

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, May 16, 2022
5:30 PM - City Council Chambers

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.
2. Public Hearings.
 - A. Public Hearing - Request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, property located within the two mile extra-territorial jurisdiction of the City of McCook.
 1. Adjourn the Public Hearing.
 - B. Approve the application for a special exception for a commercial building in the Agricultural (AG) District; Project Sponsor/Developer - Jake Thieszen; Land Owner - CTS Liquid Feed, LLC; with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, that the granting of the special exception will not adversely affect the public interest; and that Special Exception Considerations A - I have been met.
 - C. Public Hearing - Consider replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.
 1. Adjourn the Public Hearing.
 - D. Adopt Resolution No. 2022-02 providing for the approval of the replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.
3. Proclamations.

- A. Approve the proclamation designating the week of May 15 - 21, 2022 as "National Public Works Week" and authorize the Mayor to sign.
 - B. Approve the proclamation designating May 15 "Police Officers Memorial Day" and the week of May 15 - 21, 2022 as "Police Week" and authorize the Mayor to sign.
 - C. Approve the proclamation designating May 15 - 21, 2022 as "Emergency Medical Services Week" and authorize the Mayor to sign.
4. Consent Agenda.
- A. Approve the minutes of the May 2, 2022 regular City Council meeting.
 - B. Approve the request from Katie Anderson to close the following streets for the 1st Annual Big West Street Fest 3 on 3 Basketball Tournament on July 16, 2022 from 8:00 A.M. to 9:00 P.M. - East 1st Street from East "G" Street to East "H" Street and East "G" Street from Norris Avenue to East 1st Street.
 - C. Approve the request from the McCook Area Chamber of Commerce to close the 400 block of Norris Avenue ("D" Street through "E" Street) for their annual banquet on June 24, 2022 from 4:00 P.M. to 11:59 P.M.
 - D. Receive and file the claims for the month of April 2022, published May 13, 2022.
 - E. Adopt Resolution No. 2022-03 granting a Waiver of Payment in Lieu of Taxes to the McCook Housing Agency.
 - F. Receive and file the Financial Report for the period ending April 30, 2022.
 - G. 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 June 18, 2022 from 4:00 P.M. to 12:00 A.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 August 20, 2022 from 4:00 P.M. to 12:00 A.M.
 - I. Receive and file an update on the findings of the Middle Republican Natural Resource District with respect to a request from Scott Snyder to purchase property legally described as Block 2 of the Hundt Subdivision.
 - J. Instruct staff to hold discussions with property owners who own properties that may be part of a future City of McCook Annexation project.
 - K. Receive and file the minutes of the May 5, 2022 Planning Commission meeting.
 - L. Authorize City Staff to prepare a resolution fixing as a special assessment all costs incurred by the City with the demolition of the property located at 406 East 1st Street, owned by William Todd Baker.
5. Regular Agenda.
- A. Authorize the USDA to conduct a goose roundup to significantly reduce the goose population in Barnett Park.
 - B. Update regarding whether to continue with the City of McCook's use of replats to modify existing subdivision versus adopting a vacation and begin a new system.

C. Consider bid options and approve the City's option for the Sheriff's Sale for Block Six (6), Lot Ten (10), Third Addition to the City of McCook, Red Willow County, Nebraska - Sarah L. Wederski Property.

D. Council Comments.

Adjournment.

**CITY MANAGER'S REPORT
MAY 16, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM: 2.A Public Hearing - Request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural District (AG), with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska.

ITEM: 2.B Approve a special exception by Jake Thieszen for a commercial building in the Agricultural District (AG), with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I.

BACKGROUND:

Jake Thieszen has filed an application for a special exception to allow for a commercial use in the AG District. The property is located south of Road 716, west of the intersection of Highway 83 and Road 716/West Q Street. The commercial property will be operated by CTS Liquid Feed. The property will be used to provide liquid feed products to cattle producers. The liquid feed will be housed in two buildings, with said buildings to sit adjacent to one another. The main plant will house the mixer, clay system, micro-ingredients, and offices. The second building will house dry ingredients. There will be truck traffic as a result of the operation. A description of the project is included with this packet.

Article 24 of the McCook Zoning Ordinance contains the City of McCook's special exception requirements. Specifically, Article 24, Section 2402, Paragraph 5 is controlling. From city staff's analysis, the proposed special exception meets the established special exception considerations. Road 716 provides adequate ingress and egress to the property and proposed structures to promote safety and convenience, assure appropriate traffic flow and control, and provide access in case of a fire or catastrophe. There will be sufficient off-street parking and loading for the users of the facility. The economic, noise, glare, or odor effects will be minimal to the adjoining properties and properties generally in the district. All signs will be required to meet the City of McCook's established regulations. Due to the nature of the property, screening and buffering should not be an issue. Utility placement and distribution will not impact other properties negatively. The project is generally compatible with adjacent properties in the district. The project is compatible with the existing and future land use plans in the McCook Comprehensive Plan.

The McCook Planning Commission unanimously voted to recommend approval of the special exception, based on special exception requirements A-I. The Planning Commission did inquire as to why the special exception application was not filed earlier, prior to the commencement of construction. Staff believes there was a misunderstanding with respect to the special exception process, and when discovered, the applicant filed the application. Staff did review the request similarly to all of the other requests the City of McCook receives and it is the belief of staff, that due to the nature of the business, the approval of the special exception request is warranted.

EXHIBIT #1

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APPROVALS:



Lea Ann Doak, City Clerk

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022

**NOTICE OF HEARING
REQUEST FOR
SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held on a request to allow commercial uses on a parcel located in the Agricultural (AG) District located within the two mile extra-territorial jurisdiction of the City of McCook.

ADDRESS: 1 Cappel Drive

LEGAL DESCRIPTION: Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska.

PROJECT SPONSOR/
DEVELOPER: Jake Thieszen

LAND OWNER: CTS Liquid Feed, LLC

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

MAY 9, 2021 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

MAY 16, 2021 - 5:30 P.M.
MCCOOK CITY COUNCIL
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described request will be given an opportunity to be heard. Please direct all inquiries to Nate Schneider, City Manager, at 308-345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: April 29, 2022
Post: April 29, 2022
Mail: April 29, 2022

EXHIBIT #2

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OWNERSHIP LIST FOR MAILING:

Tom Bredvick, President
McCook Public Schools
600 West 7th Street
McCook NE 69001

Red Willow Co. School Dist. #17
700 West 7th Street
McCook NE 69001

Red Willow County
%Tami Teel
502 Norris Avenue
McCook NE 69001

Red Willow County Planning Commission
502 Norris Avenue
McCook NE 69001

Marshall and Jennifer Tucker
38355 Dr. 716
McCook, NE 69001

Carol Lashley
38335 Dr. 716
McCook, NE 69001

CCJH, LLC
c/o Curt Swanhorst
#9 Mashie Drive
McCook, NE 69001

Cappel Industrial Park 2, LLC
#5 Brassie Dr
McCook, NE 69001

Eugene and Joan Koch
38356 Drive 716
McCook, NE 69001

NE Humic Co, LLC
71313 Rd 384
McCook, NE 69001

Black Hills Gas, LLC
PO Box 1400
Rapid City, SD 57709

EXHIBIT #3

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CITY OF McCOOK

LAND USE ACTION REQUEST FORM

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

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

Name of Project: CTS Liquid Feeds, LLC

Description of Project: see project description attached

Project sponsor or developer:

Name: Jake Thieszen

Address: 38822 Road 714

Phone number: 308-340-6286

Fax number: _____

E-mail Address: CTSLiquidFeed@gmail.com

Land owner or owners:

Name: CTS Liquid Feeds, LLC

Address: 19901 Drive

Phone number: 308-340-6286

Fax number: _____

E-Mail Address: CTSLiquidFeed@gmail.com

Authorization of the land use action by land owner:

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

Jake Thieszen
Printed Name:

Printed Name:

[Signature]
Signature:

Signature:

12-1-21
Date:

Address and physical location of the Proposed Land Use Action: _____

1 Cappel Drive McCook, ME 69001

Property Description (Of the parent parcel for subdivisions): _____

24-3-3 PT NW/SE/4

Cappel Industrial Park

Required Information:

See Attached sheets for required information for:

- _____ Subdivisions
- _____ Zone Changes and special exceptions
- _____ Planned developments

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

Fee, complete application, and required attachments accepted by:

Printed name

Signature

Date

REQUIRED ATTACHMENTS:

For Zone Changes and Special Exceptions:

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

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

~~_____

_____~~

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

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

- (A) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- (B) off-street parking and loading areas where required, with particular attention to the items in (A) above, the economic, noise, glare or odor effects of the special exception or change of zone on adjoining properties and the properties generally in the district or the area;
- (C) the location of refuse and service areas, with particular reference to the items in (A) and (B) above;
- (D) utilities, with reference to locations, availability, and compatibility;
- (E) screening and buffering with reference to type, dimensions, and character;
- (F) signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

(G) required yards and other open space;

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

(I) compatibility with existing and future land use plan in the McCook Comprehensive Plan.

_____ Explain how the project complies with the Comprehensive Plan: _____

Project Description

CTS Liquid Feed will be providing quality, reliable and consistent liquid feed products to cattle producers. This business will be in the feed manufacturing sector and specializing in liquids. Liquid feeds are manufactured by taking a liquid by-product such as molasses or corn syrup and using the specialized high shear mixer to add dry feed ingredients to produce a flowable feed that can provide minerals, vitamins, medication, and other nutrients.

Two buildings will house the manufacturing process. The main plant is a 60 by an 80-foot steel structure. It will house the mixer, clay system, micro-ingredients, and offices. The second building is a hoop style with a concrete floor and bunker walls. It will house dry ingredient storage. There will also be smooth cone-style bins to store small micron dry ingredients received by pneumatic trucks. Incoming liquid tanks will carrier products such as corn steep, molasses, or corn syrup. The liquid supplement is mixed and processed using raw ingredients from our storage facility. All ingredients dry and liquid will be moved into a 25-ton liquid mixer using conveyors and augers. Then the final product will be pumped into storage tanks for shipping. There will be four individual overhead tanks, so each truck that comes to pick up a load will have it pre-staged. Trucks will receive a pre-weighed product and ticket for delivery to the customers. One or two employees will operate production and maintain daily activities.

Delivering a quality product that is within specifications is of the utmost importance. Quality control standards are set in place to ensure production procedures are followed. All final products will have a sample sent to a third-party testing center to guarantee specifications. Also, all products will undergo a suspension test to provide confidence no ingredients will be lost.

CTS liquid feed will be located in the north section of McCook, Ne, on a paved road half a mile west of Highway 83, providing convenient access for incoming and outgoing trucks.

