until the documents are filed.

**MUNICIPAL  
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
TO  
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS  
AND STANDARDS  
2021**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the City  Village  of McCook  
*(Check one box) (Print name of municipality)*

hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**



\_\_\_\_\_  
*Signature of Mayor  Village Board Chairperson  (Required) (Date)*

\_\_\_\_\_  
*Signature of City Street Superintendent (Optional) (Date)*

**Return the completed original signing resolution and annual certification of program compliance by October 31, 2021 to:**

Nebraska Board of Public Roads Classifications and Standards  
PO Box 94759  
Lincoln NE 68509

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**            **3.C.**

Approve a Memorandum of Understanding with the McCook Area Chamber of Commerce whereby ACE funds will be appropriated for promotional activities that benefit the City of McCook.

---

**BACKGROUND:**

During their quarterly update at the July 19, 2021 meeting, the Chamber requested that the City consider allocating \$6,000 of ACE funds to the Chamber of Commerce for event promotion purposes during Fiscal Year 21/22. In particular, the funds would be used for Heritage Days, Crazy Days, Christmas promotion, and relocation packets. The City of McCook receives a benefit from these activities. A similar request was made by the Chamber last year in the amount of \$6,000.

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

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

August 31, 2021

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

August 31, 2021

**MEMORANDUM OF UNDERSTANDING BETWEEN  
MCCOOK AREA CHAMBER OF COMMERCE AND THE CITY OF MCCOOK**

THIS MEMORANDUM OF UNDERSTANDING, made and entered into on this 7<sup>th</sup> day of September, 2021, by and between the City of McCook, Nebraska, a municipal corporation, hereinafter referred to as "City", and the McCook Area Chamber of Commerce, a Nebraska non-profit corporation, hereinafter referred to as "Chamber".

WHEREAS, the Chamber is committed to helping build and sustain a strong viable business community with the City.

WHEREAS, the City desires to contribute to the efforts of the Chamber in building and sustaining a strong viable business community within the City.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE CITY AND CHAMBER AS FOLLOWS:

1. The City has allocated Six Thousand Dollars (\$6,000.00) for the Chamber in its fiscal year 2021/2022 budget.
2. The funds allocated to the Chamber will be specifically derived from ACE Fund Program dollars.
3. The Chamber agrees to spend the \$6,000.00 allocated to it from the City on promoting the following community growth events and projects:
  - 3.1. Crazy Days;
  - 3.2. Heritage Days;
  - 3.3. Promote local Christmas shopping;
  - 3.4. Develop, and review on a continuing basis, community relocation packets.
4. The City will hold the proceeds for disbursement to the Chamber upon the Chamber presenting invoices (or other sufficient documentation) of expenses related to the above described community growth events and projects.
5. The Chamber agrees that no funds allocated to it from the City will be deposited into the Chamber's general fund for any other purpose but those purposes described in this Memorandum of Understanding.
6. It is expressly understood that this Memorandum of Understanding does not commit the City to allocating future funds to the Chamber. Whether funds are allocated in the future and/or how much is allocated in the future will be a decision that is made by the City on a year by year basis.

Attest:

CITY OF MCCOOK, NEBRASKA,  
A Municipal Corporation

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Attest:

MCCOOK AREA CHAMBER OF COMMERCE  
A Nebraska non-profit corporation

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
President

CITY MANAGERS REPORT

September 7, 2021, CITY COUNCIL MEETING

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ITEM: 3.D.

RECOMMENDATION:

APPOINT COUNCILMAN JARED MUEHLENKAMP TO REPRESENT THE CITY OF MCCOOK ON THE ENHANCED EMERGENCY 911 TECHNICAL COMMITTEE.

---

BACKGROUND:

The interlocal agreement between the City of McCook and Red Willow County stipulates that the Enhanced Emergency 911 Technical Committee shall consist of two representatives each from the City of McCook and Red Willow County, and one representative from any subsequent body joining the Interlocal Agreement.

The City of McCook has previously appointed two members of the McCook City Council to serve on the Enhanced Emergency 911 Technical Committee. The last appointment of McCook City Council Members included Councilman Jerry Calvin and Councilman Bruce McDowell. As Councilman McDowell is no longer serving on the McCook City Council, a replacement for his position on the Enhanced Emergency 911 Technical Committee will need to be appointed.

FISCAL IMPACT:

NONE

APPROVALS:



JOEL SMITH CHIEF OF POLICE

8/31/21

DATE



NATHAN A. SCHNEIDER CITY MANAGER

8-31-21

DATE

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:        3.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 reception to be held at the Red Willow County Fairgrounds Alice Building, 1412 West 5<sup>th</sup> Street, on September 30, 2021 from 12:00 P.M. to 1:00 A.M.

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**BACKGROUND:**

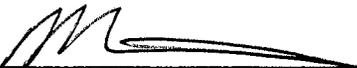
JBN will be catering this event. They are making application to allow them to serve alcohol at this temporary location. Approval of the City Council is required with all applications.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

August 31, 2021

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

August 31, 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

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

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

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

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

**DK 100025**

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

**Consecutive Dates only**

**Event Date(s):** 9-30-21 \_\_\_\_\_

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

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

**Alternate Date:** NONE

**Alternate Location Building & Address:** NONE

**Event Building Name:** RED WILLOW COUNTY AWICE BUILDING FAIRGROUNDS

**Event Street Address/City:** 1412 WEST 5TH STREET

**Indoor area to be licensed in length & width:** 300 X 200

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

**Type of Event:** RECEPTION Estimate # of attendees: 350

**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:** Nick Nothnagel **Printed Name** NICK NOTHNAGEL

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

**\*Retail licensee – Must be signed by a member listed on permanent license**  
**\*Non-Profit Organization – Must be signed by a Corporate Officer**

**Local Governing Body completes below:**

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

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

# OUTDOOR AREA DIAGRAM

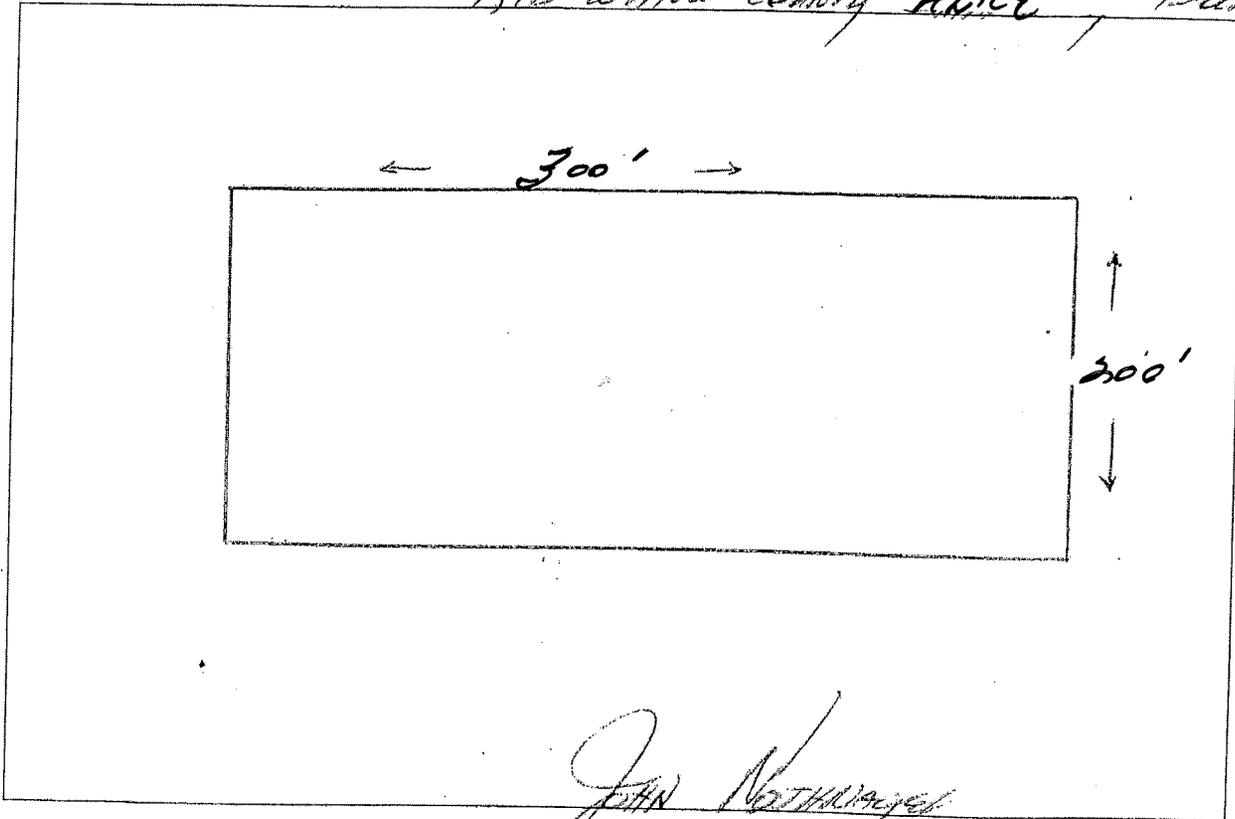
WE WILL HAVE CERTIFIED ALCOHOL  
SERVERS AT EVENT ALONG WITH

HOW AREA WILL BE PATROLLED SOME ONE WATCH 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:

*Red Willow County Office, Fairgrounds Building*



*John N. [unclear]*  
*JBN INC DBA Hi Times Liquor Mart*



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/10/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b>		<b>CONTACT NAME:</b> Denise Broomfield	
MNB Insurance Services		<b>PHONE (A/C, No, Ext):</b> (308) 345-6055	<b>FAX (A/C, No):</b> (308) 345-2663
217 West 1st		<b>E-MAIL ADDRESS:</b> DBroomfield@mnb.bank	
PO Box 30		<b>INSURER(S) AFFORDING COVERAGE</b>	
McCook		INSURER A: United States Liability Insurance Co.	
NE 69001-0030		INSURER B:	
<b>INSURED</b>		INSURER C:	
JBN/Hi-Times Liquor Mart		INSURER D:	
801 East B St		INSURER E:	
McCook		INSURER F:	
NE 69001		NAIC #	

**COVERAGES**      **CERTIFICATE NUMBER:** CL2061004998      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>			CL3289559	06/20/2020	06/20/2021	EACH OCCURRENCE \$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 500,000
							GENERAL AGGREGATE \$ 1,000,000
							PRODUCTS - COMP/OP AGG \$ 1,000,000
							\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
							\$
	<b>UMBRELLA LIAB</b>						EACH OCCURRENCE \$
	<b>EXCESS LIAB</b>						AGGREGATE \$
	<input type="checkbox"/> OCCUR						\$
	<input type="checkbox"/> CLAIMS-MADE						\$
	DED	RETENTION \$					\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
Red Willow County Community Building 1412 West 5th  McCook NE 69001	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  <i>Denise Broomfield</i>

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:            3.F.**

Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for the Farrell's Sip 'n Shop to be held at Farrell's Hallmark Shop, 116 West "B" Street, on October 22, 2021 from 1:00 P.M. to 9:00 P.M.

---

**BACKGROUND:**

They 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 31, 2021

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

August 31, 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

Citta' Deli, LLC

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

110 W 1st Street, McCook NE 69001

Retail Liquor License Address or Non-Profit Business Address

121305

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only 10-22-21  
Event Date(s):

Event Start Time(s): 1pm

Event End Time(s): 9pm

Alternate Date: n/a

Alternate Location Building & Address:

Event Building Name: Farrell's Hallmark Shop

Event Street Address/City: 116 W B St, McCook, NE 69001

Indoor area to be licensed in length & width: 30' x 40'

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

Type of Event: Farrell's Sip 'n Shop Estimate # of attendees: 50

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: Bill Lesko Event Contact Phone Number: 308-340-6530

Event Contact Email: billlesko1@gmail.com

\*Signature Authorized Representative:  Printed Name: William P Lesko

*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  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**        3.G.

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Chamber Mixer to be held at MNB Bank, 220 Norris Avenue, on September 22, 2021 from 8:00 A.M. to 11:00 P.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.

**APPROVALS:**

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

August 31, 2021

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

August 31, 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

**McCook Chamber of Commerce**

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

402 Norris Ave STE 320 McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

47-0233780

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

9/22/2021

Event Date(s):

Event Start Time(s):

8 am

Event End Time(s):

11 pm

Alternate Date:

Alternate Location Building & Address:

Event Building Name: **McCook National Bank - MNB Bank**

Event Street Address/City: **220 Norris Ave**

Indoor area to be licensed in length & width: 150 x 250

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

Type of Event: **Chamber Mixer** 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: **Brandi McConnell** Event Contact Phone Number: **308-345-3200**

Event Contact Email: **brandi@mccookchamber.org**

\*Signature Authorized Representative: Brandi McConnell Printed Name **Brandi McConnell**

*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:**

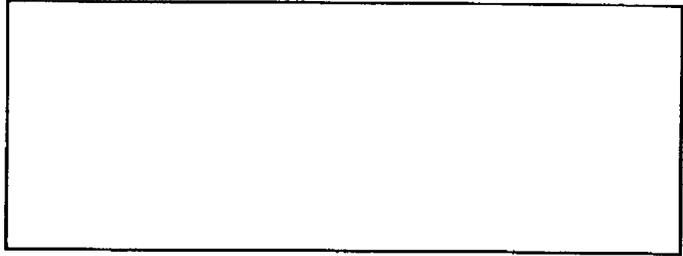
The local governing body for the City/Village of \_\_\_\_\_ **OR** County of \_\_\_\_\_ approves  
the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

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/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto: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**

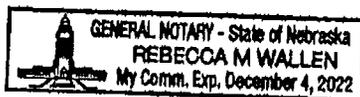
FEDERAL ID NUMBER

*Bradi McCornell*

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 19<sup>th</sup> DAY OF August, 2021.



*Rebecca M Wallen*  
NOTARY PUBLIC SIGNATURE & SEAL

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:        3.H.**

Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company LLC, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5<sup>th</sup> Street, on October 23, 2021 from 4:00 P.M. to 12:00 A.M.

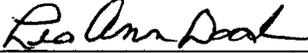
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**BACKGROUND:**

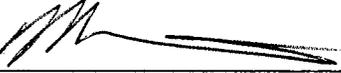
Loops will be catering this event. They are making application to allow them to serve alcohol at this temporary location. Approval of the City Council is required with all applications. Approval of this request is also approving consumption of alcohol in the auditorium.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

August 31, 2021

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

August 31, 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 Street McCook Ne 69001  
Retail Liquor License Address or Non-Profit Business Address

LK - 93351  
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only  
Event Date(s): October 23rd 2021

Event Start Time(s): 4pm

Event End Time(s): 12am

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

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: McCook City Auditorium

Event Street Address/City: 302 West 5th Street

Indoor area to be licensed in length & width: 150 X 80

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

Type of Event: Wedding Reception 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: Adam Sigford Event Contact Phone Number: 308-340-2400

Event Contact Email: lapperm@restaurantllc@yahoo.com

\*Signature Authorized Representative: [Signature] Printed Name Adam Sigford

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  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**        3.1.

Receive and file the Property Damage Incident Form from Rosanne Olson 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 Notice of Claim received from Ms. Olson.

**FISCAL  
IMPACT:**    None.

**APPROVALS:**

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

August 31, 2021

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

August 31, 2021



WITNESSES (include written statements if applicable)

NAME: ROSANNE O. OLSON	NAME: CHERYL BRIDGEMAN
ADDRESS: 1529 NORRIS AV.	ADDRESS: 1527 NORRIS AVE
CITY, STATE, ZIP: McCook, NE, 69001	CITY, STATE, ZIP: McCook, NE 69001
PHONE NUMBER: 308-345-1178	PHONE NUMBER: 308-737-6864

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

Rosanne O. Olson  
Signature of Reporting Individual

Aug. 24, 2021  
Date Submitted

**GILLEN'S CARPET & AIR DUCT CLEANING**  
**PO BOX 892**  
**MCCOOK, NE 69001**  
**308-345-2838**

<b>Bill To</b>
Rose Ann Olsen 1529 Norris McCook, NE 69001

<b>Date</b>	<b>Invoice #</b>
7/22/2021	6760

Quantity	Description	Rate	Amount
	Assessment; Scrape, Sweep, est. 1,000 sq ft dried mud from driveway and sidewalk from City Main Water Break	450.00	450.00

Thank You For Your Business!	<b>Total</b>	\$450.00
	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$450.00

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**            3.J.

Receive and file the Property Damage Incident Form from Cheryl E. Bridgmon and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

---

**BACKGROUND:**

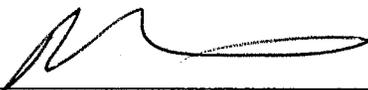
Attached to this report you will find the Notice of Claim received from Ms. Bridgmon.

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

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

August 31, 2021

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

August 31, 2021



## PROPERTY DAMAGE INCIDENT FORM

PHONE NO.: 308-345-2022, ext. 224 EMAIL: [burkey@cityofmccook.com](mailto:burkey@cityofmccook.com)

FAX (303)345-1461

More coming

### INCIDENT INFORMATION

LOCATION OF INCIDENT (1527) in the Street STREET: <u>Norris Avenue</u>	DATE OF INCIDENT <u>07-21-2021</u>	TIME OF INCIDENT <u>1 to 2 am</u>
CITY, STATE, ZIP: <u>McCook, NE 69001</u>	POLICE OR FIRE DEPARTMENT CONTACTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NAME OF REPORTING OFFICER: <u>I Called Department</u>	
COUNTRY: <u>U.S.A.</u>	POLICE REPORT NUMBER:	
DESCRIBE LOCATION OF INCIDENT: <u>Water gushing out of the street &amp; sidewalk <sup>under the</sup></u>		

### REPORTING INDIVIDUAL INFORMATION

NAME: <u>Cheryl E. Bridgman</u>	PHONE NUMBER: <u>308-737-6264</u>
STREET ADDRESS: <u>1527 NORRIS AVENUE</u>	CELL PHONE NUMBER: <u>same</u>
CITY, STATE, ZIP: <u>McCook, NE 69001</u>	DATE OF BIRTH: <u>05-12-1948</u>

### PROPERTY DAMAGE

DESCRIPTION OF PROPERTY DAMAGED:
<u>Roof washed away side of driveway. Carpet on basement</u>
<u>stairs ruined, water &amp; mud in basement area</u>
<u>horizontal - cut milled driveway - a hole</u>
<u>Remain walls - The cement at the end of the</u>
<u>driveway had to be crushed to stop water from</u>
<u>sidewalk - No humidity when the water</u>
ESTIMATE VALUE: <u>Electric bill will be higher - More to come</u>

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

<u>The main broke and water &amp; mud went everywhere in</u>
<u>my yard, basement garage &amp; washed down truck. My</u>
<u>basement walls had to be cut to remove water damage</u>
<u>A loader had to remove mud from driveway. Gillen's carpet</u>
<u>had to spend hours removing mud &amp; water - Rain &amp;</u>
<u>humidity for almost a week &amp; a half. Electric</u>
<u>bill is extreme now - More bills w/complex</u>

**GILLEN'S CARPET & AIR DUCT CLEANING**  
**PO BOX 892**  
**MCCKOOK, NE 69001**  
**308-345-2838**

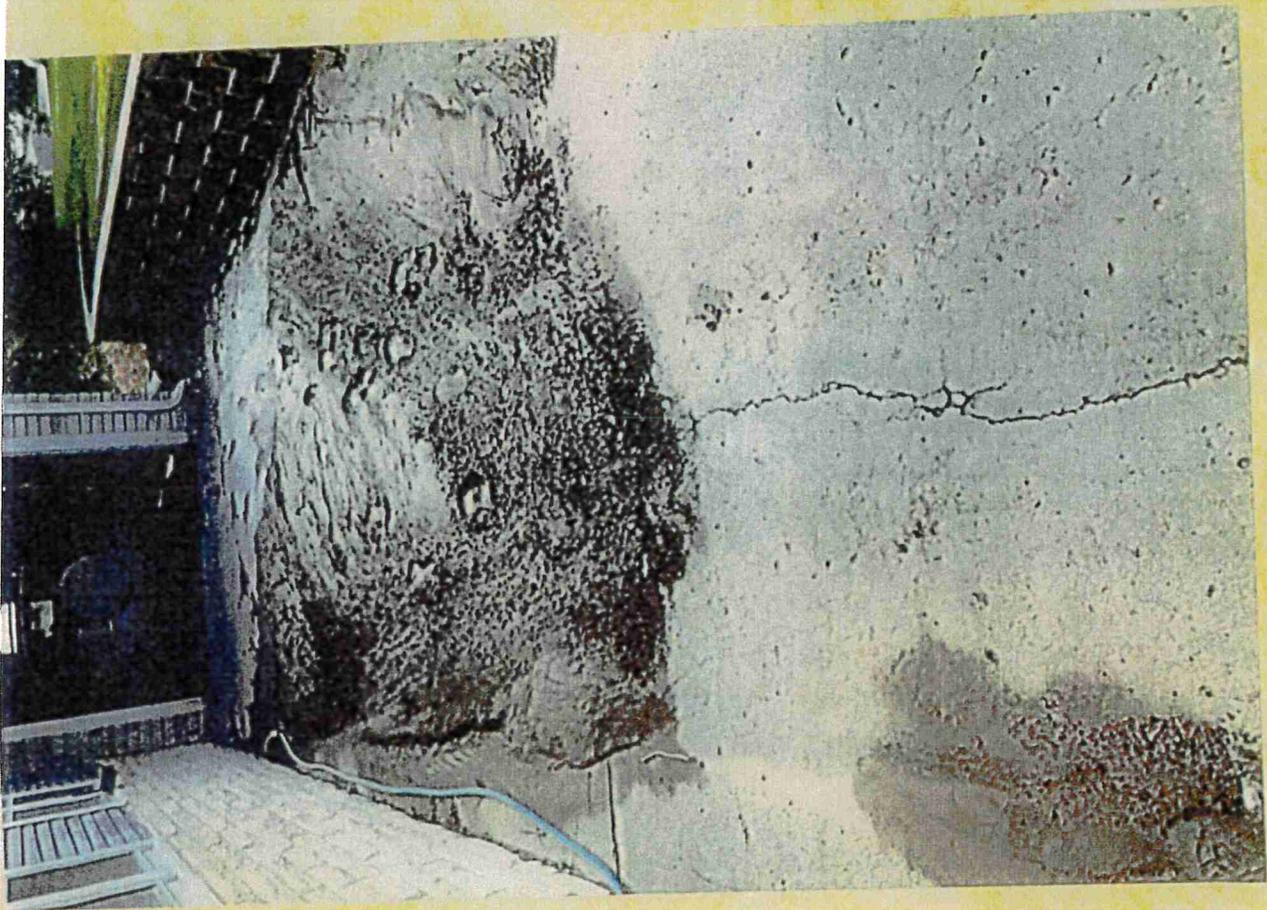
Bill To
Cheryl Bridgeman 1527 Norris McCook, NE 69001

Date	Invoice #
7/30/2021	6736

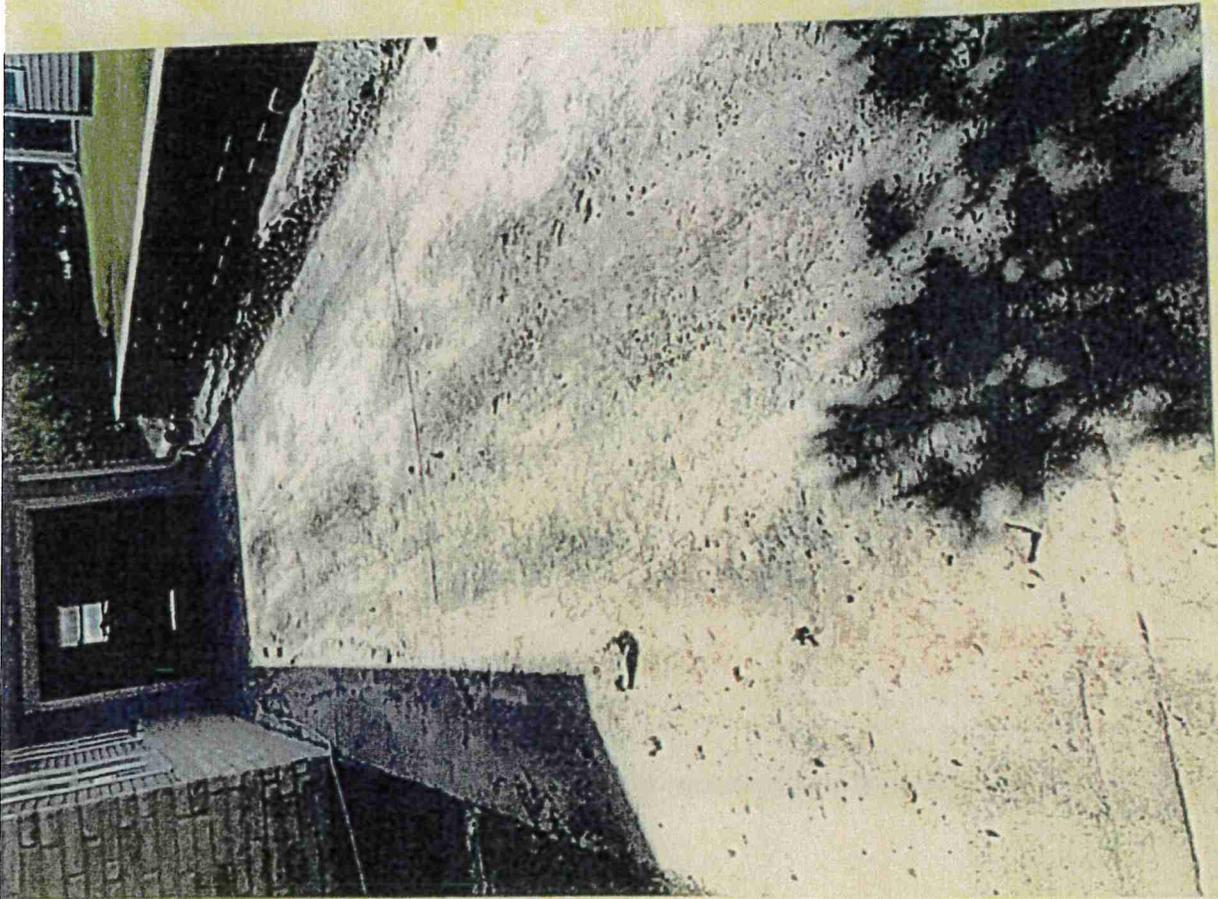
Quantity	Description	Rate	Amount
	Emergency Service Call/Assessment	50.00	50.00
	Scrap Bucket Removal Mud In 1 Room In Basement	240.00	240.00
	Floor Treated & Cleaned	140.00	140.00
7	1 Dehumidifier 7 Days	100.00	700.00
	Equipment Clean Up Fee	150.00	150.00
	Removal Of Mud, Scrape & Sweep From Driveway & Garage 0-6" Thick Est sq ft 955	510.00	510.00
	4 Ft Flood Cut Drywall Est 21 liner ft basement	170.00	170.00
	Dump Fee; Rental Of Dump Trailer & Tractor Loader	205.85	205.85
	Sales Tax	49.00	49.00

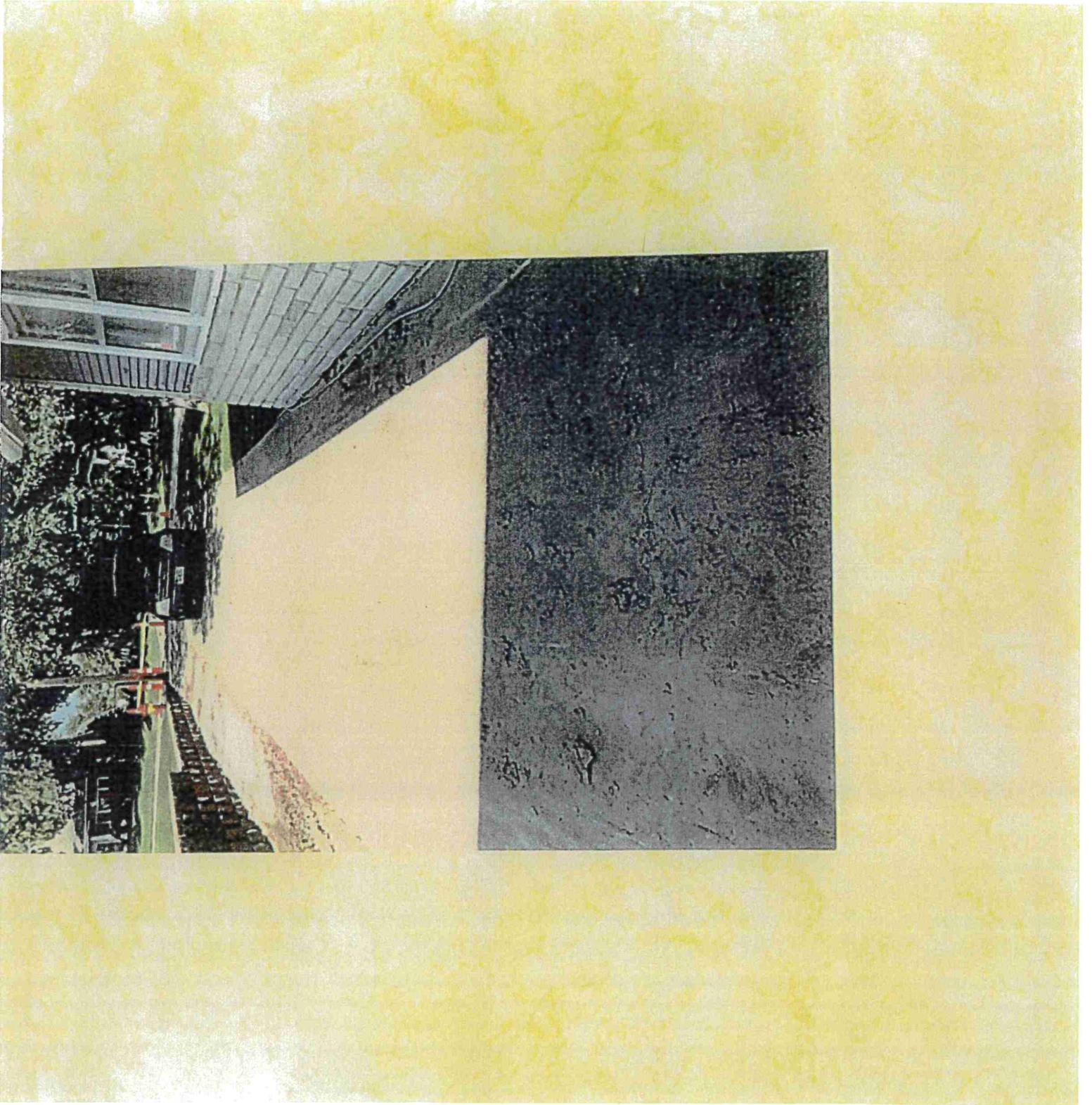
Thank You For Your Business!

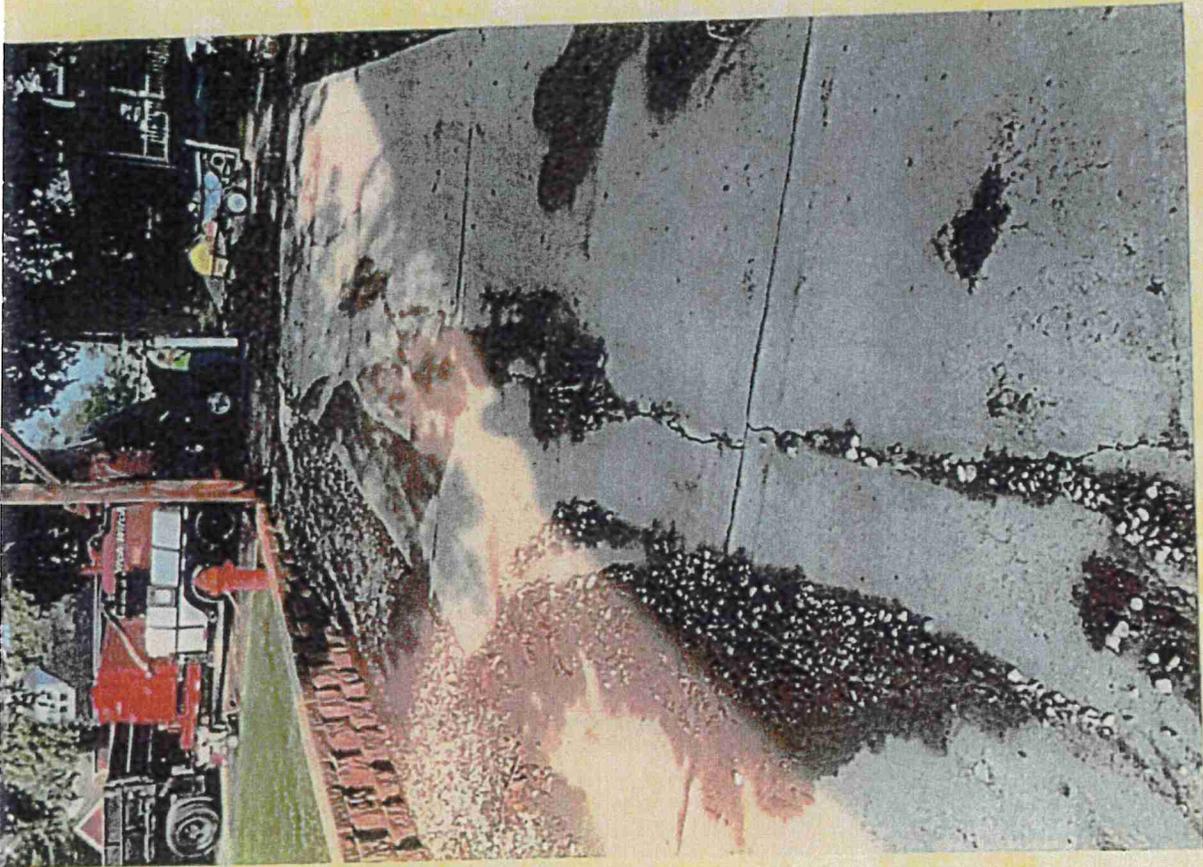
<b>Total</b>	<b>52,214.85</b>
<b>Payments/Credits</b>	<b>50.00</b>
<b>Balance Due</b>	<b>52,214.85</b>