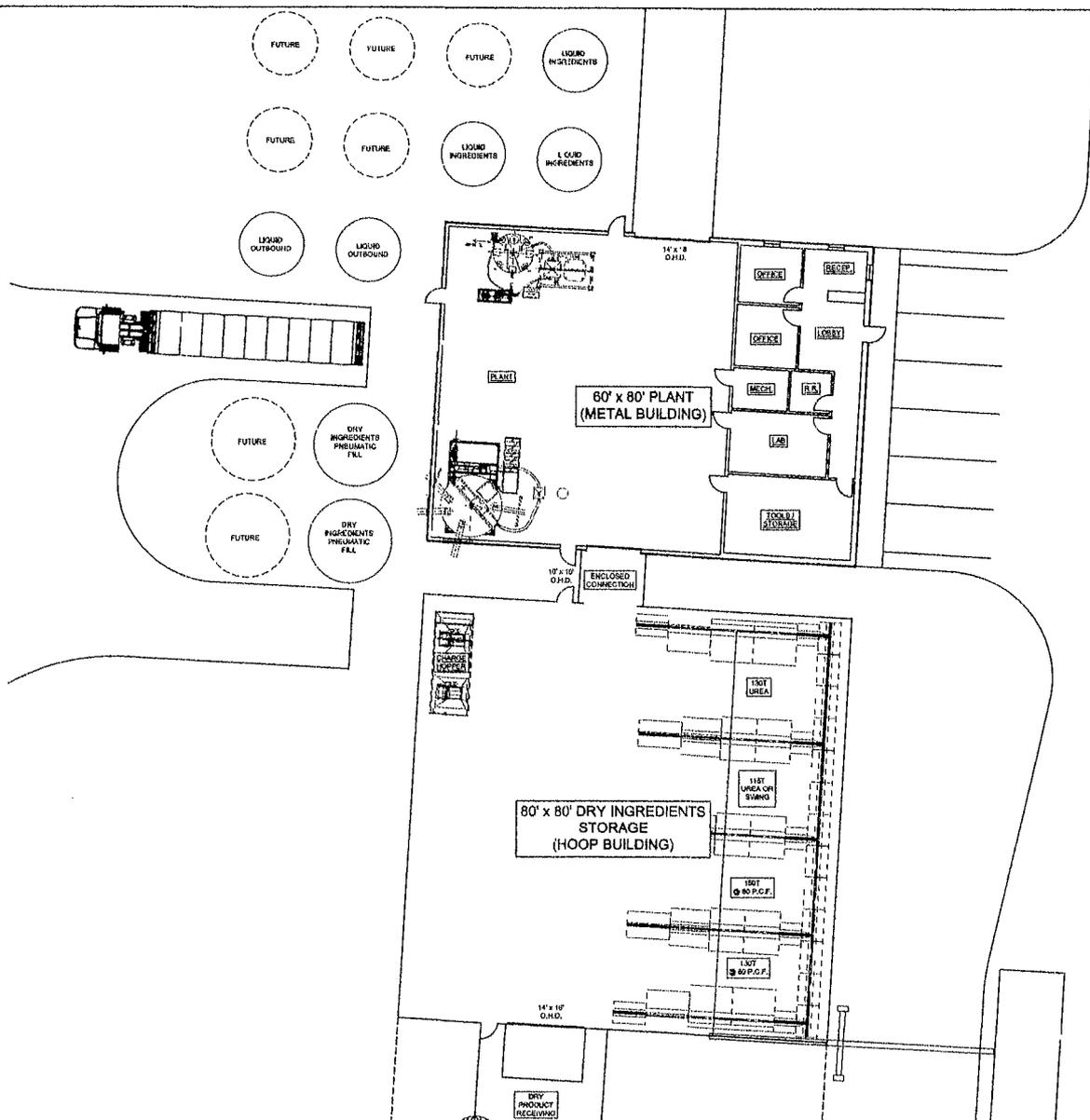
CTS Liquid Feed, LLC

Attachments

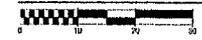
Incoming traffic will be traveling on road 716 and entering Cappel Drive, going south for 550 feet, and turning right into the property. Tractor-trailers either picking up or delivering products will proceed 325 feet to the west, turn towards the south and stop under the overhead tank structure to receive outgoing liquids, deliver incoming liquid ingredients to bulk tanks on the north side, or have incoming dry ingredients to the smooth cone style bins on the west side of the 80 by 60 steel frame building. After delivery or pickup, the tractor-trailer will proceed straight north 300 feet back to road 716. The outgoing driveway is on the northwest side of the property, and the incoming driveway is on the southeast side of the property. Private vehicles will have parking on the east side of the 80 by 60 steel frame building leading into the offices.

We will have signs posted for incoming and outgoing traffic. There will be lighting for parking areas and unloading and loading zones. All lighting will be pointed toward the ground to prevent glare or affect traffic. Noise will not be an issue; all outdoor equipment is electrical and quiet. Incoming dry ingredients will be unloaded inside the 80 by 80 hoop style building preventing any dust or debris. Outgoing liquid products will be loaded onto tractor-trailers by gravity with no noise.

Electrical will be entering the property from the east side and into the 80 by 60 steel frame building on the east side. A water well will be drilled directly in the middle from north to south on the east side of the property. It will be trenched into the 80 by 60 steel frame building also. All utilities will enter the 80 by 60 steel building on the east side into a mechanical room, which will include natural gas, fiber optic, electrical, water, and sewer. A Septic system will be placed on the north side of the property, away from any traffic lanes.



PROPOSED PLANT LAYOUT PLAN



NEW FEED BLENDING FACILITY
CTS LIQUID FEEDS
 McCOOK, NEBRASKA

DESIGN ASSOCIATES
 1001 S. 10th Street, Suite 100
 McCook, Nebraska 68901
 Phone: (402) 792-1111
 Fax: (402) 792-1112
 Website: www.designassociates.com

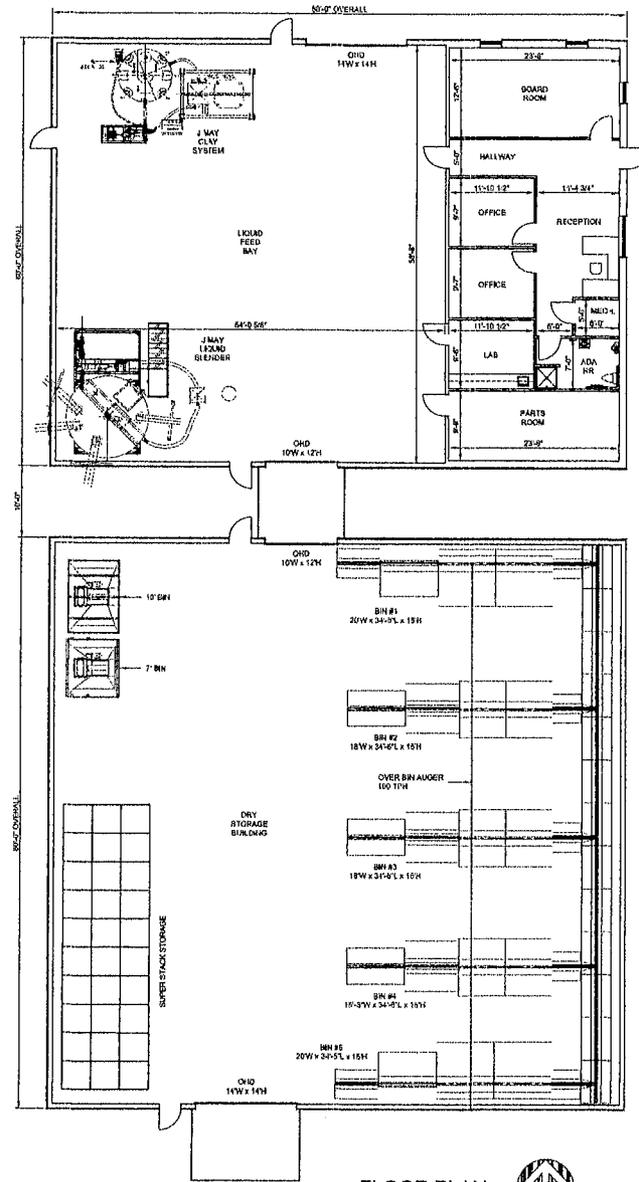
PRELIMINARY
NOT FOR CONSTRUCTION

DATE	REVISION

A-1

DATE: APRIL, 2021

This is a preliminary drawing and is not to be used for construction. It is subject to change without notice. The user of this drawing assumes all liability for any errors or omissions. The user of this drawing also agrees to indemnify and hold the designer harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of this drawing.



FLOOR PLAN
SCALE: 1/8" = 1'-0"



10 g A 100 L or 10
10 g A 100 L or 10
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NEW FEED BLENDING FACILITY
CTS LIQUID FEEDS
MCCOOK, NEBRASKA

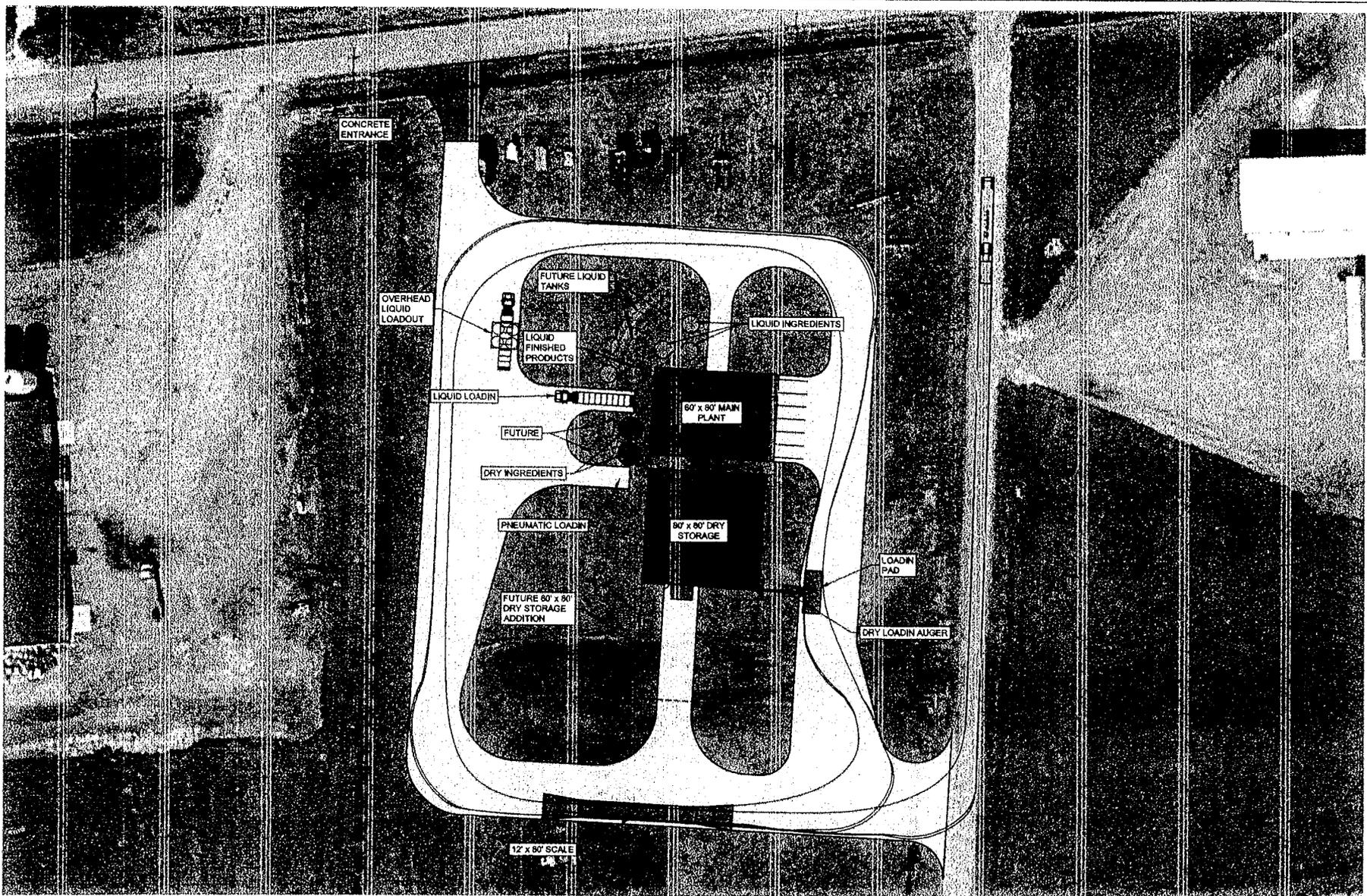
DESIGN ASSOCIATES
ARCHITECTS
1001 S. 10TH STREET
MCCOOK, NEBRASKA 68801
PH: 402.833.4444
WWW.DESIGNASSOCIATES.COM

**PRELIMINARY
NOT FOR CONSTRUCTION**

DATE	BY	REVISIONS

A-1

DATE: APRIL, 2011



NEW FEED BLENDING FACILITY
CTS LIQUID FEEDS
 MCCOOK, NEBRASKA

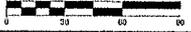
DESIGN ASSOCIATES
 1000 S. 10th Street, Suite 100
 Lincoln, NE 68502
 Phone: 402.426.1111
 Fax: 402.426.1112
 Website: www.designassociates.com

PRELIMINARY
NOT FOR CONSTRUCTION

NO.	REVISIONS



PROPOSED SITE PLAN



Design is based on the data provided and is not to be relied upon for any other purpose.