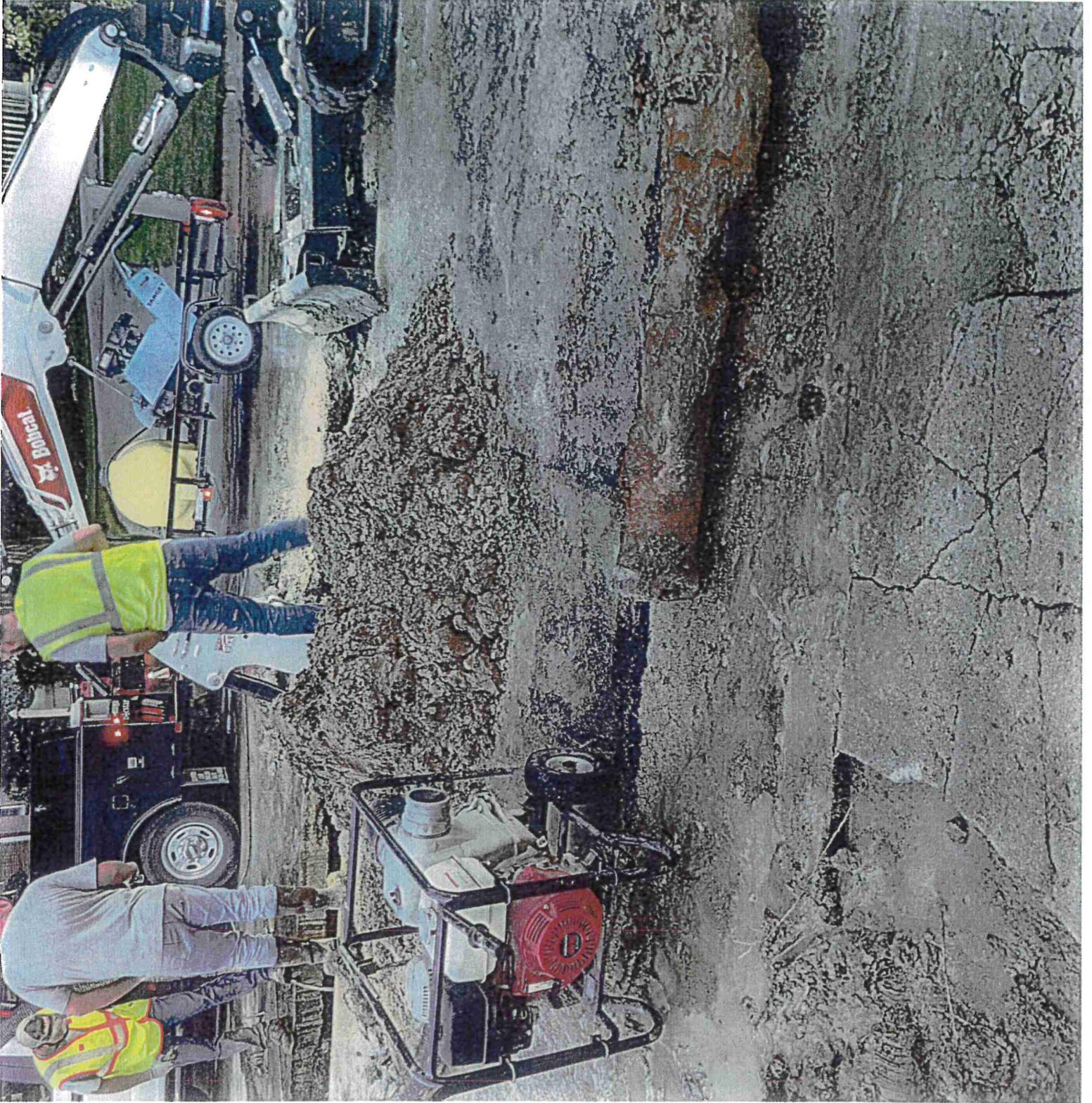




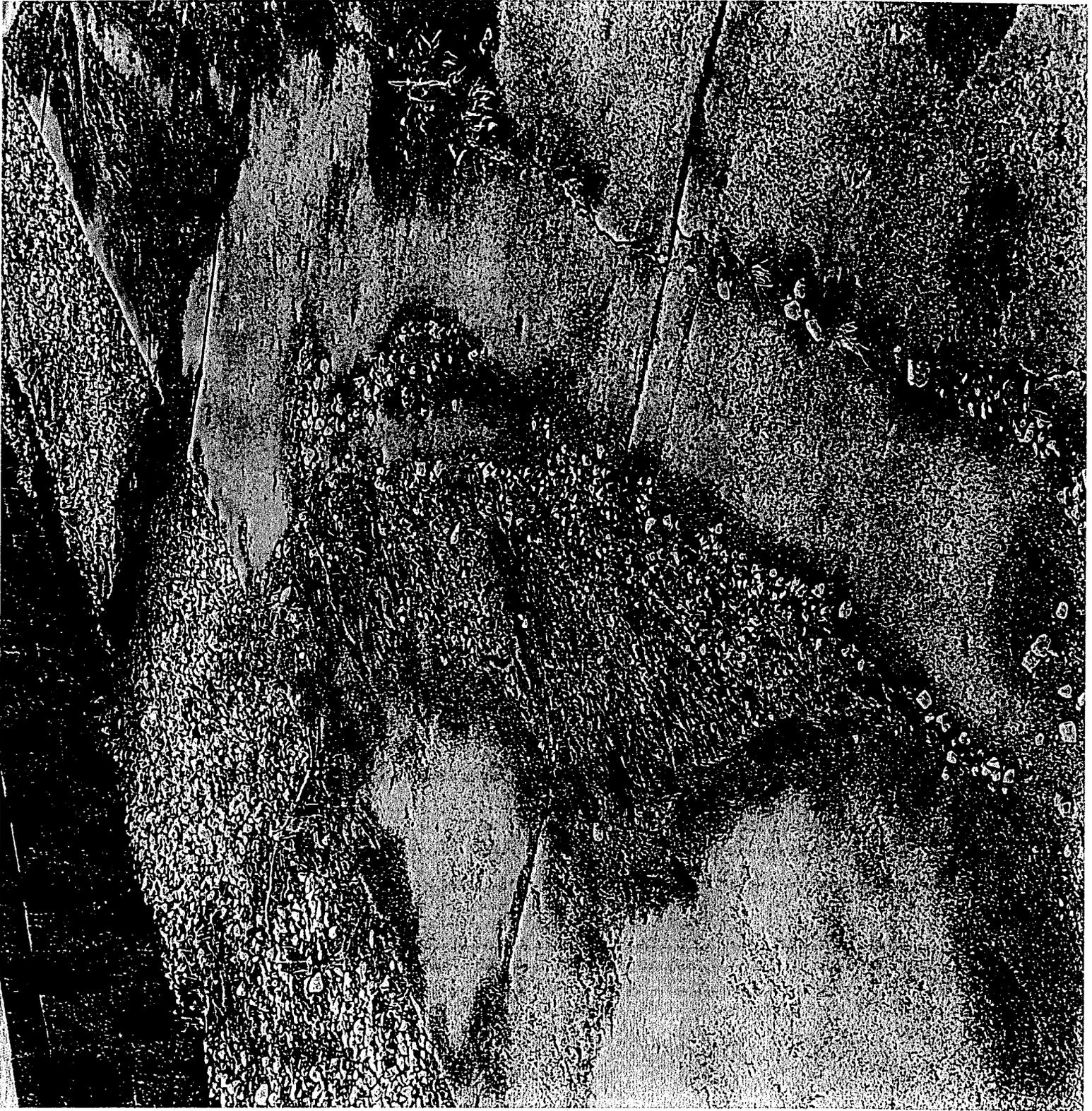


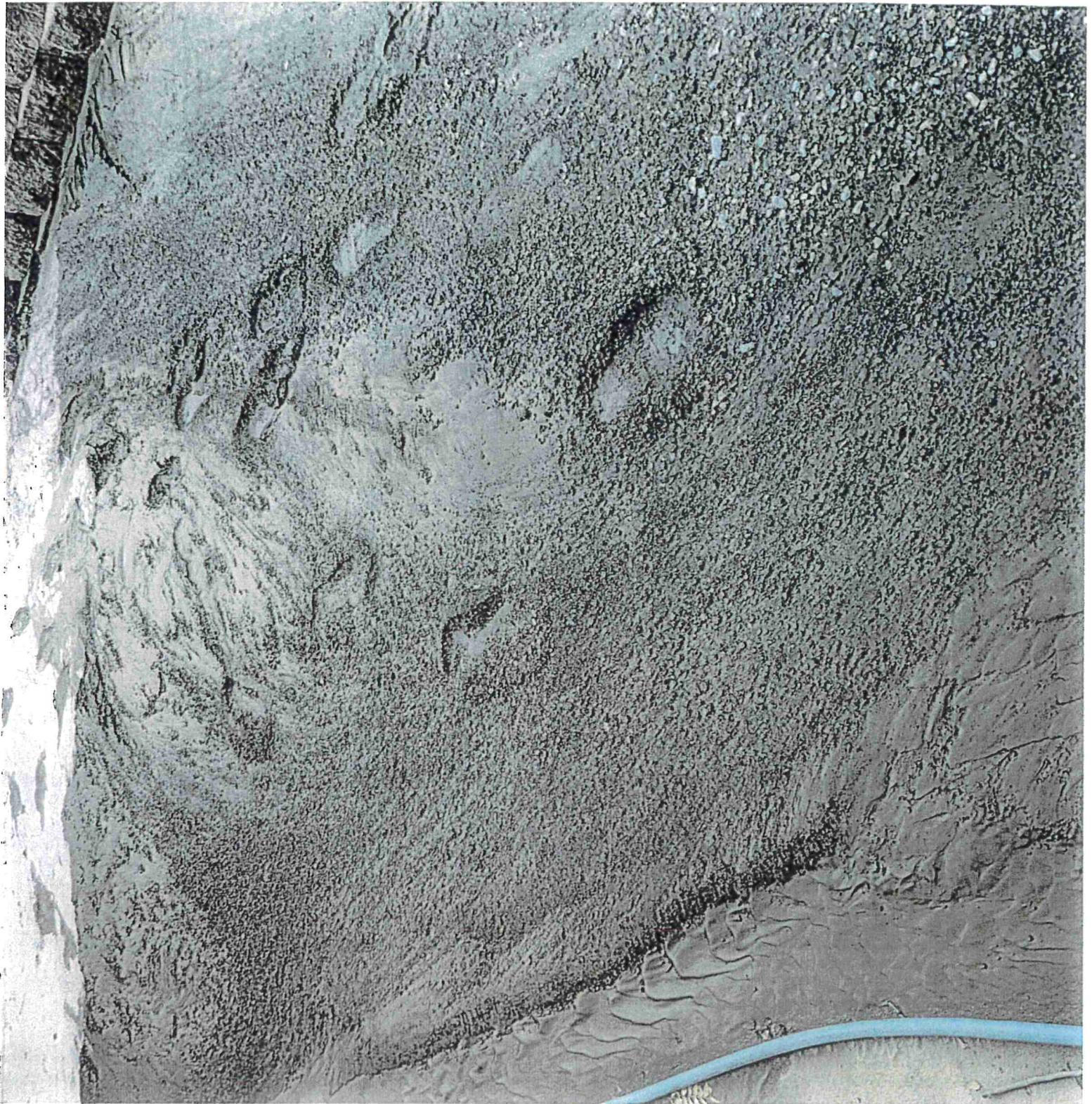














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33

INSTRUCTIONS FOR USE



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USE DURECK



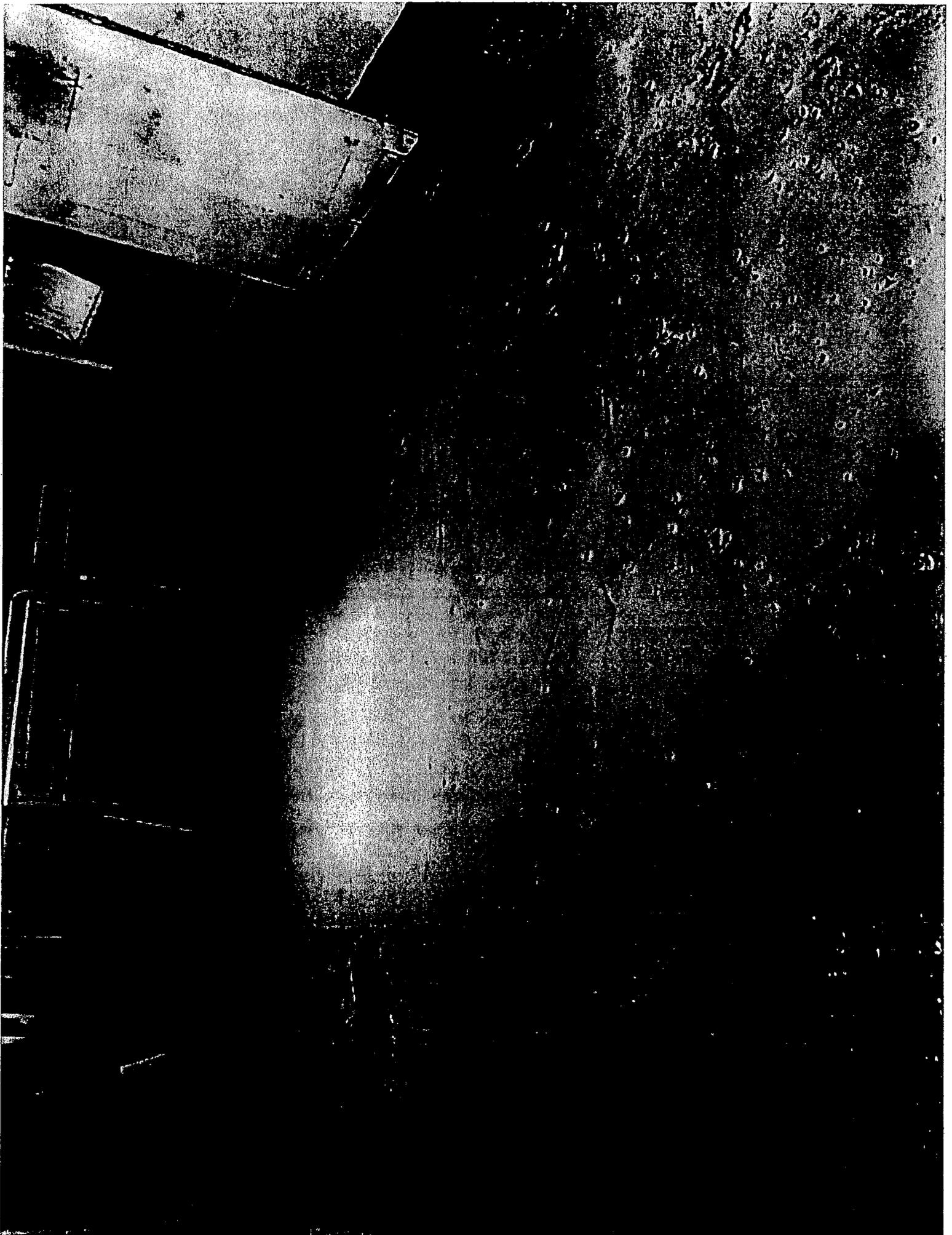
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INSTRUCTIONS FOR USE

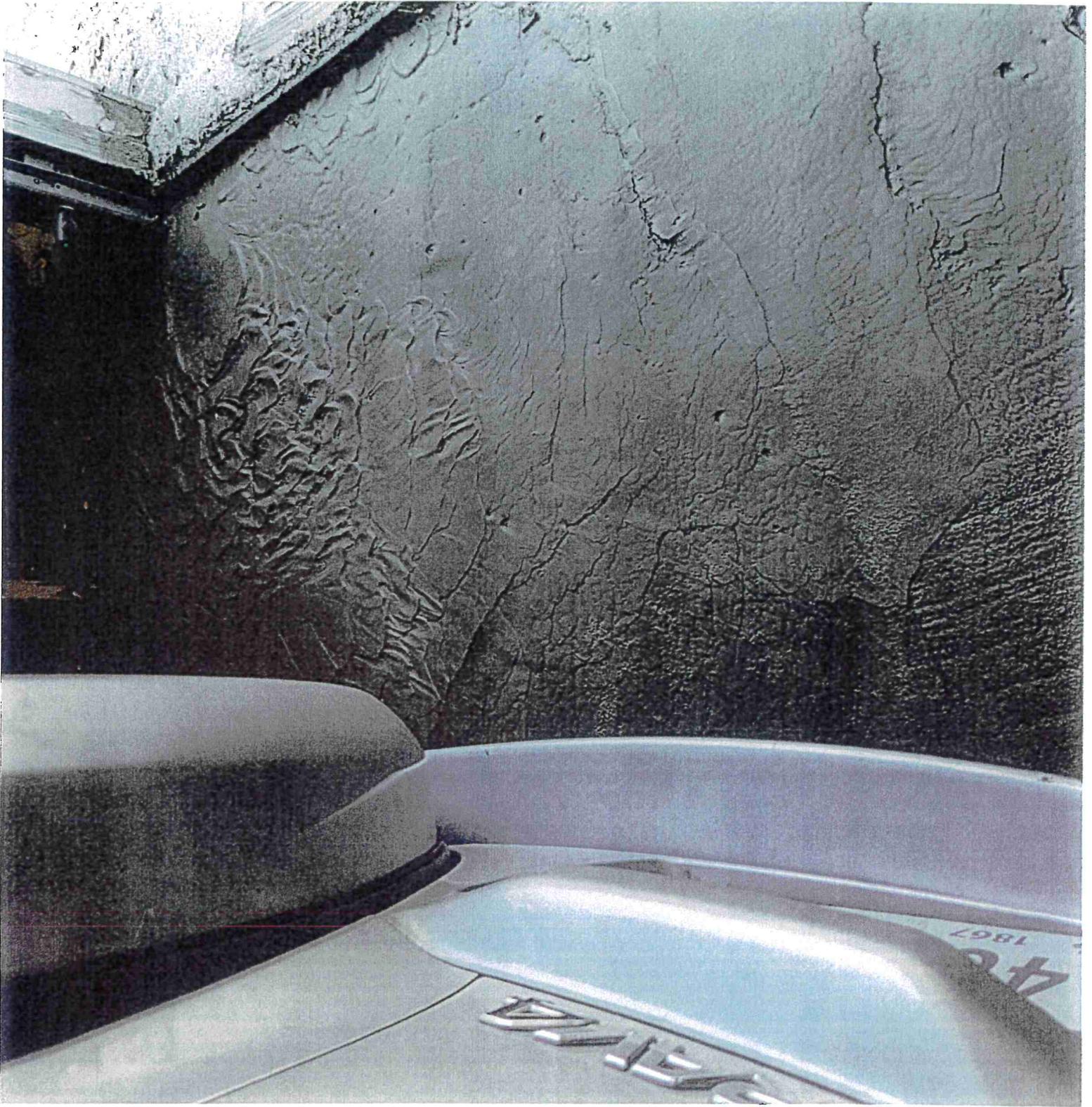


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**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:            3.K.**

Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show on September 25 & 26, 2021; 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 24, 2021 until Sunday evening, the 700 and 800 blocks of East 1<sup>st</sup>, the 100 and 200 blocks of East "H" Street beginning at 5:00 A.M., September 25, 2021 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 25, 2021 until after the parade; to allow overnight parking for vendors around Norris Park and to conduct their parade on public streets on September 25, 2021.

---

**BACKGROUND:**

The McCook Area Chamber of Commerce requests permission to conduct their annual Heritage Days activities in McCook on September 25<sup>th</sup> and 26<sup>th</sup>, 2021.

The Chamber of Commerce requests to conduct a parade beginning at 10:00 A.M. on Saturday, September 25, 2021. 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 1<sup>st</sup> 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.

This year there will be entertainment taking place at the bandshell.

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 on September 25 & 26, 2021; 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 24, 2021 until Sunday evening,

the 700 and 800 blocks of East 1<sup>st</sup>, the 100 and 200 blocks of East "H" Street beginning at 5:00 A.M., September 25, 2021 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 25, 2021 until after the parade; to allow overnight parking for vendors around Norris Park and to conduct their parade on public streets on September 25, 2021.

**APPROVALS:**



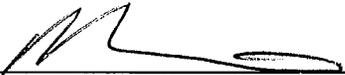
\_\_\_\_\_  
Kyle Potthoff, Public Works Director

August 23, 2021



\_\_\_\_\_  
Joe Smith, Police Chief

August 23, 2021



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

August 23, 2021

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**            3.L.

**RECOMMENDATION:**

**APPROVE THE ST. PATRICK CATHOLIC CHURCH REQUEST TO CLOSE PORTIONS OF EAST 4<sup>TH</sup> AND EAST "G" STREETS AND TO UTILIZE CITY PROPERTY FOR THEIR ANNUAL FALL FESTIVAL ON OCTOBER 9TH AND 10TH, 2021.**

---

**BACKGROUND:**

St. Patrick Catholic Church is conducting their annual Fall Festival on October 9 and 10, 2021. The church requests permission to close East 4<sup>th</sup> Street between F and G Streets and East G Street between 3<sup>rd</sup> and 4<sup>th</sup> Streets between the hours of 10:00 a.m. and 8:00 p.m. on Sunday October 10, 2021. The Church also requests the use of City property. The Church requests the use of eighteen to twenty extra trash containers, barricades/cones to close the streets and park benches for seating.

The Public Works Departments have sufficient manpower to respond to the request of St. Patrick Catholic Church without overtime cost or other added expense to the City. The City has assisted with this annual event for numerous years.

A certificate of insurance has been requested.

**FISCAL  
IMPACT:**        None.

**RECOMMENDATION:**

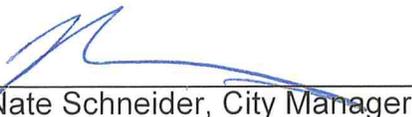
**APPROVE THE ST. PATRICK CATHOLIC CHURCH REQUEST TO CLOSE PORTIONS OF EAST 4<sup>TH</sup> AND EAST "G" STREETS AND TO UTILIZE CITY PROPERTY FOR THEIR ANNUAL FALL FESTIVAL ON OCTOBER 10TH AND 11TH, 2020.**

**APPROVALS:**



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

September 23, 2021



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

September 23, 2021

ST. PATRICK CATHOLIC CHURCH \_\_\_\_\_ Phone (308) 345-6734

612 East 4<sup>th</sup> Street, P.O. Box 1040, McCook NE 69001

August 12, 2021

Nate Schneider, City Manager  
City of McCook  
505 West C Street  
PO Box 1059  
McCook, NE 69001

Dear Mr. Schneider,

The St. Patrick Church Annual Fall Festival will be held on October 9<sup>th</sup> and 10<sup>th</sup>, 2021. In making arrangements for this event, we request the following from the City of McCook:

1. Permission to close East 4<sup>th</sup> Street from "F" to "G" and East "G" Street from East 3<sup>rd</sup> to East 4<sup>th</sup> on Sunday, October 10<sup>th</sup> from 10am to 8pm.
2. Eighteen to twenty (18-20) extra trash containers.
3. Barricade cones to facilitate the closing of the streets. (24 orange cones)
4. Twelve (12) park benches for outside seating for our visitors.

Please forward this request to the City Council for their consideration at their next regular meeting. We are appreciative of the way you assist us each year so that our Fall Festival is a continued success.

Thank you.

Sincerely yours in Christ,



Father Gary Brethour  
Pastor

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 MCCOOK CITY COUNCIL MEETING**

**3.M**  
ITEM NO. 3.M Approve Resolution 2021-16, adopting the Quad Counties Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety.

---

**BACKGROUND:**

Franklin, Furnas, Harlan, and Red Willow Counties (Quad Counties) worked with JEO Consulting Group to update the 2016 Quad Counties Multi-Jurisdictional Hazard Mitigation Plan. A Hazard Mitigation Plan is a community-guided document that identifies both vulnerability to natural and man-made hazards, and mitigation measures to reduce or eliminate this vulnerability. Hazard mitigation plans are a requirement of the Disaster Mitigation Act of 2000, administered by the Federal Emergency Management Agency (FEMA). Having an approved and updated plan enables the City of McCook to be stronger and more resilient by: 1) reducing risks and impacts from disasters; 2) gaining eligibility for pre- and post-disaster mitigation grants; and 3) building partnerships. Communities, schools, NRD's, counties, fire departments, hospitals, and other jurisdictions within the four counties are encouraged to participate in the process by attending meetings and providing information for the plan.

A copy of the City of McCook's Community Profile is included with this report . The complete Quad Counties Multi-Jurisdictional Hazard Mitigation Plan Update can be accessed at: [jeo.com/quad-counties-multi-jurisdictional-hmp-update](http://jeo.com/quad-counties-multi-jurisdictional-hmp-update).

**APPROVALS:**



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

September 1, 2021

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

September 1, 2021

**RESOLUTION NO. 2021-16**

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

**WHEREAS**, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by Franklin, Furnas, Harlan, and Red Willow Counties, with assistance from JEO Consulting Group, Inc.

**WHEREAS**, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the counties and participating jurisdictions located within the planning boundary by identifying the hazards that affect the jurisdiction of the City of McCook and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

**WHEREAS**, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the City of McCook in the form of a resolution and further requesting approval of the plan at the Federal Level; and

**NOW, THEREFORE**, the governing body of the City of McCook, does herewith adopt the Quad Counties Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety; and

PASSED AND APPROVED this 8<sup>th</sup> day of September, 2021.

---

Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer

**Community Profile**

# **City of McCook**

**Quad Counties  
Multi-Jurisdictional Hazard Mitigation Plan Update**

**2021**

## Local Planning Team

**Table MCK.1: McCook Local Planning Team**

Name	Title	Jurisdiction
Nate Schneider	City Manager / Floodplain Administrator	City of McCook

## Location and Geography

The City of McCook is in northwestern Red Willow County and covers an area of 5.4 square miles. McCook is the county seat for Red Willow County. The topographic region McCook lies in is that of the dissected plains. This hilly land has moderate to steep slopes and sharp ridge crests. They are remnants of the old plain eroded by water and wind. The Republican River flows to the south of the city.

## Transportation

McCook's major transportation corridors include US Highway 6 and 83. Highway 83 connects McCook to I-80 and I-70. Highway 6 runs east to west through the community. The most traveled route is Highway 6 with an average of 13,185 vehicles daily, 585 of which are trucks.<sup>24</sup> The city has one Burlington Northern Santa Fe Railway/Amtrak line traveling east to west on the southern portion of the community. There is one airport located near the city, but no recent accidents at the airport. Highway 6 and Highway 83 are the transportation routes of most concern due to chemical transportation and traffic. Several critical facilities are located near major transportation routes. Transportation information is important to hazard mitigation plans because it suggests possible evacuation corridors in the community, as well as areas more at risk of transportation incidents.

## Demographics

The City of McCook's population has been declining since 1980 to around 7,580 people in 2018. A declining population can lead to more unoccupied and unmaintained housing that is then at risk to high winds and other hazards. Furthermore, with fewer residents, there is decreasing tax revenue for the community, which could make implementation of mitigation projects more fiscally challenging. McCook's population accounted for 70.1% of Red Willow County's population in 2018.<sup>25</sup>

<sup>24</sup> Nebraska Department of Roads. 2018. "Interactive Statewide Traffic Counts Map." [map]. <https://gis.ne.gov/portal/apps/webappviewer/index.html?id=bb00781d6653474d945d51f49e1e7c34>.

<sup>25</sup> United States Census Bureau. 2018. "DP05: Demographic and Housing Estimates [database file]. <https://data.census.gov/cedsci/>.

Figure MCK.1: City of McCook

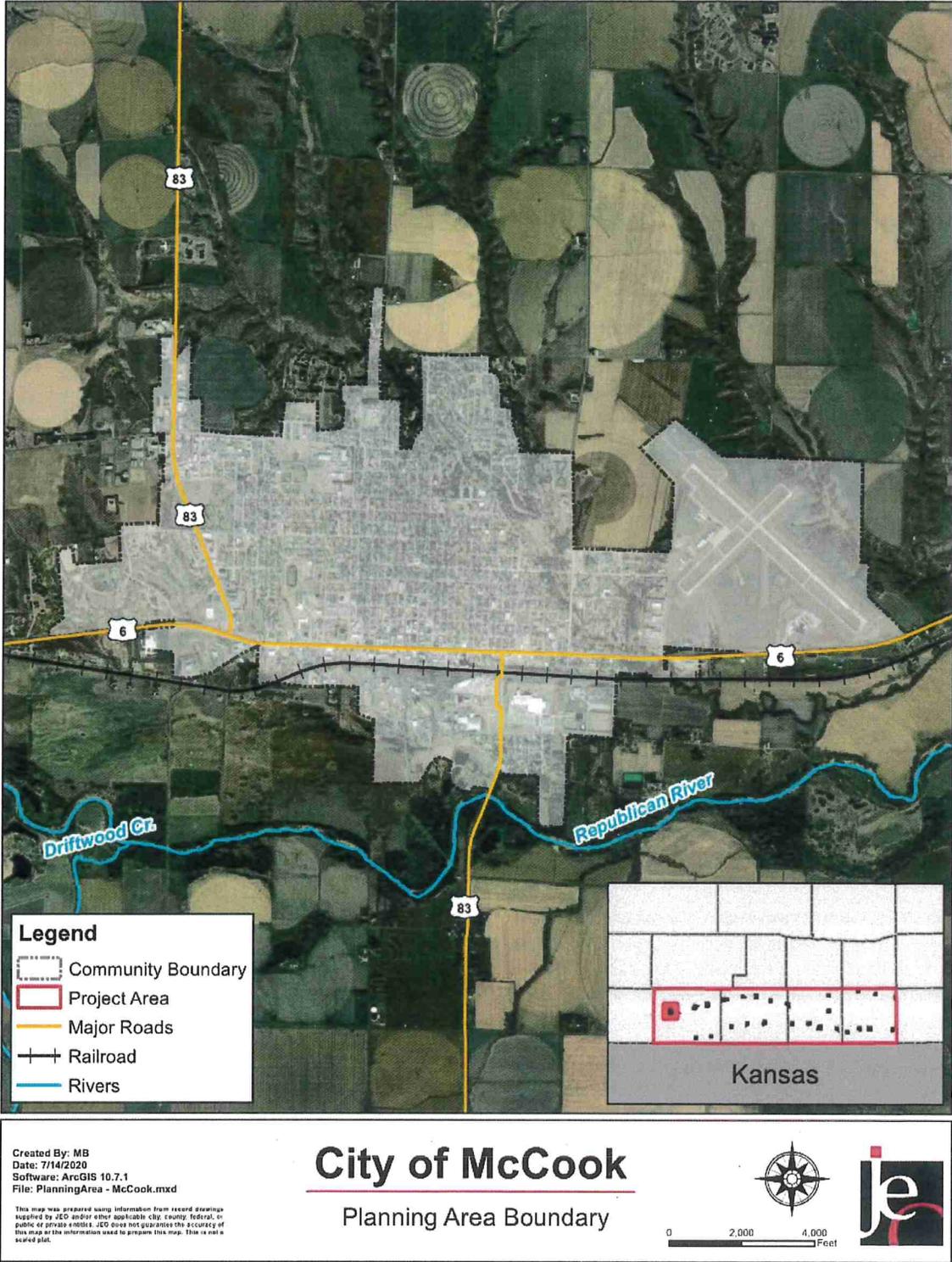
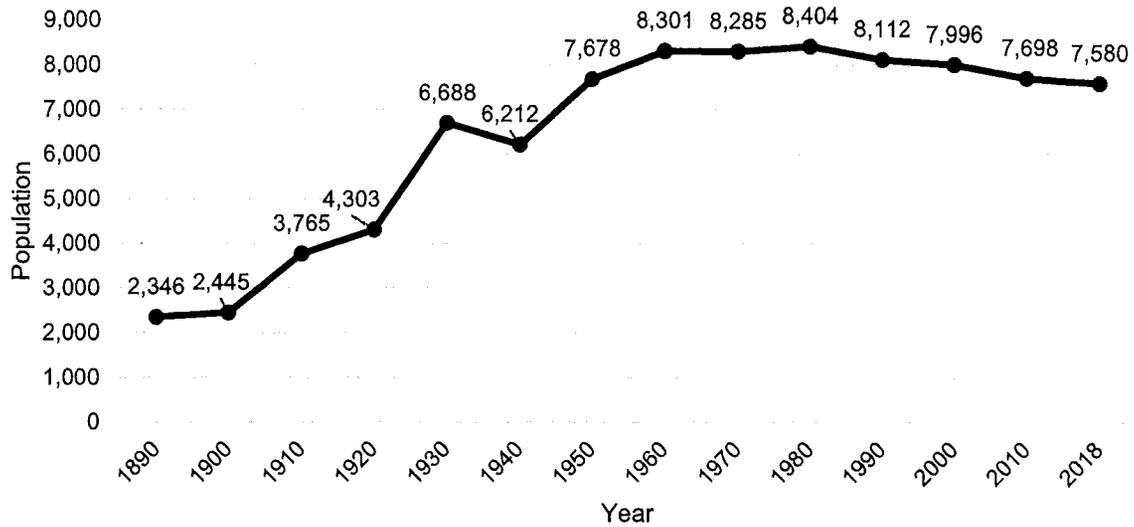


Figure MCK.2: Population 1890 - 2018



Source: U.S. Census Bureau

The young, elderly, minority, and low-income populations may be more vulnerable to certain hazards than other groups. In comparison to the county, McCook's population was:

- **Younger.** The median age of McCook was 37.4 years old in 2018, compared with Red Willow County's median of 41.1 years. McCook's population grew younger since 2010, when the median age was 38.6 years old.<sup>25</sup>
- **Equally ethnically diverse.** Since 2010, McCook became less ethnically diverse. In 2010, 4.2% of McCook's population was non-white. By 2018, about 3.6% was non-white. During that time, the non-white population in the county declined from 4% in 2010 to 3.8% in 2018.<sup>25</sup>
- **Less likely to be below the federal poverty line.** The poverty rate in the City of McCook (7.8% of people living below the federal poverty line) was lower than the county's poverty rate (9.7%) in 2018.<sup>26</sup>

## Employment and Economics

In comparison to Red Willow County, McCook's economy had:

- **Similar mix of industries.** McCook's major employment sectors, accounting for 10% or more of employment each, were manufacturing, retail trade and education.<sup>26</sup>
- **Lower median household income.** McCook's median household income in 2018 (\$44,473) was about \$12,400 lower than the county (\$56,859).<sup>26</sup>
- **Fewer long-distance commuters.** About 80.1% of workers in McCook commuted for fewer than 15 minutes, compared with about 69.2% of workers in Red Willow County. About 10.1% of workers in McCook commuted 30 minutes or more to work, compared to about 12.2% of county workers.<sup>27</sup>

<sup>26</sup> United States Census Bureau. 2018. "DP03: Selected Economic Characteristics." [database file]. <https://data.census.gov/cedsci/>.

<sup>27</sup> United States Census Bureau. 2018. "S0802: Means of Transportation to Work by Selected Characteristics." [database file]. <https://data.census.gov/cedsci/>.

## Major Employers

Major employers in McCook include Valmont Industries, Parker Hannifin, McCook Community Schools, McCook Community Hospital, and Mid-Plains Community College. The local planning team indicated that 38.7% of residents commute to other communities for employment. The top two locations are North Platte and Kearney.