C-1

DATE: APRIL, 2021

FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

SPECIAL EXCEPTION CONSIDERATIONS:

YES NO

1. The proposed special exception use would satisfactorily provide for:
 - a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;
 - c) refuse and service areas, with particular attention to the items in a) and b) above;
 - d) utilities, with reference to locations, availability and compatibility;
 - e) screening and buffering with reference to type, dimensions and character;
 - f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;
 - g) required yard and other open space;
 - h) general compatibility with adjacent properties and other property in the district.
 - i) Compatibility with existing and future land use plan in the McCook Comprehensive Plan.

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

	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

CITY COUNCIL FINDINGS AND DECISION:

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

THIS _____ DAY OF _____, 2018.

McCook Planning Commission
May 9, 2022
5:15 P.M. Central

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

Present: Chair Vosburg; Commissioners Davidson, Dueland, Friehe, Lyons, McDowell, Stevens.

Absent: Vice Chair Hilker, Commissioners Bradley, Mockry.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 4, 2022, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

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

1. Presentations.

- 1.A. Presentation from Craig Bennett of Miller & Associates regarding whether to continue with the City of McCook's use of replats to modify existing subdivisions versus adopting a vacation and begin a new system.

Craig Bennett of Miller & Associates gave a presentation via Zoom regarding practices available when modifying an existing subdivision.

2. Approve the minutes of the December 13, 2021 regular Planning Commission meeting.

Motion to approve the minutes of the December 13, 2021 regular Planning Commission meeting. This motion, made by McDowell and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3. Public Hearings and Regular Agenda.

- 3.A. Public Hearing - Request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel

EXHIBIT #6

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Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, property located within the two mile extra-territorial jurisdiction of the City of McCook.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, located within the two mile extra-territorial jurisdiction of the City of McCook, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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 (9 pages); Exhibit #5 - Findings and Determinations of McCook City Council (2 pages).

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

Commissioner Lyons questioned if there would be any odors and Commissioner Dueland questioned why the request was presented after the fact, construction has already started and whether the request fit Section 704, No. 9 of the zoning ordinance.

Jake Thieszen, applicant stated that everything is self-contained, all processes occur in an enclosed building. There should be no odor or dust issues.

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.B. Recommend approval to the City Council the application for a special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I.

After the Commission reviewed special exception requirements A - I and concurred that all were met, a motion was introduced to recommend approval to the City Council the application for a

special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.C. Public Hearing - Consider replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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); and Exhibit #4 - Proposed Replat of a portion of South Street right-of-way.

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

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.D. Recommend to the McCook City Council final approval of the replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recommend to the McCook City Council final approval of the Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA

YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:47 P.M.

Lea Ann Doak
City Clerk/Recording Secretary

**CITY MANAGER'S REPORT
MAY 16, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 2.C. Public Hearing - Consider Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. 2.D. Approve a Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

BACKGROUND:

This agenda item is a "clean-up" matter. The City of McCook has been aware that South Street has some unique right-of-way issues due to the way development occurred in this area decades ago. Recently, the McCook Humane Society purchased a lot adjacent to South Street, identified as Parcel ID #001433800. A copy of a GIS printout is attached to this packet to assist with identifying the location of the McCook Humane Society's property. On the southwest corner of the McCook Humane Society's lot, there are city and private utilities. Due to the odd layout of South Street and inaccurate property development that occurred decades ago, the utilities are actually located on the McCook Humane Society's property, not within the City of McCook's right-of-way. The McCook Humane Society is willing to deed the portion of its property that contains the utilities in order to grant the City of McCook right-of-way access. The portion that is carved out from the Humane Society's lot will become a part of the South Street right-of-way, providing the city and utility companies access to the essential infrastructure without the need of easements.

Staff believes two items are necessary to accomplish the property swap. First, a replat should occur in order to put the public on notice of the change to the City's right-of-way. Second, a deed from the McCook Humane Society to the City of McCook will need to be recorded.

The City of McCook appreciates the willingness of the McCook Humane Society to work with the City of McCook to correct this issue.

The McCook Planning Commission unanimously voted to recommend approval of the replat.

APPROVALS:



Nathan A. Schneider, City Manager

May 12, 2022



Lea Ann Doak, City Clerk

May 12, 2022

EXHIBIT #1

PAGE(S) - 1

**NOTICE OF PUBLIC HEARING
REPLAT APPROVAL**

NOTICE IS HEREBY GIVEN that a public hearing will be held to consider the replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

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

MAY 9, 2022 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

MAY 16, 2022 - 5:30 P.M.
MCCOOK CITY COUNCIL
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described preliminary plat may attend the public hearing and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 308-345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: April 29, 2022.
Mail: April 29, 2022.
Post: April 29, 2022.

EXHIBIT #2

PAGE(S) - 1

Property Owners Notified:

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

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

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

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

LINDA BRUNSWICK
71370 DR 387
MCCOOK, NE 69001

LESTER WARREN
#3 SOUTH ST
MCCOOK, NE 69001

MICHAEL AND NADIA SCHOUPE
#7 SOUTH
MCCOOK, NE 69001

GREG EMERSON
#9 SOUTH
MCCOOK, NE 69001

MITCHELL DEUTER
13901 GREENFIELD RD
OMAHA, NE 68138

CARLOS MADRIGAL
609 EAST 6TH ST
LADYSMITH, WI 54848

JASON BLOMSTEDT
603 EAST M
MCCOOK, NE 69001

MINDI RELAFORD
#13 SOUTH
MCCOOK, NE 69001

MICHAEL AND TERRI SKOLOUT
71405 US HWY 83
MCCOOK, NE 69001

HARRY AND MARY LEBSACK
#14 SOUTH ST
MCCOOK, NE 69001

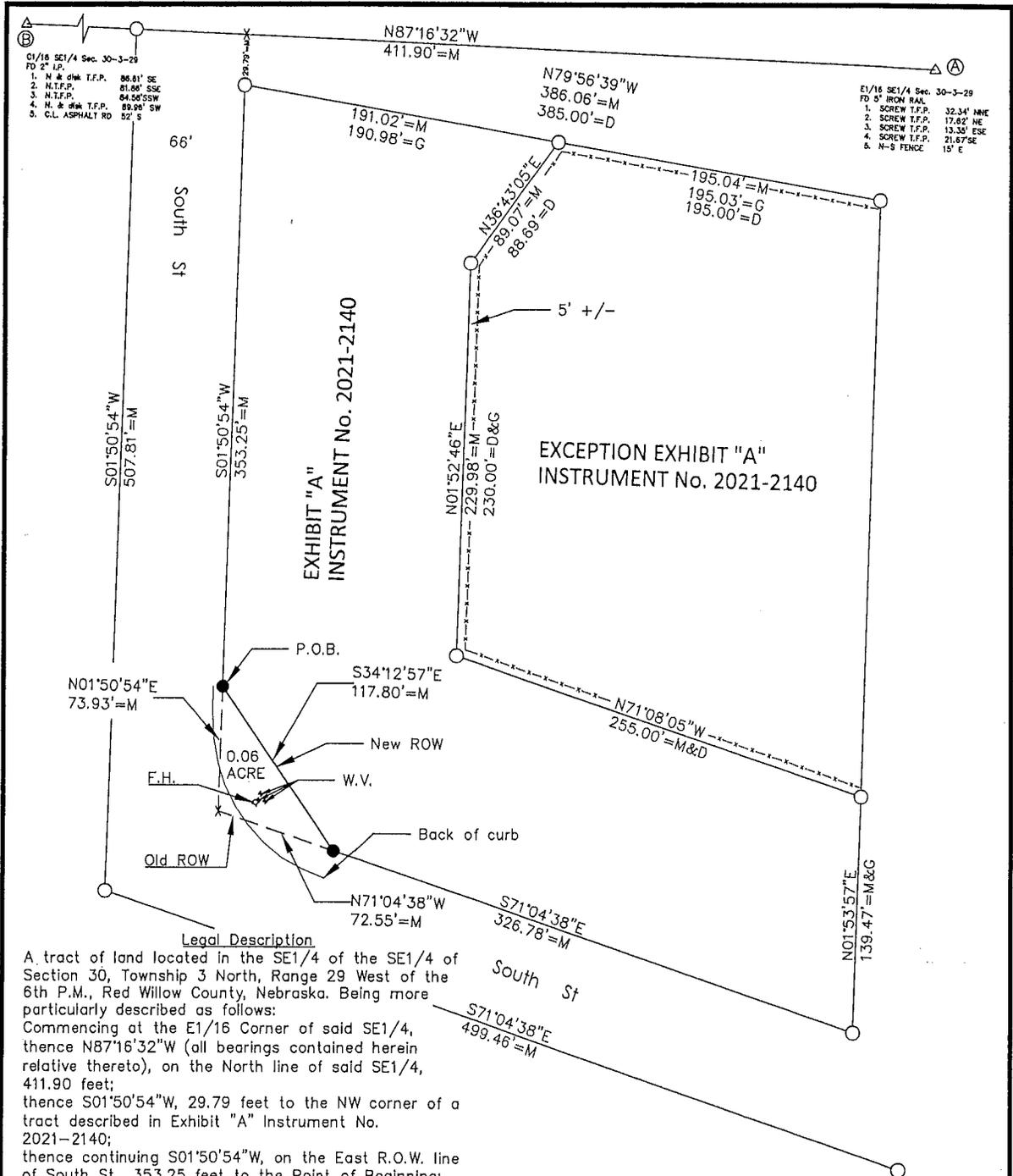
TYSON REUTER
3253 RD 45E
KIMBALL, NE 69145

STACIA FOSTER
#15 SOUTH
MCCOOK, NE 69001

TERRY AND TAMARA HILKER
512 EAST 5
MCCOOK, NE 69001

MCCOOK HUMANE SOCIETY, INC
ATTN DARRIN GLADING
100 SOUTH ST.
MCCOOK, NE 69001

PLAT OF SURVEY FOR AMENDED R.O.W.
SE1/4, SE1/4, SECTION 30, T3N, R29W, of the 6th P.M., RED WILLOW COUNTY, NEBRASKA



Legal Description
 A, tract of land located in the SE1/4 of the SE1/4 of the Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska. Being more particularly described as follows:
 Commencing at the E1/16 Corner of said SE1/4, thence N87°16'32"W (all bearings contained herein relative thereto), on the North line of said SE1/4, 411.90 feet;
 thence S01°50'54"W, 29.79 feet to the NW corner of a tract described in Exhibit "A" Instrument No. 2021-2140;
 thence continuing S01°50'54"W, on the East R.O.W. line of South St., 353.25 feet to the Point of Beginning;
 thence S34°12'57"E, 117.80 feet to a point on the North R.O.W. line of South St.;
 thence N71°04'38"W, 72.55 feet to the original SW corner of Exhibit "A" Instrument No. 2021-2140;
 thence N01°50'54"E, 73.93 feet to the Point of Beginning.
 Said tract contains 0.06 acre, more or less, and is subject to all easements, Right of Ways, and reservations now on record or indicated on the attached plat.

SURVEYOR'S CERTIFICATE

I, Don D. Terry, Nebraska Registered Land Surveyor No. LS-812, do hereby state that the survey and the referenced Legal Description herein, was performed by myself using known and recorded monuments. All information shown on the above plat is accurate and correct to the best of my knowledge and belief.

Date of Survey: March 3, 2022

Legend

- △ = FOUND SECTION CORNER
- = FOUND PROPERTY PIN 5/8" R/B
- = SET 1/2" REBAR W/LS 812 CAP
- M = MEASURED DISTANCE
- D = DEEDED DISTANCE
- G = DICENTA DISTANCE 08/01/01
- X = CALC POINT

THIS PLAT OF SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY TERRY FAMILY SURVEYING LLC TO DETERMINE OWNERSHIP, EASEMENTS OR RIGHTS OF WAY OF RECORD.

EXHIBIT #4

PAGE(S) - 1

T.F.S.

TERRY FAMILY SURVEYING LLC
 403 WASHINGTON AVE., MCCOOK, NE, 69001
 308-737-7752

McCook Planning Commission
May 9, 2022
5:15 P.M. Central

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

Present: Chair Vosburg; Commissioners Davidson, Dueland, Friehe, Lyons, McDowell, Stevens.

Absent: Vice Chair Hilker, Commissioners Bradley, Mockry.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 4, 2022, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

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

1. Presentations.

- 1.A. Presentation from Craig Bennett of Miller & Associates regarding whether to continue with the City of McCook's use of replats to modify existing subdivisions versus adopting a vacation and begin a new system.

Craig Bennett of Miller & Associates gave a presentation via Zoom regarding practices available when modifying an existing subdivision.

2. Approve the minutes of the December 13, 2021 regular Planning Commission meeting.

Motion to approve the minutes of the December 13, 2021 regular Planning Commission meeting. This motion, made by McDowell and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3. Public Hearings and Regular Agenda.

- 3.A. Public Hearing - Request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel

Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, property located within the two mile extra-territorial jurisdiction of the City of McCook.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, located within the two mile extra-territorial jurisdiction of the City of McCook, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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 (9 pages); Exhibit #5 - Findings and Determinations of McCook City Council (2 pages).

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

Commissioner Lyons questioned if there would be any odors and Commissioner Dueland questioned why the request was presented after the fact, construction has already started and whether the request fit Section 704, No. 9 of the zoning ordinance.

Jake Thieszen, applicant stated that everything is self-contained, all processes occur in an enclosed building. There should be no odor or dust issues.

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

- 3.B. Recommend approval to the City Council the application for a special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I.

After the Commission reviewed special exception requirements A - I and concurred that all were met, a motion was introduced to recommend approval to the City Council the application for a

special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.C. Public Hearing - Consider replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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); and Exhibit #4 - Proposed Replat of a portion of South Street right-of-way.

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

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.D. Recommend to the McCook City Council final approval of the replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recommend to the McCook City Council final approval of the Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA

YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:47 P.M.

Lea Ann Doak
City Clerk/Recording Secretary

RESOLUTION NO. 2022-02

WHEREAS, the City of McCook desires a replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

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

SECTION 1. That the replat of survey for Amended South Street R.O.W., SE1/4, SE1/4, Section 30, T3N, R29W, of the 6th P.M., Red Willow County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes and accepted and ordered filed and recorded in the Office of the Register of Deeds of Red Willow County, Nebraska.

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

PASSED AND APPROVED THIS 16th day of May, 2022.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

EXHIBIT #6

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**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 3.A.

RECOMMENDATION:

APPROVE THE PROCLAMATION DESIGNATING THE WEEK OF MAY 15 - 21, 2022 AS "NATIONAL PUBLIC WORKS WEEK" AND AUTHORIZE THE MAYOR TO SIGN.

BACKGROUND:

In 1960, the American Public Works Association started a public information campaign to make the general public more aware of the work Public Works Departments did, to educate the public on the importance of public works to their daily lives: planning, building, managing and operating at the heart of their local communities to improve everyday quality of life, as well as promote the "often-unsung heroes" of our society, the professionals who serve the public every day with quiet dedication.

The 2022 National Public Works Week theme is "Ready and Resilient". This year the "National Public Works Week" showcases the superheroes that lie within each and every public works professional. Always **READY** to serve their communities, and **RESILIENT** as ever in their abilities to pick themselves up off the ground after encountering challenges.

This year we challenge our citizens to think about the role public works plays in creating a great place to live. By working together, the impact citizens and public works professionals can have on their communities is magnified and results in the ability to accomplish goals once thought unattainable.

Public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of McCook. Public works in McCook includes providing infrastructure services in transportation, stormwater infrastructure, public buildings and spaces, airports, parks, ballparks, swimming pools, cemeteries and grounds, solid waste collection and disposal, Recycling and right-of-way management.

In McCook, Public Works includes the following departments:

Street, including highways and right of way maintenance within the City limits (5 FT employees including the Public Works Director)

Cemetery, (2 FT employees)

Parks, including all parks as well as other City owned properties (3 FT employees)

Ballparks, including the Jaycees ball complex and Felling Field (1 FT employee)

Swimming Pool (Seasonal employees)

Airport (1 FT employee)

Recycling (1 FT employee)

Solid Waste Collection(Residential) (4 FT employees)

Transfer Station (3 FT employees)

Solid Waste Hauling (2 FT employees)

As shown above, the Public Works Department consists of a total of 22 employees. These employees have over 390 years of experience with the City. This is an average of almost 18 years of service to the City per employee.

FISCAL

IMPACT: None.

RECOMMENDATION:

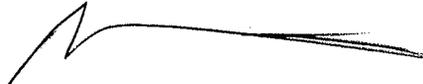
APPROVE THE PROCLAMATION DESIGNATING THE WEEK OF MAY 15 - 21, 2022 AS "NATIONAL PUBLIC WORKS WEEK" AND AUTHORIZE THE MAYOR TO SIGN.

APPROVALS:



Kyle Potthoff, Public Works Director

May 9, 2022



Nate Schneider, City Manager

May 9, 2022

*Office of the Mayor
McCook, Nebraska*

Proclamation

"NATIONAL PUBLIC WORKS WEEK"

WHEREAS, public works services provided in our community are an integral part of our community members' everyday lives and are designed to protect and enhance our human environment; and

WHEREAS, public works provide the physical infrastructure we must have for social and economic development, representing the investment of our tax money in our own future; and

WHEREAS, public works employees plan for, build and maintain some of our country's most valued assets, such as streets and highways, cemeteries, parks, ballparks, swimming pools, airports, public buildings, and solid waste collection; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction is vitally dependent upon the efforts and skill of public works officials who keep our communities livable and economically vibrant; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of McCook, Nebraska hereby proclaim the week of May 15 through 21, 2022 as

"National Public Works Week"

and call upon all community members and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

Dated this 16th day of May, 2022.



*In witness whereof I have hereunto set by
hand and caused this seal to be affixed.*

Michael Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 3.B.

Approve the proclamation designating May 15 "Police Officers Memorial Day" and the week of May 15 - 21, 2022 as "Police Week" and authorize the Mayor to sign.

BACKGROUND:

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. City of McCook Police Officers perform vital and exemplary service for our citizens 24 hours per day 365 days per year, often under stressful and difficult circumstances. It is fitting to recognize their service by proclaiming May 15 - 21 as Police Week in McCook.

**FISCAL
IMPACT:** None.

APPROVALS:



Joel Smith, Chief of Police

May 11, 2022



Nathan A. Schneider, City Manager

May 11, 2022

*Office of the Mayor
McCook, Nebraska*

Proclamation

“POLICE WEEK”

- Whereas, The Congress and President of the United States have designated May 15, as Peace Officers Memorial Day, and the week in which it falls as Police Week; and
- Whereas, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the McCook Police; and
- Whereas, it is important everyone knows and understands the difficulties, duties and responsibilities of their Police Department.
- Whereas, since the first recorded death in 1791, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and
- Whereas, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and
- Whereas, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's Annual Candlelight Vigil, on the evening of May 13, 2022.

THEREFORE, BE IT RESOLVED that the Mayor and Council Members of McCook, Nebraska formally designate May 15-21, 2022, as Police Week in McCook and publicly salute the service of law enforcement officers in our community and the communities across the nation for the vital services they perform and their exemplary dedication to the community they serve.

Dated this 16th day of May, 2022.



In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM # 3.C.

RECOMMENDATION:

Approve the proclamation designating May 15-21, 2022, as Emergency Medical Services Week and authorize the Mayor to sign.

BACKGROUND:

In 1974, President Gerald Ford authorized EMS Week to celebrate EMS practitioners and the important work they do in our nation's communities. National Emergency Medical Services Week brings together local communities and medical personnel to honor the dedication of those who provide the day-to-day lifesaving services of medicine's frontline. EMS Week is presented by the American College of Emergency Physicians (ACEP) in partnership with the National Associations of Emergency Medical Technicians (NAEMT). Together, NAEMT and ACEP lead annual EMS Week activities. These organizations are working to ensure that the important contributions of EMS practitioners in safeguarding the health, safety and well-being of their communities are fully celebrated and recognized.

EMS Week is a perfect time to honor those frontline heroes dedicated to providing emergency medicine that saves so many lives every day. We understand that the 2020 EMS Week was probably not a top priority due to the COVID-19 crisis. This year's campaign will focus on What EMS is and what we do.

The 2022 EMS Week theme: "**EMS: Rising to the Challenge.**" This theme is particularly meaningful now, to remind people that every day we are faced with so many new challenges in our lives and yet we still rise above them all and continue to respond, support, and care for the needs of our communities.

We send our best wishes for the constant safety and good health of all EMS personnel on the first lines who continue to take care of our communities.

**FISCAL
IMPACT: None**

RECOMMENDATION:

Approve the proclamation designating May 15-21, 2022, as Emergency Medical Services Week and authorize the Mayor to sign.

CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING

PAGE 2

APPROVALS:



Marc A. Harpham, Fire Chief

5 MAY 2022
Date



Nate Schneider, City Manager

May 17, 2022
Date

Office of the Mayor
McCook, Nebraska
Proclamation

"2022 EMERGENCY MEDICAL SERVICES WEEK"

- WHEREAS, emergency medical services is a vital public service; and
- WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and
- WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and
- WHEREAS, emergency medical services system consist of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and
- WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
- WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

NOW, THEREFORE, I, Michael Gonzales, Mayor of the City of McCook, Nebraska, in recognition of this event do hereby proclaim the week of May 15 - 21, 2022, as

EMERGENCY MEDICAL SERVICES WEEK

with the EMS Strong theme, *EMS WEEK: Rising to the Challenge*, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Dated this 16th day of May, 2022.

*In witness whereof I have hereunto set by
hand and caused this seal to be affixed.*



Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.A.

Approve the minutes of the May 2, 2022 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 11, 2022

McCook City Council
May 2, 2022
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, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Utilities Director Fawver, Fire Chief Harpham, Public Works Director Potthoff, Water Superintendent Riggs, 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 April 28, 2022, 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.

Utilities Director Fawver introduced Tyrel Riggs as the new Water Superintendent.

2. Proclamations.

2.A. Approve and authorize the Mayor to sign a proclamation declaring the week of May 1 through 7, 2022 as "Drinking Water Week".

Motion to approve and authorize the Mayor to sign a proclamation declaring the week of May 1 through 7, 2022 as "Drinking Water Week". 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.B. Approve the proclamation designating May 7, 2022 as "National Wildfire Community Preparedness Day" and authorize the Mayor to sign.

Motion to approve the proclamation designating May 7, 2022 as "National Wildfire Community Preparedness Day" and authorize the Mayor to sign. This motion, made by Weedin and seconded by Muehlenkamp, passed.

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

3. Consent Agenda.

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

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

- 3.A. Approve the minutes of the April 18, 2022 regular City Council meeting.
- 3.B. Confirm and ratify an emergency purchase of a new Muffin Monster Headworks grinder with wipe ready blades at a cost of \$36,331.90, with shipping estimated at \$500.00, and labor to install estimated at \$2,500.00.
- 3.C. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on June 11, 2022 from 12:00 P.M. to 12:00 A.M.
- 3.D. Approve the request from Jeremy LaBrie and the McCook United Methodist Church to use Norris Park, including the bandshell and electricity, for their year-end celebration on Wednesday, May 11, 2022 from 6:00 P.M. to 8:00 P.M.
- 3.E. Approve the application for a Special Designated Liquor License submitted by Just 1 More Bar and Grill, Liquor License #C-123114, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5th Street, on June 11, 2022 at 6:00 P.M. to June 12, 2022 1:00 A.M.
- 3.F. Approve the request from Garrett Wagner to close the following streets for the 6th Annual Cruisin' the Bricks Cruise Night and Car Show on Saturday, June 25, 2022 from 6:00 A.M. to 8:00 P.M. - West 2nd Street from "B" Street to Halfway between West "C" Street and West "D" Street (including the intersection at West 2nd and "C" Streets); West "C" Street from West 1st Street to West 3rd Street (including alleys and the intersection of West 2nd Street and West "C" Streets, and on Saturday June 25, 2022 from 7:30 P.M. to 8:30 P.M. - West "C" Street from Norris Avenue to West 1st Street (including the alley); East "C" Street from Norris Avenue to East 1st Street (including the alley); including turning off the traffic signal at the intersection of Norris Avenue and "C" Streets.
- 3.G. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Chamber Celebration Mixer to be held at the Keystone

Business Center, 402 Norris Avenue, on June 24, 2022 from 12:00 Noon to 2:00 A.M.