## Housing

In comparison to Red Willow County, McCook's housing stock was:

- **Older.** McCook had a larger share of housing built prior to 1970 than the county (68.6% compared to 66.2%).<sup>28</sup>
- **Less mobile and manufactured housing.** The City of McCook had a smaller share of mobile and manufactured housing (4.5%) compared to the county (5.6%).<sup>28</sup>
- **More renter-occupied.** About 30.3% of occupied housing units in McCook were renter-occupied compared with 26.5% of occupied housing in Red Willow County.<sup>28</sup>
- **More occupied.** Approximately 14.9% of McCook's housing units were vacant compared to 16.1% of units in Red Willow County.<sup>28</sup>

The age of housing may indicate which housing units were built prior to the development of state building codes. Vacant housing stock may also be more vulnerable to hazard events if it is poorly maintained. Unoccupied housing may also suggest that future development may be less likely to occur. Communities with a substantial number of mobile homes may be more vulnerable to the impacts of high winds, tornadoes, and severe winter storms if those homes are not anchored correctly. All mobile homes are located at the Lazy L Mobile Home and RV Park, which is located on the northern edge of the community. Renter-occupied housing depends on the initiative of landlords for proper maintenance and retrofitting to be resilient to disasters. They are less likely than homeowners to have flood insurance, or to know their risks to flooding and other hazards.

## Future Development Trends

Over the past few years, with TIF assistance three housing projects have been established: North Pointe, Clary Village, and Quillan Courts. Six homes were built in North Pointe and 28 homes were built between Clary Village and Quillan Courts. All three housing projects included stormwater detention ponds. TIF funding has also been used to bring in new businesses including Next Coenras, Holiday Inn, and the Cobblestone Inn. McCook has also made infrastructure improvements to accommodate these projects. None of the new structures were developed in the floodplain. McCook's problem resolution team has worked to decrease the number of nuisance properties in the community. According to the 2018 American Community Survey estimates, McCook's population is declining. The local planning team attribute the decline to a reduction in the number of family farms, the increase in the number of corporate and large farms, and the inability to retain young adults ages 19 to 30. In the next five years, additional ground in the businesses park will need to be added to accommodate new light and heavy industries. The city has also updated its Blight and Substandard Study to include land that would be appropriate for future residential and business expansions.

<sup>28</sup> United States Census Bureau. 2018. "DP04: Selected Housing Characteristics." [database file]. <https://data.census.gov/cedsci/>.

## Parcel Improvements and Valuation

The planning team acquired GIS parcel data from the County Assessor to analyze the location, number, and value of property improvements (e.g. buildings, garages, sheds etc.) at the parcel level. The data did not contain the number of structures on each parcel. A summary of the results of this analysis is provided in the following tables.

**Table MCK.2: Parcel Improvements and Value in the 1% Annual Flood Risk Area**

Number of Improvements	Total Improvement Value	Number of Improvements in Floodplain	Value of Improvements in Floodplain	Percentage of Improvements in Floodplain
3,306	\$377,343,258	78	\$8,844,953	2.4%

Source: County Assessor, 2020

**Table MCK.3: Parcel Improvements and Value in the 0.2% Annual Flood Risk Area**

Number of Improvements	Total Improvement Value	Number of Improvements in Floodplain	Value of Improvements in Floodplain	Percentage of Improvements in Floodplain
3,306	\$377,343,258	22	\$982,302	0.7%

Source: County Assessor, 2020

## Community Lifelines

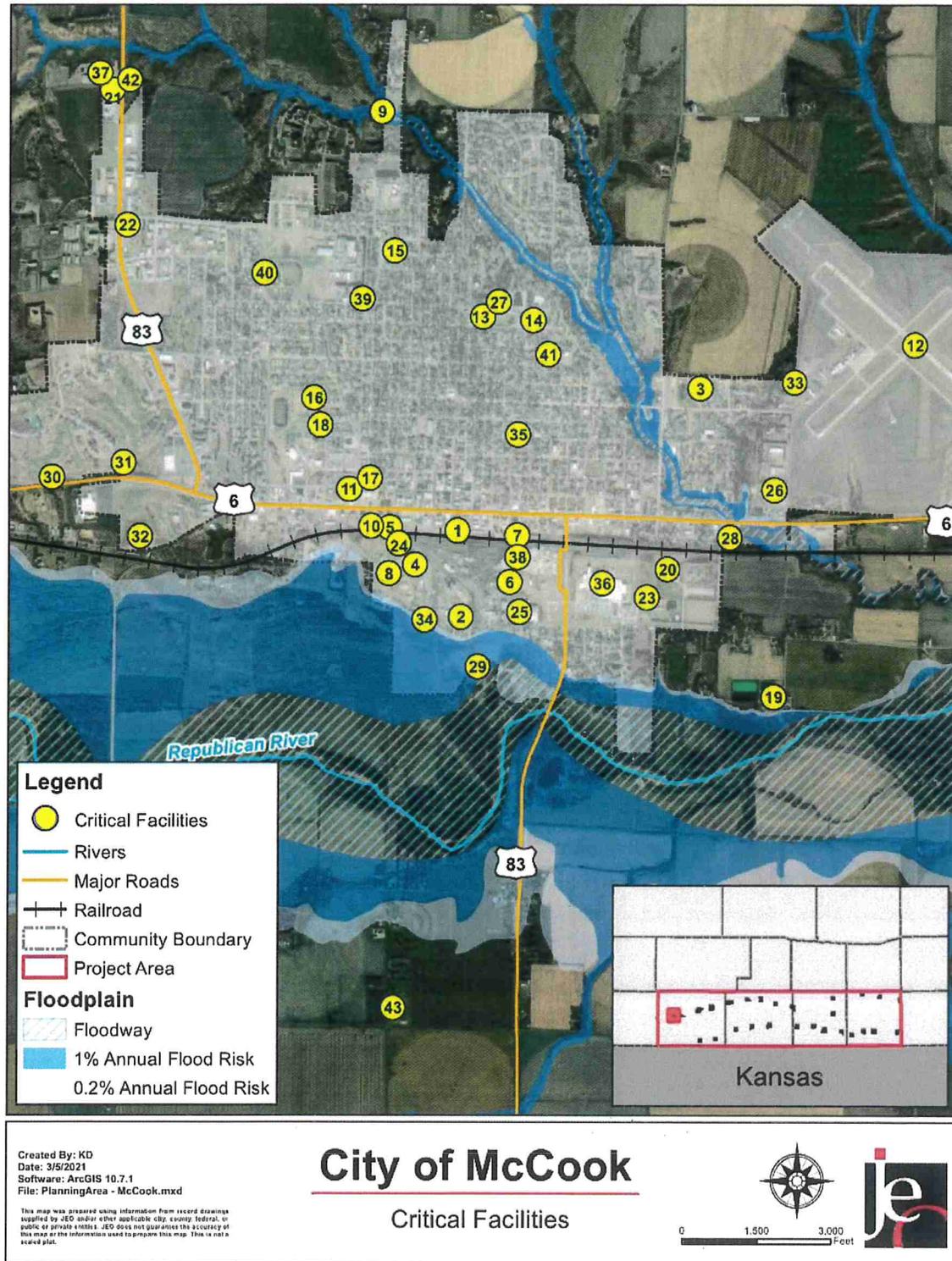
### Critical Facilities

Each participating jurisdiction identified critical facilities vital for disaster response, providing shelter to the public, and essential for returning the jurisdiction's functions to normal during and after a disaster per the FEMA Community Lifelines guidance. Critical facilities were identified during the original planning process and updated by the local planning team as part of this plan update. The following table and figure provide a summary of the critical facilities for the jurisdiction.

Table MCK.4: Critical Facilities

CF Number	Name	Community Shelter (Y/N)	Generator (Y/N)	Floodplain (Y/N)
1	BNSF Depot	N	N	N
2	City Maintenance Complex	N	N	N
3	Community Hospital	N	Y	N
4	Nutrien Ag Solutions	N	N	N
5	Frenchman Valley Feedmill	N	N	N
6	Frenchman Valley Fertilizer	N	N	N
7	Frenchman Valley Grain Elevator	N	N	N
8	Household Hazardous Waste Facility	N	N	N
9	Kelly Creek Flood Control Dam	N	N	Y (Floodway)
10	Malleck Oil/Propane Storage	N	N	N
11	McCook Auditorium	N	Y	N
12	McCook Ben Nelson Regional Airport	N	N	N
13	McCook Community College Brooks Hall Dorm	N	N	N
14	McCook Community College Event Center	N	Y	N
15	McCook Elementary School	Y	N	N
16	McCook Jr. High School	Y	N	N
17	McCook Municipal Building	N	Y	N
18	McCook Sr. High School	Y	N	N
19	McCook Wastewater Treatment	N	Y	Y (1%)
20	Next Generation	N	N	N
21	NPPD Sub Station and Office Building	N	N	N
22	NPPD Sub Station	N	N	N
23	NPPD Sub Station	N	N	N
24	NPPD Sub Station	N	N	N
25	Parker Hannifin	N	Y	N
26	Red Willow Aviation / Fertilizer	N	N	N
27	Sewer Lift Station	N	Y	N
28	Sewer Lift Station	N	Y	N
29	Sewer Lift Station	N	Y	Y (1%)
30	Sewer Lift Station	N	Y	N
31	Sewer Lift Station	N	Y	N
32	Solid Waste Transfer Station	N	N	N
33	Black Hills Sub Station	N	N	N
34	Black Hills Sub Station	N	N	Y (0.2%)
35	St. Patrick School	N	N	N
36	Valmont Industries	N	Y	N
37	Van Diest North	N	N	N
38	Van Diest South	N	N	N
39	Water Booster Pump Station	N	Y	N
40	Water Tower West	N	Y	N
41	Water Tower East	N	Y	N
42	Work Ethic Camp	N	Y	N
43	McCook Drinking Water Plant	N	Y	N

Figure MCK.3: Critical Facilities



## Historical Occurrences

See the Red Willow County profile for historical hazard events, including the number of events, damage estimates, and any fatalities or injuries.

## Hazard Prioritization

The hazards discussed in detail below were either identified in the previous HMP and determined to still be of top concern or were selected by the local planning team from the regional list as relevant hazards for the community. The planning team prioritized the selected hazards based on historical hazard occurrences, potential impacts, and the community's capabilities. For more information regarding regional hazards, please see *Section Four: Risk Assessment*. The City of McCook was part of a group that included the High Plains Region Climate Center, the Nebraska State Climate Office, UNL Public Policy Center, UNL Community and Regional Planning Program, and the City of Lincoln that participated in a workshop to study climate data and implement the results in the community.

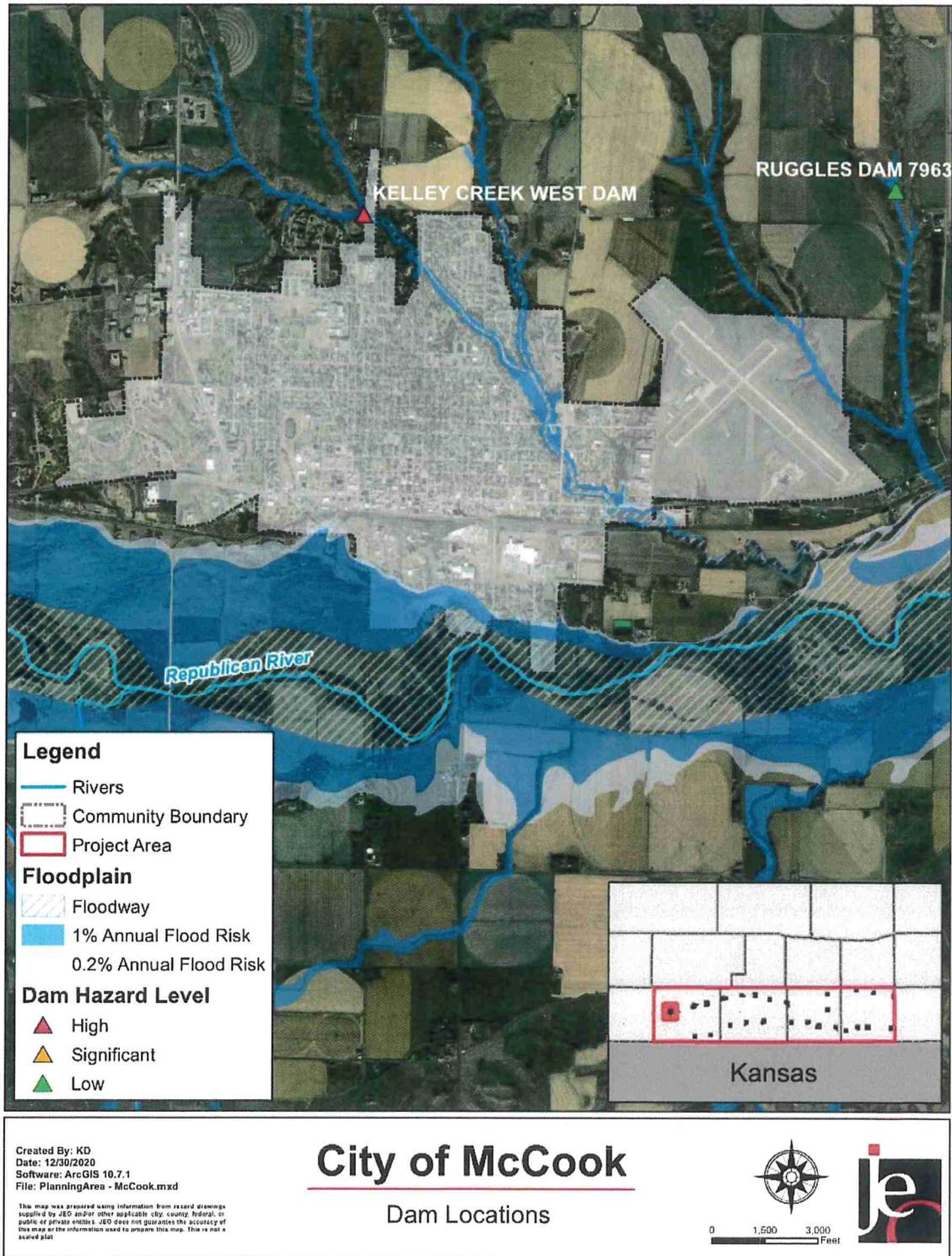
## Chemical Spills

The PHMSA reported 19 chemical spills in McCook, causing a total of \$8,109 in damages. The largest spill was 3,980 LGA of crude oil in 1985, after a rollover accident. The local planning team also identified two other spills that have occurred locally. In 2013, a deliberate bleach and ammonia spill occurred at Wal-Mart. An investigation in 1995 revealed that there was a diesel release at the BNSF facility that occurred over a 40- to 50-year period. Remedial efforts using extraction wells and monitoring were implemented after the investigation. The routes of most concern for the city are Highway 6, Highway 83, and the rail line that passes through McCook. There are numerous chemicals that pass through the city on the highways and railroad. Some of the chemicals include sulfuric acid, ammonium nitrates, ethanol, anhydrous ammonia, diesel, gasoline, and other combustible and corrosive material. The McCook Municipal Center is located within 500 feet of the railroad and 400 feet of Highway 6. The WEC is located just off highway 83 on the north side of the city. If a spill were to occur the McCook Fire Department, Police Department, and Red Willow County Sheriff/Emergency Manager would respond to the incident. The city has had community-wide tabletop exercises with a variety of participants for chemical spills.

## Dam Failure

Although not identified as a top hazard of concern by the local planning team, there is a high hazard dam located near the community. The Kelley Creek West Dam is located on the northern edge of the city. This dam has not failed in the past, but if it were to fail, it would likely cause flooding within the special flood hazard areas. Figure MCK.4 shows the locations of nearby dams.

Figure MCK.4: Dam Locations



**Extreme Heat**

During 2013, the city reported temperatures over 100°F on several occasions. The city has not reported any damages due to heat. McCook has concerns with extreme heat causing stresses on infrastructure. Almost half of the critical facilities in the city have backup generators. If the city were to lose power due to heat, most critical facilities would still be able to function. During an extreme heat event, the city will set up cooling centers as needed. The last time the city used cooling centers was in 2013. There are numerous organizations that helped assist vulnerable populations during these events including the hospital, Southwest Nebraska Public Health, Mid-Nebraska Community Services, and the senior center.

The community is also concerned with dry conditions during an extreme heat event leading to an increase in wildfires. In 2018, a wildfire occurred north of McCook. Residents in the northern portion of the community were evacuated. Multiple jurisdictions responded to put out the fire and only one residential property was destroyed. Dry conditions have also required the City of McCook to implement water restrictions and have caused economic issues due to agricultural struggles. The city has held tabletop exercises regarding fire-related scenarios in the past.

**Flooding**

Although not identified as a top hazard of concern by the local planning team, there is floodplain located in the city. It comes primarily from the Republican River and its tributaries on the southern border of the community. NCEI data since 1996 shows McCook as experienced 11 flooding events resulting in \$225,000 in damages. The local planning team said the city was not impacted by the March 2019 flood event. The city is a member of and continues to maintain good standing with the NFIP.

**Severe Thunderstorms**

The city dealt with significant thunderstorms in 2011 and 2014 with the majority of the damage from those storms caused by hail. The local planning team indicated that these storms caused significant damages to roofs, windows, and crops. Past hail events have caused damages to critical facilities. The city does protect electronic devices with surge protectors. Half of the critical facilities have backup generators, and all of the critical facilities have weather radios. Some of the critical facilities have been retrofitted with hail-resistant building material and the municipal buildings are insured through the city. The city will remove hazardous trees as necessary and has a tree board to help with the replacement of trees. The city has participated in tornado/severe storm tabletop exercises.

**Severe Winter Storms**

Severe winter storms are an annual occurrence in the city and across the planning area. One person was injured in December 2006 when her vehicle skidded on icy roads just south of McCook and her vehicle rolled. There were also two injuries in a January 2011 accident that resulted in two minor injuries during a freezing rain event. The city also reported powerlines were damaged in a 2006 winter storm. To help with snow removal the city has designated snow routes that get cleared before other streets. The city will also use snow fences when needed along the major transportation routes that are open air such as Highway 6 and Highway 83. The city is responsible for clearing its streets and is able to handle typical events. However, the city had to hire outside help during a snow event in 2016. Snow removal equipment has been updated over the last two or three budget cycles to help with snow removal efforts.