- 3.H. Award of bid and approve the purchase of one (1) New Fire Safety Simulator to JHB Group Inc. who submitted the lowest responsible bid of \$195,631.69.
- 3.I. Approve the Chautauqua committee request to close West "D" Street from Norris Avenue to West 1st Street on July 29, 2022 at 4:00 P.M. to 7:00 P.M. on July 30, 2022.
- 3.J. Receive and file the Financial Report for the period ending March 31, 2022.
- 3.K. Approve the McCook Peace Lutheran Church request to close the alleyway east of East 6th Street, which connects East "E" Street to East "D" Street, on June 22, 2022 from approximately 11:00 A.M. to 3:00 P.M.

4. Regular Agenda.

- 4.A. Update from city staff regarding potential sports/recreation/swimming pool projects.

City Manager Schneider gave an update regarding the joint recreation projects. Staff has met with bond council regarding financing possibilities and ballot question options. The ballot questions must be completed by September 1 for the November election. Staff is working with Kyle McKawley to schedule another Pool Town Hall meeting to finalize pool concepts.

- 4.B. Consider bid options and determine the City's option for the Sheriff's Sale auction for Block Six (6), Lot Ten (10), Third Addition to the City of McCook, Red Willow County, Nebraska - Sarah L. Wederski property.

City Attorney Mustion reviewed the bids options with the Council. The city has the option of using its special assessment of \$15,326 as a minimum bid. Mr. Mustion will get a title certificate that would reveal if there are any other liens against the property and a market analysis completed to estimate the value of the property so that the Council can make their determination at the May 16 meeting.

- 4.C. Update from the City Attorney, Nathaniel J. Mustion, regarding ongoing discussions with local municipalities with respect to the establishment of a regional land bank.

City Attorney Mustion gave an update regarding discussions with other municipalities with respect to the establishment of a regional land bank.

- 4.D. Council Comments.

Councilmember Rambali commended all fire fighters, law enforcement officers, Department Heads, and area volunteer fire fighters for all they have done during the recent wildfires in southwest Nebraska.

4.E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.

Motion to go into executive session for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57 at 6:13 P.M. This motion, made by Calvin and seconded by Gonzales, 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 protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Mustion, Police Chief Smith, and City Clerk Doak were included in the executive session.

Motion to come out of executive session at 7:03 P.M. This motion, made by Gonzales 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 7:03 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.B.

RECOMMENDATION:

APPROVE THE REQUEST FROM KATIE ANDERSON TO CLOSE THE FOLLOWING STREETS FOR THE 1ST ANNUAL BIG WEST STREET FEST 3 ON 3 BASKETBALL TOURNAMENT:

SATURDAY JULY 16TH FROM 8:00 A.M. TO 9:00 P.M.

EAST 1ST STREET FROM EAST "G" STREET TO EAST "H" STREET AND EAST "G" STREET FROM NORRIS AVENUE TO EAST 1ST STREET

BACKGROUND:

This request from Katie Anderson is for the 1st Annual Big West Street Fest 3 on 3 basketball tournament to be held on Saturday July 16, 2022.

This request would allow for the closing of East 1st Street from East "G" Street to East "H" Street and East "G" Street from Norris Avenue to East 1st Street for a 3 on 3 basketball tournament. The plan will include setting up 4 basketball hoops along East 1st Street and 2 basketball hoops along East "G" Street.

During the event tents would be set up in the park by participating teams and spectators. Music will be played through a speaker at a low volume throughout the event.

This event will have 4 divisions: 3rd/4th grades, 5th/6th grades, 7th/8th grades and High School/Open Class.

Katie will be providing insurance for the event and will provide the City with a certificate of coverage prior to the start of the event.

The Street Department will provide the cones for blocking off the streets and the Transfer Station will provide any additional trash cans that may be needed.

**FISCAL
IMPACT:** None.

APPROVALS:



Kyle Potthoff, Public Works Director

May 10, 2022



Nate Schneider, City Manager

May 10, 2022

Kyle Potthoff

From: katie anderson <andersonskltc@gmail.com>
Sent: Thursday, May 5, 2022 11:22 AM
To: Kyle Potthoff
Subject: Re: 3 on 3 basketball tournament - July

Ok thank you. **And I will be purchasing my own insurance.** That is a small change from what was stated in the first email.

Thank you.

On Thu, May 5, 2022 at 11:20 AM Kyle Potthoff <potthoff@cityofmccook.com> wrote:
Katie,

It will be going to the City Council on May 16th.

Thanks,

Kyle

On Thu, May 5, 2022, 11:13 AM katie anderson <andersonskltc@gmail.com> wrote:

Hi Kyle,

Wondering if you had this meeting yet? I was wanting to start advertising for this event so any information you have for me would be appreciated!

Thank you!

Katie Anderson

On Mon, Apr 18, 2022 at 11:44 AM katie anderson <andersonskltc@gmail.com> wrote:

Hi Kyle,

Here is some more information on the 3 on 3 tournament.

Big West Street Fest 3 On 3 Basketball Tournament
McCook, NE

East 1st Street
East G Street

July 16th - Saturday
8:00 am -

~~We are in discussions with the Optimist Club and will be using their Liability Insurance for the event.~~

6 Basketball Hoops set up in the streets. 4 on E 1st, 2 on E G.

Barricades between E 1st and H street to keep basketballs in, hoop will be set far enough away, and facing correct direction from H street allowing for space.

Tents would be set up inside of the park area by teams and spectators.

Extra trash cans would be helpful.

Music will be played through a speaker only and at low volume.

Boys and Girls divisions

Ages: 3/4 grade, 5/6 grade, 7/8 grade, HS/Open

Let me know if you have any other questions, or if I'm missing anything you may need.

Thank you,
Katie Anderson
Tournament Director
402.570.7910

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.C.

Approve the request from the McCook Area Chamber of Commerce to close the 400 block of Norris Avenue ("D" Street through "E" Street) for their annual banquet on June 24, 2022 from 4:00 P.M. to 11:59 P.M.

BACKGROUND:

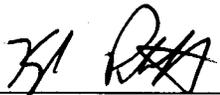
The Chamber requests permission to close the 400 block of Norris Avenue on June 24, 2022 from 4:00 P.M. to 11:59 P.M. for their annual Chamber Banquet to create additional space for attendees to socially distance. The event will be held indoors and outdoors at the Keystone Business Center.

The Street Department will provide cones for closure of Norris Avenue.

A certificate of Insurance Coverage has been requested.

**FISCAL
IMPACT:** None.

APPROVALS:



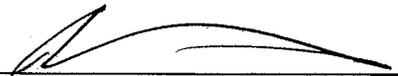
Kyle Potthoff, Public Works Director

May 11, 2022



Joel Smith, Police Chief

May 11, 2022



Nathan A. Schneider, City Manager

May 11, 2022

Lea Ann Doak

From: Molly Smith <molly@mccookchamber.org> on behalf of Molly Smith
Sent: Wednesday, May 11, 2022 3:30 PM
To: Clerk Lea Ann Doak
Cc: 'Jade Lesko (Jadef4@hotmail.com)'; 'TREVOR TAYLOR'
Subject: Chamber of Commerce - Road Closure Request

Good morning all!

Please reserve time on the upcoming City Council (May 16) agenda to approve the McCook Chamber of Commerce's request relating to the Annual Banquet Mixer event.

- The closure and usage on June 24th of the 400 block of Norris Avenue (D Street through E Street) from 4:00pm until 11:59pm to create additional space for attendees at the event, which will be held both indoors at the Keystone Business Center and outdoors utilizing Norris Alley and Norris Ave.
- The McCook Chamber would also request cones from the city to assist with marking the closure.

Please let me know if you have any questions or needs.

Molly Smith | President/CEO
McCook Chamber of Commerce
402 Norris Avenue | Suite 301
McCook, NE 69001
308.345.3200
molly@mccookchamber.org

Involvement | Education | Advocacy | Marketing

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.D.

Receive and file the claims for the month of April 2022, published May 13, 2022.

BACKGROUND:

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

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

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 11, 2022

CITY OF MCCOOK
CLAIMS FOR APRIL 2022

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

20/20 TECHS-SC 3515.00; ACE-S 1114.58; ACME-S 1010.61; AKRS-S 577.69; AMERICAN AG LAB-SC 1041.25; AMERITAS-DENTAL-SC 380.38; AMERITAS-CLAIMS-SC 3629.88; ANYTIME TRI-STATE TOWING-SC 230.00; APPLIED CONNECTIVE-SC 75.00; ARROW CAR WASH-S 34.20; B & H PAVING-CO 62500.00; BETTER HOMES & GARDENS-S 76.84; BLACK HILLS ENERGY-SC 6628.14; BLAKE'S SERVICE-S 70.00; E. BURKE-SC 75.00; C&K-S 590.94; CAMBRIDGE TELEPHONE-SC 234.12; CAROLINA SOFTWARE-S 200.00; CARQUEST-S 1187.64; CASH WA-S 9142.81; CDW-G-SC 1404.99; CENTRAL NE BOBCAT-S 33.46; CENTURY LINK-SC 3185.68; CITY OF MCCOOK-PS 363664.84; CITY SELF INS-BT UTILITIES-SC 2815.56; COASTAL FIRE TRAINING-CO 786.98; CONSOLIDATED MGMT-SC 267.83; J. CROCKER-SC 58.00; CTAA-SC 485.00; CULLIGAN-S 50.10; D & L PEST CONTROL-S 135.00; D & S HARDWARE-S 573.16; DAS STATE ACCTG-SC 22.00; DEVENY-S 279.14; DIAMOND LAKE-S 381.92; DIAMOND VOGEL-S 620.14; J. DOUCET-SC 368.77; DREAMSEATS, LLC-CO 5000.00, S 661.16; EAKES-S 1116.73; ELLERBROCK-NORRIS-SC 2500.00; ESC ENGINEERING-SC 910.00; FASTENAL-S 882.48; FICA-PS 18164.81; FELD FIRE-CO 16011.35; FRENCHMAN VALLEY COOP-S 25.00; FRONTIER COMM-SC 52.19; FUSION CLOUD-SC 89.24; GALLS-S 112.09; GARDNER MEDIA, LLC-S 142.03; GARRISONS-S 165.00; GARVER, LLC-SC 65322.37; GOODWIN, SIEGFRIED, LLP-SC 87.50; GOOGLE SVCS-SC 486.00; GOVERNMENT FINANCE-SC 170.00; GREAT PLAINS COMM-SC 2501.39; HENNING BROS-SC 59.00; HIGH PLAINS RADIO-SC 58.00; IDEAL-S 102.79; J BAR J LANDFILL-SC 39397.96; K & C GRAIN-S 9194.04; K-C MOTOR & ELEC-SC 100.03; KOHL'S AUTO-S 503.73; LAKESIDE SAND & GRAVEL-CO 24833.04; C. LEPPER-SC 210.00; LIFE-ASSIST-S 260.05; LINCOLN WINWATER-S 109.20; MAGNEGRIP-S 416.99; MARIS GEN CONST.-S 196.05; MATHESON-LINWELD-S 102.89; MBSM&S-SC 4753.00; MCCOOK CHAMBER-SC 250.00; MC GAZETTE-SC 1017.43; MC HUMANE SOCIETY-S 3496.01; MPPD-SC 409.46; MPS-SC 4450.00; MC NET-SC 69.95; C. MCDONALD-SC 210.00; MCKESSON MEDICAL-S 416.15; MEAD-S 235.11; MEDICARE-PS 5054.76; MERCHANT