### Tornadoes and High Winds

NCEI reported four tornadoes for the city that did not cause any damage. All four of the storms were rated as F/EF0 on the Fujita Scale. An additional tornado was reported by the local planning team in May of 2019. The event occurred five miles north of the community and caused damage to agricultural property and associated structures. The city does have a backup system for municipal records. There are no safe rooms in the city, but eight buildings have been designated by the city and the county sheriff as protective shelters. These locations include the three public schools, the First Baptist Church, St. Patrick’s Catholic Church, the United Methodist Church, the YMCA, and the Southwest Public Health Department. The city also offers emergency alerts to residents and sirens have been upgraded so that they can be controlled remotely. The McCook Police Department handles storm watching and notification. Community-wide tabletop exercises have been held to practice response during tornado events.

### Governance

A community’s governance indicates the number of boards or offices that may be available to help implement hazard mitigation actions. The City of McCook is governed by a city council; other governmental offices and departments are listed below.

- Airport
- Building and Zoning
- City and Attorney
- City Clerk/Treasurer
- City Manager
- Fire Department
- Parks
- Police Department
- Streets
- Utilities
- Public Works
- Senior Center

### Capability Assessment

The capability assessment consisted of a review of local existing policies, regulations, plans, and programs with hazard mitigation capabilities. The following tables summarize the community’s planning and regulatory capability; administrative and technical capability; fiscal capability; educational and outreach capability; and overall capability to implement mitigation projects.

**Table MCK.5: Capability Assessment**

Survey Components/Subcomponents		Yes/No
<b>Planning &amp; Regulatory Capability</b>	Comprehensive Plan	Yes
	Capital Improvements Plan	Yes
	Economic Development Plan	Yes
	Local Emergency Operations Plan	Yes
	Floodplain Management Plan	Yes
	Storm Water Management Plan	No
	Zoning Ordinance	Yes
	Subdivision Regulation/Ordinance	Yes

Survey Components/Subcomponents		Yes/No
	Floodplain Ordinance	Yes
	Building Codes	Yes
	National Flood Insurance Program	Yes
	Community Rating System	No
	Other (if any)	Wellhead Protection Plan
<b>Administrative &amp; Technical Capability</b>	Planning Commission	Yes
	Floodplain Administration	Yes
	GIS Capabilities	Yes
	Chief Building Official	Yes
	Civil Engineering	Yes
	Local Staff Who Can Assess Community's Vulnerability to Hazards	Yes
	Grant Manager	Yes
	Mutual Aid Agreement	Yes
	Other (if any)	-
<b>Fiscal Capability</b>	Capital Improvement Plan/ 1- & 6-Year Plan	Yes
	Applied for grants in the past	Yes
	Awarded a grant in the past	No
	Authority to Levy Taxes for Specific Purposes such as Mitigation Projects	Yes
	Gas/Electric Service Fees	Yes
	Storm Water Service Fees	No
	Water/Sewer Service Fees	Yes
	Development Impact Fees	No
	General Obligation Revenue or Special Tax Bonds	Yes
Other (if any)	-	
<b>Education &amp; Outreach Capability</b>	Local citizen groups or non-profit organizations focused on environmental protection, emergency preparedness, access and functional needs populations, etc. Ex. CERT Teams, Red Cross, etc.	Yes
	Ongoing public education or information program (e.g., responsible water use, fire safety, household preparedness, environmental education)	Yes
	Natural disaster or safety related school programs	Yes
	StormReady Certification	Yes (Community Hospital)
	Firewise Communities Certification	No
	Tree City USA	Yes
	Other (if any)	Social Media Updates

Overall Capability	Limited/Moderate/High
Financial resources to implement mitigation projects	Limited/Moderate
Staff/expertise to implement projects	Moderate
Public support to implement projects	Moderate
Time to devote to hazard mitigation	Moderate

### Plan Integration

The City of McCook has several planning documents that discuss or relate to hazard mitigation. Each plan is listed below along with a short description of how it is integrated with the hazard mitigation plan. In addition, the city annually reviews capital projects although there is no formal document for this effort. No other planning documents were identified during this process. The city will seek out and evaluate any opportunities to integrate the results of the current hazard mitigation plan into other planning mechanisms and updates.

#### Building Codes (2020)

The building code sets standards for constructed buildings and structures. The city has adopted the 2018 International Building Codes (IBC). Amendments to the IBC include fee schedules, permit requirements, footing designs, and connections to lawn irrigation systems.

#### Comprehensive Plan (2013)

The comprehensive plan is designed to guide the future actions of the city. It contains goals aimed at safe growth, directs development away from the floodplain, encourages infill development, directs development away from chemical storage sites, and directs housing and vulnerable populations away from major transportation routes. In addition, severe weather, tornado awareness, winter storms, floods, and chemical spills are discussed. This plan will be updated in 2023.

#### Floodplain Ordinance (2013), Zoning Ordinance (2016), and Subdivision Regulations (2014)

The city’s floodplain regulations, zoning ordinance, and subdivision regulations outline where and how development should occur in the future. These documents prohibit development in the floodplain, discourage development near chemical storage sites, discourage development along major transportation routes, and include the ability to implement water restrictions. All three documents will be reviewed and updated in 2023.

#### Red Willow Local Emergency Operations Plan (2016)

The City of McCook is an annex in the Red Willow County Local Emergency Operations Plan (LEOP). The LEOP establishes standardized policies, plans, guidelines, and procedures for emergency resources and governmental entities to respond and recover when a disaster event occurs. It contains information regarding direction and control, communications and warning, damage assessment, emergency public information, evacuation, fire services, health and human services, law enforcement, mass care, protective shelters, and resource management. This plan is updated every five years.

### Mitigation Strategy

McCook’s municipal funds are sufficient to pursue small capital projects but grant funds would be needed to complete larger projects. Funds have increased over recent years but so have the city’s expenses. A large portion of funds are already dedicated to storm drainage projects. The city will likely need grant assistance to help pay for many of the projects listed below. The city has experience applying for FEMA grants but has not been awarded any.

**New Mitigation Actions**

Mitigation Action	Emergency Communications
<b>Description</b>	Improve emergency rescue, law enforcement, fire and emergency services, city utility, and public works emergency communications by upgrading the radio system console to allow for the use of computer aided dispatch. This would also include upgrading all mobile radios in vehicles and all handheld portable radios to allow for enhanced and improved communications.
<b>Hazard(s) Addressed</b>	All Hazards
<b>Estimated Cost</b>	\$400,000
<b>Funding</b>	General Fund
<b>Timeline</b>	2-5 Years
<b>Priority</b>	High
<b>Lead Agency</b>	Police Department, Fire Department, Sheriff's Department, Public Works Planning Stage. The police department and fire department have established a committee to review and make recommendations for the logistics of the system.
<b>Status</b>	

**Continued Mitigation Actions**

Mitigation Action	Alert/Warning Sirens
<b>Description</b>	Perform an evaluation of existing alert sirens in order to determine sirens which should be replaced or the placement of new sirens. Identified need to modify sirens to remote activated.
<b>Hazard(s) Addressed</b>	Tornadoes and High Winds, Severe Thunderstorms
<b>Estimated Cost</b>	\$15,000+
<b>Funding</b>	Sales Tax, General Fund
<b>Timeline</b>	2-5 Years
<b>Priority</b>	High
<b>Lead Agency</b>	City Council, County Emergency Manager
<b>Status</b>	In Progress. Sirens have been updated to a remote programming system.

Mitigation Action	Backup Municipal Records
<b>Description</b>	Develop system to backup critical municipal records. Develop a GIS mapping system.
<b>Hazard(s) Addressed</b>	All Hazards
<b>Estimated Cost</b>	\$100 for external hard drive; \$15,000+ for GIS mapping system
<b>Funding</b>	General Fund
<b>Timeline</b>	2-5 Years
<b>Priority</b>	Medium
<b>Lead Agency</b>	Fire Department, Police Department, Public Works
<b>Status</b>	In Progress. GIS mapping of water lines, sewer lines, and fire hydrants is currently underway. The city will add additional layers in the future.

Mitigation Action	Civil Service Improvements
<b>Description</b>	Improve emergency rescue and response equipment and facilities by providing additional or updating existing emergency response equipment. This can include fire trucks, ATVs, water tanks/trucks, snow removal equipment, etc. This would also include developing backup systems for emergency vehicles and identifying and training additional personnel for emergency response.
<b>Hazard(s) Addressed</b>	All Hazards
<b>Estimated Cost</b>	Varies
<b>Funding</b>	Sales Tax, General Fund
<b>Timeline</b>	2-5 Years
<b>Priority</b>	Medium
<b>Lead Agency</b>	Fire Department, Police Department, Public Works
<b>Status</b>	In Progress. The city continuously reviews and updates capital stock to meet demand.

Mitigation Action	Drainage Study/Stormwater Master Plan
<b>Description</b>	Drainage studies can be conducted to identify and prioritize improvements to address site specific localized flooding/drainage problems. Stormwater master plans can be conducted to perform a community wide stormwater evaluation, identifying multiple problem areas, and potentially multiple drainage improvements for each.
<b>Hazard(s) Addressed</b>	Flooding
<b>Estimated Cost</b>	\$10,000 - \$100,000+
<b>Funding</b>	CDBG, General Fund
<b>Timeline</b>	5+ Years
<b>Priority</b>	Medium
<b>Lead Agency</b>	Public Works
<b>Status</b>	Not Started.

Mitigation Action	Hazardous Tree Removal
<b>Description</b>	Identify and remove hazardous trees and limbs.
<b>Hazard(s) Addressed</b>	Tornadoes and High Winds, Severe Thunderstorms, Severe Winter Storms
<b>Estimated Cost</b>	\$20,000
<b>Funding</b>	General Fund
<b>Timeline</b>	5+ Years
<b>Priority</b>	High
<b>Lead Agency</b>	Public Works Department
<b>Status</b>	In Progress. The city monitors and takes steps to remove potential issues when identified.

Mitigation Action	Power Service, Electrical, and Water Distribution Lines
Description	McCook can work with McCook Public Power and the city utilities department to identify vulnerable transmission and distribution lines and plan to bury lines underground or retrofits existing structures to be less vulnerable to storm events. Electrical Utilities shall be required to use underground construction methods where possible for future installation of power lines.
Hazard(s) Addressed	All Hazards
Estimated Cost	\$50,000 - \$70,000 per mile
Funding	Water Fund, Sewer Fund, Private Investments
Timeline	5+ Years
Priority	High
Lead Agency	Utilities Department, McCook Public Power
Status	In Progress. There have been some power lines buried in the city, but more work is needed.

Mitigation Action	Public Awareness/Education
Description	Through activities such as outreach projects, distribution of maps and environmental education increase public awareness of natural hazards to both public and private property owners, renters, businesses, and local officials about hazards and ways to protect people and property from these hazards. In addition, educate citizens on erosion control and water conservation methods. Educate residents on response and rescue plans for all hazard types.
Hazard(s) Addressed	All Hazards
Estimated Cost	\$500+
Funding	General Fund
Timeline	5+ Years
Priority	Medium
Lead Agency	Fire Department, County Emergency Manager
Status	In Progress. Education is handled throughout the year but additional outreach is still needed.

Mitigation Action	Stabilize/Anchor Fertilizer, Fuel, and Propane Tanks
Description	Anchor fuel tanks to prevent movement if left unanchored tanks could present major threat to property and safety in a tornado or high wind event. The city would like to see this occur at the transfer station (1801 W Old Hwy 6).
Hazard(s) Addressed	Tornadoes and High Winds, Severe Thunderstorms
Estimated Cost	\$1,000+
Funding	General Fund
Timeline	5+ Years
Priority	Low
Lead Agency	Public Works, Utilities Department
Status	Not Started

Mitigation Action	Storm Shelters / Safe Rooms
<b>Description</b>	Design and construct storm shelters and safe rooms in highly vulnerable areas such as mobile home parks, campgrounds, school, and other areas. Karrer Park has been identified as an area in need. The city would like the safe room to hold 20 to 30 people.
<b>Hazard(s) Addressed</b>	Tornadoes and High Winds, Severe Thunderstorms
<b>Estimated Cost</b>	\$4,500+
<b>Funding</b>	City Sales Tax Fund
<b>Timeline</b>	5+ Years
<b>Priority</b>	High
<b>Lead Agency</b>	Public Works, Parks Department
<b>Status</b>	Not Started. Currently waiting on the financial ability to fund this project.

Mitigation Action	Stormwater System and Drainage Improvements
<b>Description</b>	Larger communities generally utilize underground stormwater systems comprising of pipes and inlets to convey runoff. Undersized systems can contribute to localized flooding. Stormwater system improvements may include pipe upsizing and additional inlets. Retention and detention facilities may also be implemented to decrease runoff rates while also decreasing the need for other stormwater system improvements. Looking at W Q Street, A Street Ditch and N Hwy 83.
<b>Hazard(s) Addressed</b>	Flooding
<b>Estimated Cost</b>	\$10,000 - \$100,000+
<b>Funding</b>	Sales Tax, Assessments, Private Funds
<b>Timeline</b>	5+ Years
<b>Priority</b>	High
<b>Lead Agency</b>	Public Works
<b>Status</b>	In Progress. A large stormwater drainage project was completed in 2019 on West 5 <sup>th</sup> St, West 4 <sup>th</sup> St, and Wet E St. Additional projects still needed.

Mitigation Action	Stream Bank Stabilization / Grade Control / Channel Improvement
<b>Description</b>	Bank degradation is occurring along many rivers and creeks. Stabilization improvements including rock rip rap, vegetative cover, j-hooks, boulder vanes, etc. can be implemented to reestablish the channel banks.
<b>Hazard(s) Addressed</b>	Flooding
<b>Estimated Cost</b>	\$10,000 - \$100,000+
<b>Funding</b>	General Fund
<b>Timeline</b>	5+ Years
<b>Priority</b>	Low
<b>Lead Agency</b>	Public Works
<b>Status</b>	Not Started

Mitigation Action	Weather Radios
<b>Description</b>	Conduct an inventory of weather radios at school and other critical facilities.
<b>Hazard(s) Addressed</b>	All Hazards
<b>Estimated Cost</b>	\$50 per radio
<b>Funding</b>	General Fund, Private Funds
<b>Timeline</b>	5+ Year
<b>Priority</b>	High
<b>Lead Agency</b>	Fire Department, County Emergency Manager
<b>Status</b>	In Progress. Radio systems are continuously updated.

**Removed Mitigation Actions**

<b>Mitigation Action</b>	<b>Flood Prone Property Acquisition (East 11<sup>th</sup> &amp; East H St)</b>
<b>Hazard(s) Addressed</b>	<b>Flooding</b>
<b>Reason for Removal</b>	Based on observations, the City of McCook does not believe this area is at risk for flooding. They have had substantial rain events since 2016 and this area has not had problems
<b>Mitigation Action</b>	<b>Maintain Good Standing in the NFIP</b>
<b>Hazard(s) Addressed</b>	<b>Flooding</b>
<b>Reason for Removal</b>	While the city will continue to maintain good standing in the NFIP by enforcing floodplain regulations, this project is considered an ongoing action.

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

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**ITEM:            3.N.**

Consider and approve a request from the Discovery Center of Southwest Nebraska, to utilize the McCook City Auditorium's gymnasium and council chambers for a children's event, their third *Cardboard Challenge*, a "Museum Without Walls", and for the rental fees to be paid for by community betterment funds.

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**BACKGROUND:**

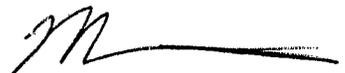
Discovery Center of Southwest Nebraska will again host a "Museum Without Walls". This community event, their third Cardboard Challenge, is scheduled for Saturday, October 16th at the City Auditorium. The activity is focused on youth and families and promotes creativity, inventiveness and independent thinking. It offers a place for families to spend quality time together in a fun, interactive environment. The council has, in the past, allowed auditorium space to store cardboard prior to the event in addition to waiving the facility rental fee for the two days, Friday — set up and Saturday's activity. The rental fee for the auditorium is \$50 per day, \$25 per day for set up, and the rental for the council chambers is \$35 per day. For their last event, the Council waived the charge for the days that they gathered and stored the cardboard.