SRVS-SC 71.08; MICROMARKETING-S 3663.11; MPCC-SC 70.00; MIDAMERICAN BOOKS-S 502.64; MIDWEST CONNECT-S 320.34, SC 1763.91; MOTOROLA SOLUTIONS-CO 2863.70; MUNICIPAL SUPPLY-S 8604.85; MUSCO SPORTS-S 754.60; MUTUAL OF OMAHA-SC 1388.43; NATIONWIDE MGMT SRVS-SC 320.00; NE DEPT HEALTH LABS-SC 19.00; NE DEPT REV-SALES TAX-SC 8218.11; NE DEPT OF REV-LOTTERY-SC 6533.000; NE LAW ENFORCEMENT INTEL-SC 135.00; NE TRUCK CENTER-S 1923.99; NEBRASKA LAND TIRE-S 705.43; NICK'S DIST-S 530.13; NE MUNICIPAL POWER POOL-SC 2739.34; NPPD-SC 34932.20; NPPD-LED CONVERSION-S 2407.56; O'REILLY-S 180.93; OMAHA WORLD HERALD-S 712.40; ONE CALL-SC 85.04; S. ORTIZ-SC 160.51; PAPER TIGER-S 90.00; PAULSEN INC-SC 575.64; PAVEMENT REPAIR & SUPPLIES-CO 2390.00; PLATTE VALLEY COMM-S 310.00; PRAIRIE STATES COMM-CO 9712.39; PRIDE N JOY-SC 149.00; PROTEX CENTRAL-S 545.66; QUADIENT-S 99.07, SC 1500.93; QUICK MED-SC 1355.56; QUILL-S 206.94; RAVENSWOOD-S 3299.47; RED WILLOW COUNTY CRT-SC 34.00; REGION 26-SC 70.00; D. RINEHART-SC 75.00; ROCHESTER MIDLAND-S 350.00; D. SAILORS-SC 210.00; SANDRY FIRE-CO 46914.10, SC 606.54; S 57.50; SCOTTIES POTTIES-SC 180.00; SENSEL WELDING-S 47.18; SHURCO, LLC-S 778.65; SMITH IRRIGATION-S 1114.79; SOUTHWEST FARM & AUTO-S 12.76; SOUTHWESTERN EQUIPMENT-S 2985.97; TIM BRADLEY ELEC-S 254.90; TIRADO, LLC-CO 13625.00; TITAN MACHINERY-S 3754.75; TRAVELERS-SC 117380.75; TRI AIR TESTING-SC 227.00; TYLER TECH-SC 33.55; UMR-SC 203224.87; UMR-REFUND REQ-SC 1750.47; USPS-S 100.00; US DEPT OF AG-SC 800.00; US FOODS-S 1220.18; USA BLUEBOOK-S 334.24; UTILITY REFUNDS-379.19; VERIZON-SC 2277.85; VK ELEC-S 580.00; VOLZ-S 336.22; W DESIGN-SC 2860.00; WAGNER CHEVY-S 859.23; WAGNER FORD-S 66.59; WALMART-S 2481.57; WESTSIDE WELDING-S 31.02.

-s- Lea Ann Doak
City Clerk

Publish: May 13, 2022

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.E.

Adopt Resolution No. 2022-03 granting a Waiver of Payment in Lieu of Taxes to the McCook Housing Agency.

BACKGROUND:

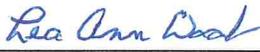
The McCook Housing Agency has requested that the City Council approve a resolution waiving the payment in lieu of taxes for their housing projects.

This waiver is a requirement from HUD and is presented to the Council on an annual basis pursuant to the recommendation of the auditor for the McCook Housing Agency.

Attached for your reference, is a copy of the May 30, 2003 memorandum from legal counsel addressing the original request from the Housing Authority.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022

RESOLUTION NO. 2022-03

BE IT RESOLVED, by the Mayor and City Council of the City of McCook, Nebraska:

THAT, the Mayor and City Council of the City of McCook, Nebraska hereby grant to the McCook Housing Agency a WAIVER OF PAYMENT IN LIEU OF TAXES for any public housing projects and for any other purposes as required by the Department of Housing and Urban Development.

PASSED AND APPROVED THIS 16th day of May, 2022.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

LAW OFFICES
BURGER & BENNETT, P.C.
116 WEST E STREET
P.O. BOX 1205
MCCOOK, NEBRASKA 69001-1205

C. PETER BURGEE
DAYLENE A. BENNETT

PHONE 308 345-7500
FAX 308 345-7502

MEMORANDUM

TO: Lea Ann Doak
FROM: Daylene Bennett
DATE: May 30, 2003
RE: McCook Housing Authority - Payment In Lieu of Taxes

I have reviewed the Nebraska Statutes and also conferred with Stan Goodwin, the attorney for the McCook Housing Authority, regarding their request for a resolution waiving any payment in lieu of taxes.

The Nebraska Statutes provide that the property of the Housing Authority is not subject to taxation. However, the statutes also provide (in Section 71-1590) that a housing authority may agree to make payment in lieu of taxes.

Part of the original contract with HUD and the Housing Authority was that the City would annually waive any payment in lieu of tax. The fact that the Nebraska Statutes do not require housing authorities to make payment of tax is, apparently, immaterial to HUD.

The auditor for the McCook Housing Authority is requiring an annual waiver by the City of any payment in lieu of tax. This can be accomplished by resolution of the City Council.

Please place this item on the agenda for the second meeting in June. We also should docket the anniversary date so that the resolution can be presented to the Council annually.

I will touch base with you next week regarding the resolution.

DAB/mv

71-1590. Taxation of property; Indian housing authorities; payments in lieu of taxes.

(1) The real and personal property of a local housing agency and any wholly owned controlled affiliate thereof used solely (a) for the administrative offices of the housing agency or wholly owned controlled affiliate thereof, (b) to provide housing for persons of eligible income and qualifying tenants, and (c) for appurtenances related to such housing shall be exempt from all taxes and special assessments of any city, any county, the state, or any public agency thereof, including without limitation any special taxing district or similar political subdivision. All other real and personal property of the housing agency or wholly owned controlled affiliate thereof shall be deemed to not be used for a public purpose for purposes of section 77-202 and shall be taxable as provided in sections 77-201 and 77-202.11. Property owned jointly by a housing agency or its wholly owned controlled affiliates with other nongovernmental persons or entities shall be exempt from such taxes and assessments to the extent of the ownership interest which the housing agency and its wholly owned controlled affiliates hold in the property and to the extent the property is used solely to provide housing for persons of eligible income and qualifying tenants. Nothing in this section shall be deemed to preclude a housing agency and its wholly owned controlled affiliates from entering into an agreement for the payment of all or any portion of any special assessments which might otherwise be assessed except for the exemption created by this section.

(2) A housing agency may agree to make payments in lieu of all taxes or special assessments to the county within whose territorial jurisdiction any development of such housing agency or its controlled affiliates is located, for improvements, services, and facilities furnished by the city, county, or other public agencies, for the benefit of such development. Nothing contained in this section shall be deemed to require such an agreement by a local housing agency, and in no event shall the amounts payable by the housing agency exceed the amounts which, except for the exemption provided in this section, would otherwise be payable under regular taxes and special assessments for similar properties referred to in subsection (1) of this section. All payments in lieu of taxes made by any such housing agency shall be distributed by the county to all public agencies in such proportion that each public agency shall receive from the total payment the same proportion as its property tax rate bears to the total property tax which would be levied by each public agency against property of the housing agency if the same were not exempt from taxation.

(3) The property of Indian housing authorities created under Indian law shall be exempt from all taxes and special assessments of the state or any city, village, or public agency thereof. In lieu of such taxes or special assessments, an Indian housing authority may agree to make payments to any city, village, or public agency for improvements, services, or facilities furnished by such city, village, or public agency for the benefit of a housing project owned by the housing authority, but in no event shall such payments exceed the estimated cost to such city, village, or public agency of the improvements, services, or facilities to be so furnished. All payments made by any such housing authority in lieu of taxes, whether such payments are contractually stipulated or gratuitous voluntary payments, shall be distributed among the cities, villages, or public agencies within which the housing project is located, in such proportion that each city, village, or public agency shall receive from the total payment the same proportion as its ad valorem tax rate bears to the total ad valorem tax rate which would be levied by each city, village, or public agency against the properties of the Indian housing authority if the same were not exempt from taxation. For purposes of this section, (a) Indian housing authority means an entity that is authorized by federal law to engage or assist in the development or operation of

low-income housing for Indians and which is established by the exercise of the power of self-government of an Indian tribe and (b) Indian law means the code of an Indian tribe recognized as eligible for services provided to Indians by the United States Secretary of the Interior.

Source: Laws 1999, LB 105, § 19; Laws 2000, LB 1107A, § 1.

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.F.

Receive and file the Financial Report for the period ending April 30, 2022.

BACKGROUND:

The Treasurer's Report (Attachment A) gives the beginning cash balances as of October 1, 2021, plus Total (YTD) Receipts, minus Total (YTD) Disbursements, giving the ending cash balance on April 30, 2022.

Per the Banking Services Agreement with McCook National Bank, all funds are deposited into the Public Funds Account at a higher rate of interest. The bank then sweeps in increments of \$100,000 to the Primary Operating Account to cover disbursements as they clear the bank. The Payroll Account is also a sweep account and maintains a \$1,000 balance. An adjustment was made in payroll in April which will be corrected in the Payroll Account in May, making the ending balance on April 30th \$953.54.

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

Attachment B gives the ending cash balances by fund as of April 30, 2022.

Attachment C is a Financial Summary of Revenue and Expense by Fund for the quarter ending April 30, 2022.

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

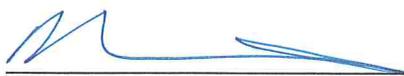
**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

May 11, 2022



Nathan A. Schneider, City Manager

May 11, 2022

ATTACHMENT

A

City of McCook, Nebraska
 TREASURER'S REPORT
 Period Ending April 30, 2022 (unaudited)

Beginning Cash on Hand, October 1, 2021			
McCook National Bank - Public Funds	\$	17,042,616.65	
McCook National Bank - Primary Operating	\$	(279,443.92)	
McCook National Bank - LB840 Funds	\$	879,312.54	
McCook National Bank - Payroll	\$	1,000.00	
McCook National Bank - CRA	\$	57.93	
Purchases Account	\$	9,630.65	
Petty Cash	\$	1,000.00	
NDEQ Irrevocable Escrow	\$	83,564.97	
McCook National Bank - Pension	\$	5,212.19	
TOTAL BEGINNING CASH			\$ 17,742,951.01
Receipts:			
Taxes	\$	2,834,771.18	
Fees, Permits and Licenses	\$	259,215.59	
Intergovernmental Services	\$	1,221,667.14	
Charges - Current Services	\$	1,093,501.23	
Public Utilities	\$	2,175,732.86	
Use of Money & Property	\$	1,139,586.35	
Interfund Transfers	\$	2,658,910.18	
Other Revenue	\$	652,280.99	
Unapplied/Accounts Payable	\$	(1,185.20)	
PLUS TOTAL RECEIPTS			\$ 12,034,480.32
Disbursements:			
Personal Services	\$	3,974,053.02	
Supplies	\$	772,061.19	
Services & Charges	\$	3,514,890.26	
Budget Transfers	\$	2,093,132.68	
Capital Outlay	\$	1,677,525.97	
Unapplied/Accounts Payable	\$	(173,363.00)	
MINUS TOTAL DISBURSEMENTS			\$ 11,858,300.12
Ending Cash Balance April 30, 2022			
McCook National Bank - Public Funds	\$	16,759,088.00	
McCook National Bank - Primary Operating	\$	88,689.04	
McCook National Bank - LB840 Funds	\$	964,457.52	
McCook National Bank - Payroll	\$	953.54	
McCook National Bank - CRA	\$	57.93	
Petty Cash	\$	1,150.00	
Purchase Account	\$	10,000.00	
NDEQ Irrevocable Escrow	\$	84,529.67	
McCook National Bank - Pension	\$	10,205.51	
TOTAL ENDING CASH	\$	17,919,131.21	\$ 17,919,131.21

Dated: April 30, 2022

-s- Lea Ann Doak, City Clerk

ATTACHMENT B

City of McCook, Nebraska
 TREASURER'S REPORT
 CASH BALANCE BY FUNDS
 Period Ending April 30, 2022 (unaudited)