**FISCAL  
IMPACT:**       None.

**APPROVALS:**

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

September 1, 2021

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

September 1, 2021

August 30, 2021

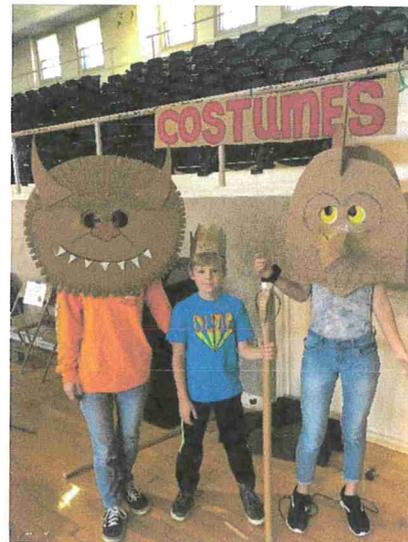
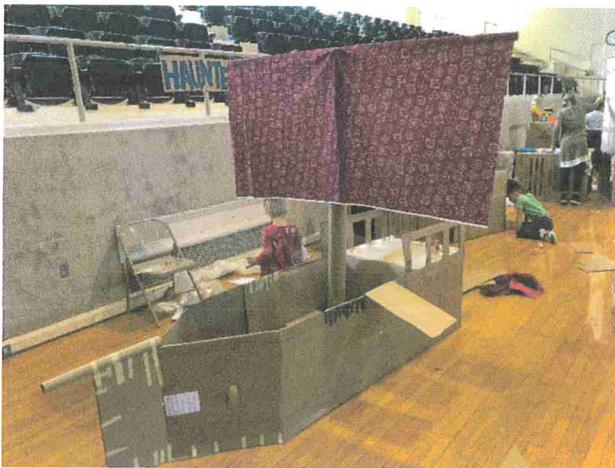
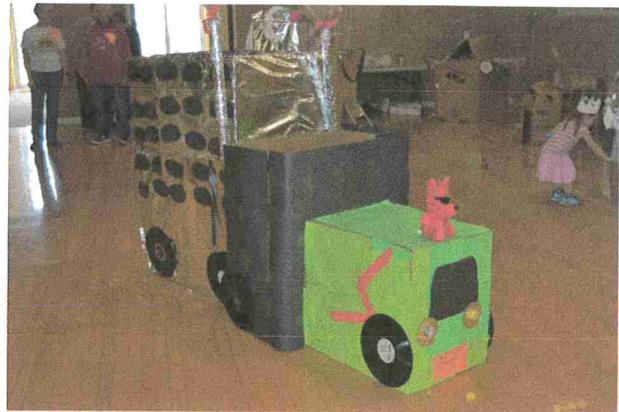
Members of the City Council,

Discovery Center of Southwest Nebraska will again host a "Museum Without Walls". This community event, our third *Cardboard Challenge*, is scheduled for Saturday, October 16<sup>th</sup> at the City Auditorium. The activity is focused on youth and families and promotes creativity, inventiveness and independent thinking. It offers a place for families to spend quality time together in a fun, interactive environment. The council has, in the past, allowed auditorium space to store cardboard prior to the event in addition to waiving the facility rental fee for the two days, Friday – set up and Saturday's activity.

The previous Cardboard Challenges were well-received and enjoyed by all who attended. We appreciate the Council's past support of this project and hope that you will consider our request for this year's event.

Thank you,

*Discovery Center of Southwest Nebraska Board of Directors*  
Box 43  
McCook, NE 69001



**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 MCCOOK CITY COUNCIL MEETING**

**ITEM NO. 4.A.** Approve on third and final reading reading, Ordinance No. 2021-3018, updating McCook's Code of Ordinances to include a new section to Chapter 71, said Chapter and Section to be known as Chapter 71: Traffic Rules; Section 71.30: Engine Braking.

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**BACKGROUND:**

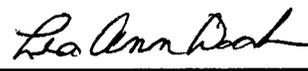
Staff has been instructed to create an engine braking ordinance. Attached to this report is an ordinance for the City Council's consideration. The ordinance is modeled after Kearney's engine braking ordinance. The ordinance prohibits the use of compression brakes within the City of McCook's corporate boundaries, with exceptions provided for: 1) emergency braking situations, and 2) compression brakes that are muffled.

Ordinance No. 2021-3018 has been approved by the City Council on its first and second readings.

**APPROVALS:**

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

September 1, 2021

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

September 1, 2021

ORDINANCE NO. 2021-3018

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 71 - TRAFFIC RULES, OF THE CITY OF MCCOOK CODE OF ORDINANCES; ADDING SUBSECTION - MOTOR VEHICLES; SECTION 71.30 - ENGINE BRAKES; DEFINITIONS, PROHIBITED, AFFIRMATIVE DEFENSE, AND PENALTY; PROVIDING FOR THE REPEAL OF ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

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

SECTION 1 That Chapter 71 - Traffic Rules; Subsection - Motor Vehicles; Section 71.30 - Engine Brakes; Definitions, Prohibited, Affirmative Defense, and Penalty shall be added to read as follows:

**"MOTOR VEHICLES**

§ 71.30 ENGINE BRAKES; DEFINITIONS, PROHIBITED, AFFIRMATIVE DEFENSE, AND PENALTY.

- (A) *Definition.* For the purposes of this Section, the term "engine brake" is hereby defined as a specific braking mechanism which utilizes the release of compressed air as part of an engine retarder or engine brake on any motor vehicle as a means of slowing or stopping said vehicle.
- (B) *Prohibition of Engine Brakes.* It shall be unlawful for anyone to operate a motor vehicle and use engine retarders or brakes as a means of slowing or stopping said vehicle within the city limits.
- (C) *Affirmative Defense.* The use of an engine retarder or brake in an emergency situation to avoid an imminent accident which would otherwise result in damage or injury to person(s) or property, or the fact that the motor vehicle is equipped with a proper muffler system which eliminates noise emitted or caused by the use of an engine retarder or brake system shall constitute affirmative defenses to the application of the provisions of this Section.
- (D) *Penalty.* Any person violating any of the provisions of this Section shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined in accordance with the provisions of Section 71.99. Each day any such violation shall occur or continue shall constitute and be deemed a separate offense."

SECTION 2. Any and all other 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 from and after its passage, approval, and publication as required by law in its entirety or in pamphlet form.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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

Published:

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

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**ITEM:            4.B.**

Approve Ordinance No. 2021-3019 providing for the adoption of the budget for FY 2021/2022 on its third and final reading.

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**BACKGROUND:**

Ordinance No. 2021-3019 provides for the adoption of the budget for Fiscal Year 2021/2022 after discussion and consideration by the Council.

Attached is a copy of the revenue page indicating the Ad Valorem Tax for the new valuation and the Ad Valorem Tax amount if \$.01 is added to the City's levy; a spreadsheet indicating proposed projects utilizing the COVID-FEMA dollars and the estimated ARPA funds; and a revised spreadsheet for proposed capital requests.

An update to the presented Budget Transmittal letter will be given at the meeting on Monday.

**FISCAL  
IMPACT:**       None.

**APPROVALS:**

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

September 1, 2021

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

September 1, 2021

ORDINANCE NO. 2021-3019

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, 2021, through September 30, 2022. 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 \_\_\_\_\_, 2021.

-s- Michael D. Gonzales  
Mayor

ATTEST:

-s- Lea Ann Doak  
City Clerk

CITY OF MCCOOK  
 PROPOSED BUDGET REPORT  
 AS OF: SEPTEMBER 30TH, 2021

10 -GENERAL FUND

DEPARTMENTAL REVENUES	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ACTUAL	2020-2021			2021-2022		
				CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET	PROPOSED BUDGET	
<u>GENERAL REVENUE</u>									
<u>TAXES</u>									
10-000-41000 AD VALOREM TAX	1,305,870	1,353,419	1,407,297	1,517,151	1,126,349	1,441,151	1,517,151	<del>1,517,151</del>	1,594,761
10-000-41010 GENERAL OCCUPATION TAXES	6,195	6,720	7,220	6,500	5,670	6,000	6,000	6,000	\$ .01 add'l
10-000-41020 CABLE TV FRANCHISE TAX	40,529	31,202	52,602	40,000	20,783	40,000	40,000	40,000	1,640,450
10-000-41030 HOMESTEAD ALLOCATION	59,221	62,704	62,329	0	46,028	68,000	0	0	
10-000-41060 TELEPHONE OCCUPATION TAX	19,682	16,078	17,596	15,000	13,437	15,000	15,000	15,000	
10-000-41065 MOBILE TELECOMM OCC TAX	0	0	0	0	0	0	0	0	
10-000-41070 HOTEL OCCUPATION TAX	19,727	127,780	106,607	120,000	107,284	105,000	120,000	120,000	
10-000-41090 PUBLIC POWER IN-LIEU OF TAXES	123,163	123,784	103,825	110,000	120,903	121,000	115,000	115,000	
10-000-41100 PRO-RATE MOTOR VEHICLE	4,595	4,882	4,790	4,000	5,375	4,500	4,000	4,000	
10-000-41110 NATURAL GAS FRANCHISE TAX	54,733	60,947	62,494	58,000	54,984	54,984	50,000	50,000	
10-000-41130 MOTOR VEHICLE (LOCAL)	175,218	174,877	179,141	165,000	156,790	180,000	170,000	170,000	
10-000-41140 MUNICIPAL EQUALIZATION FUND	383,608	347,792	407,814	445,000	416,926	480,000	569,000	569,000	
10-000-41160 SALES TAX	758,548	1,424,887	1,233,056	1,238,162	1,271,526	1,585,330	1,418,998	1,418,998	
10-000-41170 MOTOR VEHICLE SALES TAX	<u>187,124</u>	<u>182,864</u>	<u>203,769</u>	<u>185,000</u>	<u>199,932</u>	<u>216,000</u>	<u>191,200</u>	<u>191,200</u>	
TOTAL TAXES	3,138,215	3,917,935	3,848,539	3,903,813	3,545,988	4,316,965	4,216,349	4,216,349	
<u>LICENSES PERMITS &amp; FEES</u>									
10-000-42000 BUILDING PERMITS	15,052	35,708	9,742	20,000	16,601	16,000	20,000	20,000	
10-000-42010 AMBULANCE FEES	302,563	318,221	278,312	300,000	325,983	318,000	300,000	300,000	
10-000-42040 ALARM FEES	6,429	6,270	5,720	6,000	5,580	5,500	5,500	5,500	
10-000-42060 MONUMENT PERMITS	1,650	1,560	480	1,000	1,020	1,000	1,000	1,000	
10-000-42100 OTHER PERMITS	2,130	2,445	3,075	2,000	2,860	2,000	2,000	2,000	
10-000-42120 FIREWORKS PERMITS	450	450	300	450	225	225	300	300	

After No Val.  
 1,594,761  
 \$ .01 add'l  
 1,640,450

COVID - FEMA \$\$ \$ 680,000

Transfer to Self Insurance \$ 200,000

Radio Console/Equip \$ 150,000

(1) Police Unit \$ 47,896

Bucket Truck (Street) \$ 125,000

Extrication Equip (Fire) \$ 130,000

\$ 27,104

ARPA Estimate (2 payments) \$1,338,027

Radio Console/Equip \$ 440,000

Internet to WTP \$ 20,000

Van Press WWTP \$ 500,000

Drainage Project \$ 300,000

\$ 78,027

**CAPITAL REQUESTS  
FY 2020/2021**

Department	Priority	Code	Item Description	Budget Request	Included	Removed	Other Sources	Funding Source
<b>POLICE</b>								
			Body Cameras (16) \$1,875 each	\$ 30,000		\$ 5,625	\$ 24,375	ACE
			MACH Mapping	\$ 1,000	\$ 1,000			General Fund
			Police Units (4) \$47,896 each	\$ 191,584	\$ 95,792		\$ 95,792	1/2 Gen, 1/4 EU Res, 1/4 COVID
			Equip Durango	\$ 11,000	\$ 11,000			General Fund
			Radio Console	\$ 740,000			\$ 440,000	ARPA
							\$ 100,000	E911 Funds
							\$ 50,000	Police Radio Res
							\$ 150,000	COVID - FEMA
			<b>POLICE TOTAL</b>		<b>\$ 973,584</b>			
<b>MUNICIPAL CENTER</b>								
			Mower	\$ 15,000		\$ 15,000		General Fund
			<b>MUNICIPAL CENTER TOTAL</b>		<b>\$ 15,000</b>			
<b>FIRE</b>								
			SCBA Lease Pay 4 of 7	\$ 21,227	\$ 21,227			General Fund
			Turnout Gear (4 sets) 10 yr rotate	\$ 12,500	\$ 12,500			General Fund
			Extrication Tools	\$ 48,402	\$ 48,402			AFG Grant
			City Match - 5%	\$ 2,548	\$ 2,548			General Fund
			Fire Safety House	\$ 213,750	\$ 213,750			FPS Grant
			FPS Grant Match - 5%	\$ 11,250	\$ 11,250			General Fund
			ARFF (Airport Vehicle)	\$ 325,000		\$ 325,000	\$ -	Move to next yr.
			Pumper/Ladder Truck Replacement	\$ 1,000,000		\$ 1,000,000		General Fund
			Extrication Equipment	\$ 130,000			\$ 130,000	COVID - FEMA
			Fire Hose Replacement	\$ 6,000		\$ 6,000		Already purchased
			<b>FIRE TOTAL</b>		<b>\$ 1,770,677</b>			

<b>AMBULANCE</b>									
			Ambulance Lease Pay (3 of 6)	\$ 31,068		\$ 31,068			General Fund
			Ambulance Replacement	\$ 230,000			\$ 230,000		General Fund
			<b>AMBULANCE TOTAL</b>			<b>\$ 261,068</b>			
<b>BUILDING &amp; ZONING</b>									
			Pickup (establish reserve-4 yrs)	\$ 35,000		\$ 8,750	\$ 26,250		General Fund
			<b>BUILDING &amp; ZONING TOTAL</b>			<b>\$ 35,000</b>			
<b>STREET</b>									
	1	R	Sweeper Lease Pay (3 of 6)	\$ 34,365		\$ 34,365			General Fund
	1	R	Loader Lease Pay	\$ 31,170		\$ 31,170			General Fund
	2	C, S	Upgrade Bucket Truck	\$ 125,000			\$ 125,000		COVID - FEMA
	3	N	Tractor	\$ 90,000			\$ -	\$ 90,000	Add's Hwy Alloca
	4	N	Mower(s)	\$ 30,000			\$ 30,000		General Fund
	5	B	Snow Blower Upgrade	\$ 35,000			\$ 35,000		General Fund
	6	B	Surplus Snow Plow Truck	\$ 30,000			\$ 30,000		General Fund
	7	B	Storm Sewer Master Plan	\$ 35,000			\$ 35,000		General Fund
	8	B	Transportation Master Plan	\$ 35,000			\$ 35,000		General Fund
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>STREET TOTAL</b>			<b>\$ 445,535</b>			
<b>CEMETERY</b>									
	1	P	Columbarium Addition(current est higher)	\$ 80,000			\$ 80,000		Perpetual Care
	2	P	Mowers	\$ 25,000		\$ 25,000			General Fund
	3	B	Shop Expansion	\$ 100,000			\$ 100,000		Sales Tax
	4	P	New Sprinkler System (Mem Pk)	\$ 150,000			\$ 150,000		General Fund
	5	B	Road Replacement/Repair	\$ 250,000			\$ 250,000		General Fund/Sales Tax
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>CEMETERY TOTAL</b>			<b>\$ 605,000</b>			

<b>PARKS</b>									
	1	N	Utility Vehicle	\$ 20,000		\$ 20,000			General Fund
	1A	P	Mower	\$ 30,000		\$ 30,000			General Fund
	2	N	Shelter house improve (Barnett)	\$ 100,000			\$ 100,000	\$ -	Sales Tax uncomm
	3	N	New Restrooms at Karrer Park	\$ 100,000			\$ 100,000		Sales Tax
	4	N	New Water Reel	\$ 9,000			\$ 9,000		General Fund
	5	N	Skatepark Fencing	\$ 5,000			\$ 5,000		
	6	N	Dig out Barnett Park ponds	\$ 30,000			\$ 30,000		Sales Tax
	7	B	Develop upper area Barnett	\$ 15,000			\$ 15,000		
	8	B	Overlay Barnett Park Roads	\$ 284,400			\$ 284,400		
	9	B	Elks Tennis Court Improvements	\$ 434,000			\$ 434,000		Sales Tax
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>PARKS TOTAL</b>			\$ 1,027,400			
<b>BALLPARKS</b>									
	1	S, N	Replace OF fence on fields 2,3 and 4						
	2	N	Reside shed and replace fascia/soffit						
	3	N	Mower Rotation	\$ 30,000		\$ 30,000			General Fund
	4	N	Overlay Parking Lot	\$ 165,600			\$ 165,600		LB840 Motor Vehicle
	5	N	Pickup	\$ 35,000			\$ 35,000		General Fund
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>BALLPARK TOTAL</b>			\$ 230,600			
<b>AIRPORT</b>									
	1	P	Pickup w/ Utility Box	\$ 43,000				\$ 43,000	COVID \$
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>AIRPORT TOTAL</b>			\$ 43,000			
<b>SENIOR CENTER</b>									
			Ovens (2)	\$ 8,000		\$ 4,000		\$ 4,000	McCook Comm Found
			<b>SENIOR CENTER TOTAL</b>			\$ 8,000			
						\$ 631,822	\$ 3,450,875	\$ 1,332,167	
						\$ 5,414,864			\$ -

<b>RECYCLING</b>									
	1	N	4 wheel drive tractor	\$	115,000				TS Fees/Grant
	2	N	Skid Loader	\$	65,000				TS Fees/Grant Funds
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>RECYCLING TOTAL</b>	\$	180,000				
<b>COLLECTION</b>									
	1	R	Loader Payment	\$	17,210				TS Fees
	2	R	Replacement containers	\$	26,000				TS Fees
	3	P	Trash Truck Reserve	\$	45,000				TS Fees
	4	B	Old Facility Upgrade	\$	10,000				TS Fees
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>COLLECTION TOTAL</b>	\$	98,210				
<b>TRANSFER STATION</b>									
	1	R	Loader Payment	\$	11,472				TS Fees
	2	B	Old Facility Upgrade	\$	10,000				TS Fees
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>TRANSFER STATION TOTAL</b>	\$	21,472				
<b>HAULING</b>									
	1	B	Used/New Semi Tractor Reserve	\$	30,000				TS Fees
	2	B	New 53' Trash Trailer	\$	90,000				TS Fees
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>HAULING TOTAL</b>	\$	120,000				
<b>WATER</b>									
			Linestop Equipment	\$	66,000				Water Fees
			JD Backhoe Repairs	\$	3,500				Water Fees
			Tractor Mounted Plate Packer	\$	5,500				Water Fees
			Tractor Mounted Jack Hammer	\$	7,000				Water Fees
			Hypo CL Generator Water Softner	\$	6,600				Water Fees
			Cordless Hammer Drill/Batteries	\$	1,200				Water Fees
			Dump Box Replacement	\$	13,000				Water Fees
			14" Handheld Concrete Saw	\$	2,100				Water Fees
			60 HP Verable Speed Drive (VFD)	\$	7,000				Water Fees