Beginning Cash on Hand, October 1, 2021	Beginning Cash	YTD Revenue	YTD Expenditures	Ending Cash
General Fund - 10	\$ 3,166,009.66	\$ 4,218,846.61	\$ 4,661,850.96	\$ 2,723,005.31
General Fund Unapplied/Accts. Payable	\$ 6,930.00	\$ (1,226.00)	\$ (80,117.50)	\$ 85,821.50
Street Fund - 15	\$ 562,460.09	\$ 147,829.02	\$ -	\$ 710,289.11
Special Revenue - 20	\$ 2,225,074.50	\$ 273,866.36	\$ 899,080.82	\$ 1,599,860.04
Special Revenue Unapplied/Accts. Payable	\$ -		\$ (16,666.50)	\$ 16,666.50
Debt Service - 30	\$ 395,909.07	\$ 428.00	\$ 122.84	\$ 396,214.23
Community Redevelopment Authority - 40	\$ 72,402.36	\$ 28,400.18	\$ 2,104.02	\$ 98,698.52
Economic Development Fund - 45	\$ 879,312.54	\$ 329,444.38	\$ 244,299.40	\$ 964,457.52
Pension Trust - 50	\$ 5,212.19	\$ 16,002.60	\$ 11,009.28	\$ 10,205.51
Trust & Agency - 60	\$ 331,559.78	\$ 117,692.93	\$ 86,793.53	\$ 362,459.18
Internal Service Fund - 65	\$ 361,345.20	\$ 1,387,880.16	\$ 1,241,176.96	\$ 508,048.40
Enterprise Fund - 70	\$ 8,899,188.10	\$ 5,140,903.97	\$ 4,733,797.08	\$ 9,306,294.99
Enterprise Fund Unapplied/Accts. Payable	\$ -	\$ 40.80	\$ (76,579.00)	\$ 76,619.80
Capital Improvement - 80	\$ 837,547.52	\$ 374,371.31	\$ 151,428.23	\$ 1,060,490.60
BALANCES	\$ 17,742,951.01	\$ 12,034,480.32	\$ 11,858,300.12	\$ 17,919,131.21

Dated: April 30, 2022

-s- Lea Ann Doak, City Clerk

ATTACHMENT C

CITY OF McCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

10 -GENERAL FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
GENERAL REVENUE	9,439,695	9,439,695	636,642.47	4,117,528.61	4,351,255.50	5,322,166.39	56.38
RESERVES/CO TREASURER BAL	<u>1,756,659</u>	<u>1,756,659</u>	<u>11,229.00</u>	<u>101,318.00</u>	<u>171,924.10</u>	<u>1,655,341.00</u>	<u>94.23</u>
TOTAL REVENUES	11,196,354	11,196,354	647,871.47	4,218,846.61	4,523,179.60	6,977,507.39	62.32
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ADMINISTRATION	762,814	762,814	45,683.70	336,331.94	325,742.25	426,482.06	55.91
PUBLICITY	8,750	8,750	199.74	2,581.03	2,126.24	6,168.97	70.50
AUDITORIUM	50,056	50,056	3,577.28	22,854.27	26,033.32	27,201.73	54.34
COUNCIL	562,228	562,228	18,335.12	139,673.37	251,780.68	422,554.63	75.16
POLICE	2,188,434	2,188,434	142,854.97	1,014,315.62	984,102.45	1,174,118.38	53.65
MUNICIPAL CENTER	117,179	117,179	7,575.83	63,322.28	61,238.09	53,856.72	45.96
FIRE	1,609,965	1,609,965	170,204.02	837,740.73	878,673.80	772,224.27	47.97
AMBULANCE	174,880	174,880	6,437.02	98,440.87	101,195.66	76,439.13	43.71
CIVIL DEFENSE	10,075	10,075	105.58	534.06	4,514.79	9,540.94	94.70
BUILDING & ZONING	99,604	99,604	7,413.88	54,791.62	47,073.64	44,812.38	44.99
LIBRARY	361,567	361,567	26,413.86	184,662.00	191,050.45	176,905.00	48.93
STREET	1,050,567	1,050,567	77,325.46	590,593.35	569,318.26	459,973.65	43.78
CEMETERY	236,078	236,078	11,065.17	116,352.03	106,434.99	119,725.97	50.71
PARKS	281,264	281,264	14,563.05	130,824.93	95,979.42	150,439.07	53.49
BALL PARKS	156,669	156,669	7,994.14	81,814.36	57,604.82	74,854.64	47.78
POOL	99,232	99,232	936.51	3,057.05	4,278.31	96,174.95	96.92
AIRPORT	173,619	173,619	11,445.26	78,288.86	89,328.20	95,330.14	54.91
UNEMPLOYMENT	10,000	10,000	0.00	0.00	0.00	10,000.00	100.00
UNCOLLECTABLE TAX	15,000	15,000	603.96	4,499.89	4,846.93	10,500.11	70.00
SENIOR CENTER	447,304	447,304	30,498.55	244,236.72	215,471.82	203,067.28	45.40
PUBLIC TRANSPORTATION	177,330	177,330	14,227.02	101,776.48	91,084.91	75,553.52	42.61
HEALTH OPERATING	787,075	787,075	65,589.50	459,126.50	411,831.00	327,948.50	41.67
RESERVES/CO TREASURER BAL	<u>656,659</u>	<u>656,659</u>	<u>285.00</u>	<u>96,033.00</u>	<u>18,205.00</u>	<u>560,626.00</u>	<u>85.38</u>
TOTAL EXPENDITURES	10,036,349	10,036,349	663,334.62	4,661,850.96	4,537,915.03	5,374,498.04	53.55
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	1,160,005	1,160,005 (	15,463.15)(	443,004.35)(	14,735.43)	1,603,009.35	138.19

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

15 -STREET FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
STREET IMPROVEMENTS	<u>522,367</u>	<u>522,367</u>	<u>151.00</u>	<u>147,829.02</u>	<u>160,860.14</u>	<u>374,537.98</u>	<u>71.70</u>
TOTAL REVENUES	<u>522,367</u>	<u>522,367</u>	<u>151.00</u>	<u>147,829.02</u>	<u>160,860.14</u>	<u>374,537.98</u>	<u>71.70</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
STREET IMPROVEMENTS	<u>522,367</u>	<u>522,367</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>522,367.00</u>	<u>100.00</u>
TOTAL EXPENDITURES	<u>522,367</u>	<u>522,367</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>522,367.00</u>	<u>100.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	151.00	147,829.02	160,860.14 (	147,829.02)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

20 -SPECIAL REVENUE
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
FAA GRANTS	7,262	7,262	0.00	109,343.00	86,666.84 (	102,081.00)	1,405.69-
PUBLIC TRANSIT GRANTS	66,000	66,000	0.00	18,709.70	0.00	47,290.30	71.65
ACE REVENUE SHARING	30,961	30,961	6.00	9,107.00	19,711.00	21,854.00	70.59
MCCOOK RECREATIONAL TRAIL	53,979	53,979	11.00	59.00	53.00	53,920.00	99.89
CCCFF GRANT-SWIMMING POOL	25,000	25,000	0.00	0.00	0.00	25,000.00	100.00
MCCOOK COMM FOUNDATION	0	0	0.00	0.00	0.00	0.00	0.00
COVID-19 CARES ACT	718,337	718,337	40,654.32	41,185.32	729,240.12	677,151.68	94.27
ENHANCED E911	166,497	166,497	2,686.53	18,485.67	13,883.81	148,011.33	88.90
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	426,233	426,233	103.00	11,571.25	7,213.40	414,661.75	97.29
PSAP FUNDS	117,992	117,992	4,694.06	32,814.42	32,816.42	85,177.58	72.19
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
SKATE PARK IMPROVEMENTS	4,642	4,642	0.00	0.00	0.00	4,642.00	100.00
AUD/CONVEN CTR FEASIBILI	0	0	0.00	0.00	0.00	0.00	0.00
AME RESCUE PLAN ACT-ARPA	<u>1,338,028</u>	<u>1,338,028</u>	<u>65.00</u>	<u>32,591.00</u>	<u>0.00</u>	<u>1,305,437.00</u>	<u>97.56</u>
TOTAL REVENUES	<u>2,989,716</u>	<u>2,989,716</u>	<u>48,219.91</u>	<u>273,866.36</u>	<u>889,584.59</u>	<u>2,715,849.64</u>	<u>90.84</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FAA GRANTS	7,262	7,262	65,322.37	159,115.36	66.00 (	151,853.36)	2,091.07-
PUBLIC TRANSIT GRANTS	66,000	66,000	0.00	18,709.70	0.00	47,290.30	71.65
ACE REVENUE SHARING	30,961	30,961	0.00	17,096.00	1,117.80	13,865.00	44.78
MCCOOK RECREATIONAL TRAIL	53,979	53,979	0.00	0.00	0.00	53,979.00	100.00
CCCFF GRANT-SWIMMING POOL	25,000	25,000	0.00	7,031.80	0.00	17,968.20	71.87
MCCOOK COMM FOUNDATION	0	0	0.00	0.00	0.00	0.00	0.00
COVID-19 CARES ACT	718,337	718,337	16,666.50	152,096.50	4,532.34	566,240.50	78.83
ENHANCED E911	166,497	166,497	2,201.15	121,093.68	77,018.20	45,403.32	27.27
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	426,233	426,233	0.00	100.00	6,793.40	426,133.00	99.98
PSAP FUNDS	117,992	117,992	2,442.58	23,201.97	29,312.79	94,790.03	80.34
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
SKATE PARK IMPROVEMENTS	4,642	4,642	0.00	0.00	0.00	4,642.00	100.00
AUD/CONVEN CTR FEASIBILI	0	0	0.00	0.00	0.00	0.00	0.00
AME RESCUE PLAN ACT-ARPA	<u>1,338,028</u>	<u>1,338,028</u>	<u>1,995.80</u>	<u>400,635.81</u>	<u>0.00</u>	<u>937,392.19</u>	<u>70.06</u>
TOTAL EXPENDITURES	<u>2,989,716</u>	<u>2,989,716</u>	<u>88,628.40</u>	<u>899,080.82</u>	<u>118,840.53</u>	<u>2,090,635.18</u>	<u>69.93</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0 (	40,408.49)	(625,214.46)	770,744.06	625,214.46	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

30 -DEBT SERVICE
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	395,856	395,856	84.00	428.00	36,524.82	395,428.00	99.89
BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	395,856	395,856	84.00	428.00	36,524.82	395,428.00	99.89
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	395,856	395,856	0.00	122.84	0.00	395,733.16	99.97
BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	395,856	395,856	0.00	122.84	0.00	395,733.16	99.97
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	84.00	305.16	36,524.82 (	305.16)	0.00

CITY OF MCCOOK
STATEMENT OF REVENUES - BUDGET VS. ACTUAL
AS OF: APRIL 30TH, 2022

40 -COMMUNITY DEVELOPMENT
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
KEYSTONE BUS CENTER PROJ	31,000	31,000	796.70	1,593.40	1,514.28	29,406.60	94.86
CITY INVESTMENTS	72,489	72,489	15.00	78.00	5,961.00	72,411.00	99.89
NORTH POINTE	30,000	30,000	1,741.90	3,483.80	7,122.86	26,516.20	88.39
CLARY VILLAGE LLC	9,500	9,500	240.82	481.64	457.72	9,018.36	94.93
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	1,457.87	2,915.74	2,770.98	57,084.26	95.14
QUILLAN COURTS	15,000	15,000	227.72	2,559.46	11,199.10	12,440.54	82.94
MCCOOK LODGING/HOLIDAY I	134,000	134,000	2,648.57	5,297.14	5,034.14	128,702.86	96.05
NEXT GENERATION	200,000	200,000	5,995.50	11,991.00	10,988.26	188,009.00	94.00
N-STANT CONVENIENCE	20,000	20,000	0.00	0.00	0.00	20,000.00	100.00
BLACKWOOD ENTERPRISES	200,000	200,000	0.00	0.00	0.00	200,000.00	100.00
TOTAL REVENUES	771,989	771,989	13,124.08	28,400.18	45,048.34	743,588.82	96.32
<hr/>							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
KEYSTONE BUS CENTER PROJ	31,000	31,000	0.00	0.00	0.00	31,000.00	100.00
CITY INVESTMENTS	72,489	72,489	0.00	0.00	0.00	72,489.00	100.00
NORTH POINTE	30,000	30,000	0.00	0.00	0.00	30,000.00	100.00
CLARY VILLAGE LLC	9,500	9,500	0.00	0.00	0.00	9,500.00	100.00
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	0.00	0.00	0.00	60,000.00	100.00
QUILLAN COURTS	15,000	15,000	0.00	2,104.02	10,850.94	12,895.98	85.97
MCCOOK LODGING/HOLIDAY I	134,000	134,000	0.00	0.00	0.00	134,000.00	100.00
NEXT GENERATION	200,000	200,000	0.00	0.00	0.00	200,000.00	100.00
N-STANT CONVENIENCE	20,000	20,000	0.00	0.00	0.00	20,000.00	100.00
BLACKWOOD ENTERPRISES	200,000	200,000	0.00	0.00	0.00	200,000.00	100.00
TOTAL EXPENDITURES	771,989	771,989	0.00	2,104.02	10,850.94	769,884.98	99.73
<hr/>							
REVENUES OVER/(UNDER) EXPENDITURES	0	0	13,124.08	26,296.16	34,197.40 (	26,296.16)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