		<b>WATER TOTAL</b>	\$ 111,900				
<b>WATER REPLACE</b>							
		Upgrade Water Meters	\$ 50,000				Water Fees
		Barnett -BNSF Main/Valves	\$ 165,000				Water Fees
		W 2 - W 3 connecting main	\$ 42,000				Water Fees
		Rehab High Service Pumps-1 per yr	\$ 20,000				Water Fees
		Water Valve Replacement	\$ 35,000				Water Fees
		Fire Hydrant Replacement	\$ 20,000				Water Fees
		16" Main Replace W 5th	\$ 443,999				Water Fees
		Main Replace E 14 - C to D to Gemini	\$ 171,826				Water Fees
		Uncommitted	\$ 50,307				Water Fees
		<b>TOTAL WATER REPLACEMENT</b>	\$ 998,132				
<b>SEWER</b>							
		Vactor Truck Jetter Hose	\$ 2,000				Sewer Fees
		Karrer Pk Lift Station pump replace	\$ 30,000				Sewer Fees
		BAF Blower Shaft seal replacement	\$ 10,000				Sewer Fees
		Manhole frame and covers	\$ 1,800				Sewer Fees
		Mower	\$ 13,000				Sewer Fees
		Refrigerated Sampler	\$ 6,000				Sewer Fees
		Half Ton Pickup	\$ 25,000				Sewer Fees
		<b>SEWER TOTAL</b>	\$ 87,800				
<b>SEWER REPLACE</b>							
		SCADA System Upgrade	\$ 35,000				Sewer Fees
		Replace underground clarifer valves	\$ 20,000				Sewer Fees
		Rehab West Golf Course Lift Station	\$ 230,000				Sewer Fees
		Replace Outfall Line	\$ 70,000				Sewer Fees
		Sludge Rotary Fan Press Install	\$ 125,000				Sewer Fees
		"S" Street Main Extension	\$ 400,000				SRF Funding
		Uncommitted	\$ 138,556				Sewer Fees
		<b>SEWER REPLACE TOTAL</b>	\$ 1,018,556				

<b>STREET (ONE &amp; SIX)</b>									
	1	S, C	North Drainage Project	\$ 225,000					Sales Tax
	1A		North Cherokee, Seminole to Norris	\$ 443,000					Sales Tax
	2		P Street, West 1st & Marsh	\$ 287,000					Sales Tax
	3		West 8th, A Street to West 7th	\$ 226,000					Sales Tax
	4		West C, West 7th to West 10th	\$ 212,000					Sales Tax
	5		West 5th, West J to West Q	\$ 398,000					Sales Tax
	6		West J extension, Spoon to Spyglas	\$ 370,000					Sales Tax
R=Required, C=Critical, P=Priority, S=Safety, N=Needed, B=Beneficial									
			<b>STREET (ONE &amp; SIX) TOTAL</b>	\$ 2,161,000					

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

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**ITEM:**        4.C.

Approve Ordinance No. 2021-3020 providing for the adoption of the FY 2021/2022 Fiscal Year Employee Classification Pay Plan on its third and final reading.

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**BACKGROUND:**

The attached ordinance provides for the adoption of the Employee Classification and Pay Plan for Fiscal Year 2021/2022.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

September 1, 2021

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

September 1, 2021

**ORDINANCE NO. 2021-3020**

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2021/2022 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 2021/2022 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, 2021.

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 \_\_\_\_\_, 2021.

-s- Michael D. Gonzales  
Mayor

ATTEST:

-s- Lea Ann Doak  
City Clerk

Publish:

**CITY OF MCCOOK  
CLASSIFICATION AND PAY PLAN  
FY 2021-2022**

<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	10.000	- 11.000	
(S4)	Pool Seasonal/Seasonal II Pool Manager Seasonal II Assistant Pool Manager Pool Guard	10.500	- 13.000 9.000 - 11.000 9.000 - 11.000	
(3P)	Permanent Part-Time (No annual range adjustment - employees eligible for annual COLA & merit) Part-Time Clerical Part-Time Transit Driver Senior Center Aide Part-Time Custodian/Maintenance	10.500	- 15.500	
(100)	Public Transportation Driver	12.909	- 18.262	26,851 - 37,985
(105)	Full-Time Custodial/Maintenance	13.317	- 19.998	27,699 - 41,596
(110)	Assistant Cook	13.619	- 17.905	28,328 - 37,242
(115)	Clerk II (Public Transit Dispatcher)	14.498	- 19.944	30,156 - 41,484

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(120)	Head Cook	14.670 - 21.828	30,514 - 45,402
(125)	Laborer I Equipment Operator I	15.013 - 21.328	31,227 - 44,362
(130)	Transfer Station Assistant	15.262 - 19.820	31,745 - 41,226
(135)	Circulation Librarian	15.554 - 20.464	32,352 - 42,565
(140)	Public Safety Office Assistant Office Assistant	15.430 - 20.776	32,094 - 43,214
(145)	Disposal Plant Operator I	16.084 - 22.087	33,455 - 45,941
(150)	Catalogue/Media Librarian	16.269 - 21.369	33,840 - 44,448
(155)	Administrative Assistant	15.975 - 21.627	33,228 - 44,984
(160)	Laborer II	16.563 - 21.848	34,451 - 45,444
(165)	Equipment Operator II	16.511 - 22.098	34,343 - 45,964
(170)	Refuse Collection Driver	16.542 - 22.047	34,407 - 45,858
(175)	Utility Service Technician I (Meters)	16.615 - 22.441	34,559 - 46,677
(180)	Juvenile Services Librarian	16.615 - 22.951	34,559 - 47,738
(185)	Disposal Plant Operator II	17.682 - 22.961	36,779 - 47,759
(190)	Assistant Mechanic	18.071 - 25.417	37,588 - 52,867
(195)	Chief Dispatcher	18.269 - 23.305	38,000 - 48,474

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(200)	Equipment Operator III Tractor-Trailer Operator Financial Administrative Assistant E911 Office Coordinator	17.863 - 24.086	37,155 - 50,099
(205)	Utility Service Technician II	18.665 - 25.209	38,823 - 52,435
(210)	Cemetery Sexton	19.872 - 25.802	41,334 - 53,668
(215)	Disposal Plant Operator III Water Plant Operator I	19.279 - 25.834	40,100 - 53,735
(220)	Equipment Operator/Groundskeeper II - Parks Equipment Operator/Groundskeeper II - Street	19.268 - 26.228	40,077 - 54,554
(225)	Mechanic	19.050 - 26.634	39,624 - 55,399
(230)	Airport Maintenance Operator	23.000 - 29.586	47,840 - 61,539
(235)	Deputy City Clerk Human Resource Coordinator	19.955 - 30.618	41,506 - 64,031
(240)	Water Plant Operator II	22.244 - 29.880	46,268 - 62,150
(245)	Laborer Foreman	23.399 - 30.178	48,670 - 62,770
(250)	Building Inspector/Code Compliance Officer	24.377 - 32.105	50,704 - 66,779
(255)	Police Sergeant (42 hour) Sergeant/Patrol Supervisor	24.866 - 33.147	54,307 - 72,393

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(260)	Library Director Senior Services Director Public Works Superintendent Solid Waste Superintendent Wastewater Superintendent Water Superintendent	27.539 - 35.738	57,281 - 74,335
(265)	City Clerk/Treasurer	30.213 - 43.125	62,843 - 89,700
(270)	Utilities Director	33.917 - 45.590	70,547 - 94,827
(275)	Public Works Director	34.749 - 47.702	72,278 - 99,220
(280)	Fire Chief Chief of Police	34.989 - 47.244	72,777 - 98,268
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
10/1/2021 - 9/30/2022	\$ 16.306	\$ 16.985	\$ 17.470	\$ 18.086	\$ 18.734	\$ 19.371	\$ 20.053	\$ 20.751	\$ 21.476	\$ 22.223	\$ 23.002

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
10/1/2021 - 9/30/2022	\$ 22.825	\$ 23.780	\$ 24.455	\$ 25.319	\$ 26.228	\$ 27.119	\$ 28.075	\$ 29.051	\$ 30.063	\$ 31.115	\$ 32.203

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
10/1/2020 - 9/30/2021								
Police Officers	\$ 20.247	\$ 21.108	\$ 22.058	\$ 23.050	\$ 24.087	\$ 25.292	\$ 26.557	\$ 27.885
Detectives	\$ 23.011	\$ 23.931	\$ 24.888	\$ 25.884	\$ 26.919	\$ 27.996	\$ 29.256	\$ 30.645
Dispatchers	\$ 15.310	\$ 15.877	\$ 16.464	\$ 17.073	\$ 17.704	\$ 18.377	\$ 19.076	\$ 19.839

**CITY OF MCCOOK**  
**FY 2021/2022 (12 MONTH)**  
**PERSONNEL SCHEDULE**

<u>PAY GRADE</u>	<u>POSITION</u>	<u>FULL TIME EQUIVALENCY</u>
<b>GENERAL FUND</b>		
<b>ADMINISTRATION</b>		
	City Manager	1.00
265	City Clerk/Treasurer	1.00
235	Deputy City Clerk	1.00
235	Human Resource Coordinator	1.00
200	Financial Administrative Assistant	1.00
3P	Part-Time Clerical	.50
<u>Total Full-Time Equivalency</u>		<u>5.50</u>
<b>AUDITORIUM</b>		
3P	Part-Time Custodian/Maintenance	.50
<u>Total Full-Time Equivalency</u>		<u>.50</u>
<b>POLICE</b>		
280	Police Chief	1.00
255	Sergeant/Patrol Supervisor	4.00
200	E911 Office Coordinator	1.00
195	Chief Dispatcher	1.00
Union	Detective	2.00
Union	Patrol Officer	8.00
Union	Patrol Officer (School Resource Officer)	1.00
Union	Public Safety Dispatcher	6.00
<u>Total Full-Time Equivalency</u>		<u>24.00</u>

PAY GRADE	POSITION	FULL TIME EQUIVALENCY
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**FIRE**

155	Administrative Assistant	1.00
280	Fire Chief	1.00
Union	Lieutenant Firefighter/Paramedic	3.00
Union	Firefighter/Paramedic	6.00
Full-Time Equivalency		11.00

**BUILDING AND ZONING**

250	Bldg Inspector/Code Compliance Officer	1.00
Full-Time Equivalency		1.00

**LIBRARY**

260	Library Director	1.00
180	Juvenile Services Librarian	1.00
150	Catalogue/Media Librarian	1.00
135	Circulation Librarian	1.00
3P	Part-Time Custodian/Maintenance	.50
3P	Part-Time Clerical	.67
Full-Time Equivalency		5.17

**STREET**

275	Public Works Director	.92
260	Public Works Superintendent	1.00
225	Mechanic	1.00
220	Equipment Operator/Groundskeeper II	1.00
200	Equipment Operator III	1.00
	Seasonal Help	
Full-Time Equivalency		4.92

PAY GRADE	POSITION	FULL TIME EQUIVALENCY
<b>CEMETERY</b>		
210	Sexton	1.00
125	Laborer I	1.00
	Seasonal Help	
Full-Time Equivalency		2.00
<b>PARKS</b>		
220	Equipment Operator/Groundskeeper II	1.00
125	Laborer I	1.00
	Seasonal Help	
Full-Time Equivalency		2.00
<b>BALL PARKS</b>		
160	Laborer II	1.00
	Seasonal Help	
Full-Time Equivalency		1.00
<b>POOL</b>		
	Seasonal	
Full-Time Equivalency		.00
<b>AIRPORT</b>		
230	Airport Maintenance Operator	1.00
Full-Time Equivalency		1.00
<b>SENIOR CENTER</b>		
260	Senior Services Director	.75
120	Head Cook	1.00
115	Clerk II (Public Transit Dispatcher)	.25
110	Assistant Cook	2.00
3P	Part-Time Custodian/Maintenance	.83
Full-Time Equivalency		4.83

PAY GRADE	POSITION	FULL TIME EQUIVALENCY
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**PUBLIC TRANSPORTATION**

260	Senior Services Director	.25
115	Clerk II (Public Transit Dispatcher)	.75
100	Public Transportation Driver	1.00
3P	Part-Time Custodian/Maintenance (1@20hrs.) Substitute Driver	.165
Full-Time Equivalency		2.165

**ENTERPRISE FUNDS**

**SOLID WASTE - RECYCLING**

155/130	Administrative Asst./Transfer Station Asst.	.25
120	Laborer I	1.00
Full-Time Equivalency		1.25

**SOLID WASTE - COLLECTION**

275	Public Works Director	.08
260	Solid Waste Superintendent	.50
200	Equipment Operator III	.50
170	Refuse Collection Driver	2.00
120	Laborer I	.50
Full-Time Equivalency		3.58

**SOLID WASTE - TRANSFER STATION**

260	Solid Waste Superintendent	.50
225	Mechanic	1.00
200	Equipment Operator III	.50
155/130	Administrative Asst/Transfer Station Asst.	.75
120	Laborer I	.50
Full-Time Equivalency		3.25

**PAY GRADE                      POSITION    FULL TIME EQUIVALENCY**

**SOLID WASTE - DISPOSAL**

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200	Tractor/Trailer Operator	2.00
Full-Time Equivalency		2.00

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**WATER**

270	Utilities Director	.50
260	Water Superintendent	1.00
245	Laborer Foreman	1.00
240	Water Plant Operator II	1.00
205	Utility Service Technician II	2.00
155	Administrative Assistant	1.00
Full-Time Equivalency		6.50

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**SEWER**

270	Utilities Director	.50
260	Wastewater Superintendent	1.00
215	Disposal Plant Operator III	1.00
185	Disposal Plant Operator II	1.00
155	Administrative Assistant	1.00
145	Disposal Plant Operator I	1.00
	Seasonal Help	
Full-Time Equivalency		5.50

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**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

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**ITEM:**        4.D.

**RECOMMENDATION:**

**INTRODUCE ORDINANCE NO. 2021-3022 PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES OF THE CITY MCCOOK CODE OF ORDINANCES AND APPROVE UPON ITS FIRST READING**

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**BACKGROUND:**

This Ordinance provides for the increase to the solid waste collection fees as included in the proposed FY 2021-2022 budget.

The fee for Residential Trash Collection will increase from \$23.75 to \$24.50 per month which includes a \$2.00/month recycling fee to help support the recycling program. The last increase was in October 2019 where the fee increased from \$23.25/month to \$23.75/month.

The fee for Household/Commercial Waste will increase from \$65.00/ton to \$67.00/ton. The last increase was in October 2019 where the fee increased from \$64.00 to \$65.00.

Staff would recommend, if possible, to suspend the rule after the second reading in order to make the changes effective on September 0, 2021.

**FISCAL**

**IMPACT:**    None.

**RECOMMENDATION:**

**INTRODUCE ORDINANCE NO. 2021-3022 PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES OF THE CITY MCCOOK CODE OF ORDINANCES AND APPROVE UPON ITS FIRST READING**

**APPROVALS:**

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

SEPTEMBER 1, 2021

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

SEPTEMBER 1, 2021

**ORDINANCE NO. 2021-3022**

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. 2019-2988 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	\$.033500 per pound (\$67.00 per ton) minimum charge - \$5.00
Yard Waste Only	\$.012675 per pound (\$25.35 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 \$22.50 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 September 30, 2021 and from and after its passage, approval and publication in pamphlet form according to law.

PASSED AND APPROVED THIS \_\_\_\_\_ day of September, 2021.

-s- Michael D. Gonzales  
Mayor

ATTEST:

-s- Lea Ann Doak  
City Clerk

**CITY MANAGER'S REPORT  
SEPTEMBER 7, 2021 CITY COUNCIL MEETING**

---

**ITEM:**

- 4.E.** Approve Employment Agreement with City Manager Nathan A. Schneider and authorize the Mayor to sign.
- 4.F.** Introduce and approve under suspension of the rule, Ordinance No. 2021-3021 setting the salary and compensation of City Manager Nathan A. Schneider.
- 

**BACKGROUND:**

Attached are copies of the proposed Employment Agreement and proposed Ordinance No. 2021-3021.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 31, 2021

ORDINANCE NO. 2021-3021

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, 2021, the City Manager of the City of McCook, Nebraska shall receive for his base annual (12 month) salary \$116,351, plus 1% longevity \$1,164, for a gross annual (12 month) salary \$117,515 said salary to be paid bi-weekly; retirement benefit of 7% 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 September 7, 2021, and effective October 1, 2021, 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 7<sup>th</sup> day of September, 2021.

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

ATTEST:

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

Current Base Salary	\$111,340
2% COLA	\$ 2,227
<u>2½% Merit</u>	<u>\$ 2,784</u>
New Base	\$116,351
<u>1% Longevity</u>	<u>\$ 1,164</u>
Gross Annual	<u>\$117,515</u>

Publish: September 18, 2020.

## EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into this 7<sup>th</sup> day of September, 2021, 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 1<sup>st</sup> day of October, 2021, and shall supersede the Agreement of May 8, 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 base annual salary of \$116,351 plus longevity of \$1,164, for a gross annual salary of \$117,515, 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 July 1, 2022, 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 seven percent (7%) 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. LONGEVITY

The City Manager shall receive longevity pay at the rate of one percent (1%) of base pay for each five (5) years of continuous service. The years of service shall be figured from date of permanent, full time status.

### SECTION 16. 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 17. 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 18. 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 19. 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

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

ATTEST:

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

CITY MANAGER

\_\_\_\_\_  
Nathan A. Schneider