45 -ECONOMIC DEVELOPMENT FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
ECONOMIC DEVELOPMENT FUN	1,268,739	1,268,739	40,605.53	329,444.38	304,021.11	939,294.62	74.03
KEYSTONE BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
KEYSTONE BOND REDEMPTION	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,268,739	1,268,739	40,605.53	329,444.38	304,021.11	939,294.62	74.03
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ECONOMIC DEVELOPMENT FUN	1,268,739	1,268,739	11,330.00	244,299.40	129,264.20	1,024,439.60	80.74
KEYSTONE BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
KEYSTONE BOND REDEMPTION	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,268,739	1,268,739	11,330.00	244,299.40	129,264.20	1,024,439.60	80.74
REVENUES OVER/(UNDER) EXPENDITURES	0	0	29,275.53	85,144.98	174,756.91	(85,144.98)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

50 -PENSION TRUST
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
POLICE OFFICER DISABILIT	<u>21,213</u>	<u>21,213</u>	<u>0.44</u>	<u>16,002.60</u>	<u>15,004.10</u>	<u>5,210.40</u>	<u>24.56</u>
TOTAL REVENUES	<u>21,213</u>	<u>21,213</u>	<u>0.44</u>	<u>16,002.60</u>	<u>15,004.10</u>	<u>5,210.40</u>	<u>24.56</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
POLICE OFFICER DISABILIT	<u>21,213</u>	<u>21,213</u>	<u>1,572.83</u>	<u>11,009.28</u>	<u>11,009.81</u>	<u>10,203.72</u>	<u>48.10</u>
TOTAL EXPENDITURES	<u>21,213</u>	<u>21,213</u>	<u>1,572.83</u>	<u>11,009.28</u>	<u>11,009.81</u>	<u>10,203.72</u>	<u>48.10</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(1,572.39)	4,993.32	3,994.29	(4,993.32)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

60 -AGENCY FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
PERPETUAL CARE	157,271	157,271	484.00	5,120.00	3,295.00	152,151.00	96.74
SENIOR CENTER CONTRIBUTIO	65,064	65,064	115.00	6,650.25	9,614.25	58,413.75	89.78
SCHOOL	8,050	8,050	850.00	6,725.00	6,290.00	1,325.00	16.46
FIRE CONTRIBUTIONS	5,228	5,228	12,085.40	16,068.95	485.20	10,840.95	207.36-
LIBRARY MEMORIAL	38,714	38,714	6,500.00	21,795.00	8,135.00	16,919.00	43.70
COMMUNITY BETTERMENT	141,634	141,634	9,965.02	58,123.69	54,922.77	83,510.31	58.96
DARE CONTRIBUTIONS	3,152	3,152	0.00	434.66	400.00	2,717.34	86.21
PUBLIC WORKS CONTRIBUTION	6,365	6,365	0.00	0.00	0.00	6,365.00	100.00
AMBULANCE CONTRIBUTIONS	9,246	9,246	0.00	250.00	1,910.00	8,996.00	97.30
COMMUNITY PARAMEDIC PROG	4,316	4,316	0.00	0.00	0.00	4,316.00	100.00
POLICE CONTRIBUTIONS	2,771	2,771	6.05	2,525.38	1,317.89	245.62	8.86
TOTAL REVENUES	441,811	441,811	30,005.47	117,692.93	86,370.11	324,118.07	73.36
EXPENDITURE SUMMARY							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
PERPETUAL CARE	157,271	157,271	0.00	0.00	0.00	157,271.00	100.00
SENIOR CENTER CONTRIBUTIO	65,064	65,064	0.00	1,348.57	12,555.88	63,715.43	97.93
SCHOOL	8,050	8,050	4,450.00	5,875.00	5,590.00	2,175.00	27.02
FIRE CONTRIBUTIONS	5,228	5,228	1,000.00	1,497.61	0.00	3,730.39	71.35
LIBRARY MEMORIAL	38,714	38,714	0.00	10,535.23	15,679.24	28,178.77	72.79
COMMUNITY BETTERMENT	141,634	141,634	12,366.00	62,343.00	46,140.00	79,291.00	55.98
DARE CONTRIBUTIONS	3,152	3,152	210.81	1,194.12	1,061.04	1,957.88	62.12
PUBLIC WORKS CONTRIBUTION	6,365	6,365	0.00	0.00	0.00	6,365.00	100.00
AMBULANCE CONTRIBUTIONS	9,246	9,246	4,000.00	4,000.00	0.00	5,246.00	56.74
COMMUNITY PARAMEDIC PROG	4,316	4,316	0.00	0.00	0.00	4,316.00	100.00
POLICE CONTRIBUTIONS	2,771	2,771	0.00	0.00	1,481.88	2,771.00	100.00
TOTAL EXPENDITURES	441,811	441,811	22,026.81	86,793.53	82,508.04	355,017.47	80.36
REVENUES OVER/(UNDER) EXPENDITURES	0	0	7,978.66	30,899.40	3,862.07	30,899.40	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: APRIL 30TH, 2022

65 -INTERNAL SERVICE FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
FLEX DEPENDENT CARE	11,994	11,994	384.00	2,420.34	2,192.37	9,573.66	79.82
FLEX - MEDICAL	65,297	65,297	2,966.92	21,200.28	19,679.37	44,096.72	67.53
SELF INSURED HEALTH INSUR	<u>2,588,281</u>	<u>2,588,281</u>	<u>45,025.41</u>	<u>1,364,259.54</u>	<u>1,242,634.82</u>	<u>1,224,021.46</u>	<u>47.29</u>
TOTAL REVENUES	<u>2,665,572</u>	<u>2,665,572</u>	<u>48,376.33</u>	<u>1,387,880.16</u>	<u>1,264,506.56</u>	<u>1,277,691.84</u>	<u>47.93</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FLEX DEPENDENT CARE	11,994	11,994	0.00	1,038.42	3,214.14	10,955.58	91.34
FLEX - MEDICAL	65,297	65,297	4,475.47	25,920.08	20,524.28	39,376.92	60.30
SELF INSURED HEALTH INSUR	<u>2,588,281</u>	<u>2,588,281</u>	<u>205,854.37</u>	<u>1,214,218.46</u>	<u>1,248,993.17</u>	<u>1,374,062.54</u>	<u>53.09</u>
TOTAL EXPENDITURES	<u>2,665,572</u>	<u>2,665,572</u>	<u>210,329.84</u>	<u>1,241,176.96</u>	<u>1,272,731.59</u>	<u>1,424,395.04</u>	<u>53.44</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(161,953.51)	146,703.20	(8,225.03)	(146,703.20)	0.00

CITY OF MCCOOK
STATEMENT OF REVENUES - BUDGET VS. ACTUAL
AS OF: APRIL 30TH, 2022

70 -ENTERPRISE FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
SOLID WASTE-LANDFILL POST	0	0	0.00	0.00	0.00	0.00	0.00
SOLID WASTE - RECYCLING	360,800	360,800	5,954.19	54,880.03	45,638.69	305,919.97	84.79
SOLID WASTE - COLLECTION	955,830	955,830	68,546.33	483,615.43	470,506.30	472,214.57	49.40
SOLID WASTE - TRANSFER ST LANDFILL RESERVE	1,293,095	1,293,095	77,740.25	597,331.65	559,069.61	695,763.35	53.81
SOLID WASTE - DISPOSAL	786,644	786,644	6,409.00	44,539.00	44,375.00	742,105.00	94.34
WATER MAINTENANCE & OPERA	357,996	357,996	18,446.39	193,268.04	162,713.09	164,727.96	46.01
WATER BOND & INTEREST RED	4,458,576	4,458,576	144,852.35	1,329,020.83	1,349,042.58	3,129,555.17	70.19
WATER CAPITAL - REPLACEME	1,383,272	1,383,272	36,743.00	256,562.00	313,093.37	1,126,710.00	81.45
WATER CAPITAL - DEVELOPME	3,913,215	3,913,215	27,378.00	190,916.00	191,013.00	3,722,299.00	95.12
WATER QUALITY SOLUTION	0	0	0.00	0.00	0.00	0.00	0.00
SEWER MAINTENANCE & OPERA	170,527	170,527	40.52	222.67	213.74	170,304.33	99.87
SEWER BOND & INTEREST RES	2,669,422	2,669,422	120,466.62	927,211.18	877,751.41	1,742,210.82	65.27
SEWER CAPITAL - REPLACEME	122,212	122,212	26.00	132.00	296.00	122,080.00	99.89
SEWER CAPITAL - DEVELOPME	2,789,990	2,789,990	35,676.00	294,248.00	250,787.00	2,495,742.00	89.45
COMBINED UTILITIES	1,356	1,356	0.00	0.00	0.00	1,356.00	100.00
ELECTRIC UTILITY	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
TOTAL REVENUES	21,293,260	21,293,260	648,793.56	5,140,903.97	5,039,455.62	16,152,356.03	75.86
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
SOLID WASTE-LANDFILL POST	14,550	14,550	170.00	4,939.31	3,857.56	9,610.69	66.05
SOLID WASTE - RECYCLING	387,706	387,706	9,925.93	64,494.03	63,022.12	323,211.97	83.37
SOLID WASTE - COLLECTION	955,830	955,830	66,620.96	454,555.26	463,989.94	501,274.74	52.44
SOLID WASTE - TRANSFER ST LANDFILL RESERVE	1,251,639	1,251,639	77,193.67	599,354.94	524,239.67	652,284.06	52.11
SOLID WASTE - DISPOSAL	786,644	786,644	0.00	0.00	0.00	786,644.00	100.00
WATER MAINTENANCE & OPERA	357,996	357,996	18,446.39	194,518.04	163,963.09	163,477.96	45.66
WATER BOND & INTEREST RED	4,458,576	4,458,576	171,714.67	1,252,170.37	1,248,164.53	3,206,405.63	71.92
WATER CAPITAL - REPLACEME	1,383,272	1,383,272	0.00	42,347.93	459,469.07	1,340,924.07	96.94
WATER CAPITAL - DEVELOPME	3,913,215	3,913,215	910.00	516,880.41	178,313.35	3,396,334.59	86.79
WATER QUALITY SOLUTION	0	0	0.00	0.00	0.00	0.00	0.00
SEWER MAINTENANCE & OPERA	170,527	170,527	0.00	0.00	0.00	170,527.00	100.00
SEWER BOND & INTEREST RES	2,669,422	2,669,422	101,254.76	766,093.20	698,721.83	1,903,328.80	71.30
SEWER CAPITAL - REPLACEME	122,212	122,212	0.00	0.00	0.00	122,212.00	100.00
SEWER CAPITAL - DEVELOPME	2,789,990	2,789,990	0.00	69,486.45	484,943.50	2,720,503.55	97.51
COMBINED UTILITIES	1,356	1,356	0.00	0.00	0.00	1,356.00	100.00
ELECTRIC UTILITY	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
TOTAL EXPENDITURES	21,293,260	21,293,260	552,751.29	4,733,797.08	5,063,640.49	16,559,462.92	77.77
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	96,042.27	407,106.89	(24,184.87)	(407,106.89)	0.00

STATEMENT OF EXPENDITURES - BUDGET vs ACTUAL
AS OF: APRIL 30TH, 202280 -CAPITAL IMPROVEMENTS FUND
CAPITAL IMPROVE 2018

% OF YEAR COMPLETED: 58.33

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>OTHER SERVICES & CHARGES</u>							
80-012-54671 STR ANNUAL CAP IMPRO	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER SERVICES & CHARGES	0	0	0.00	0.00	0.00	0.00	0.00
<u>CAPITAL OUTLAY</u>							
80-012-56000 CAPITAL OUTLAY	104,315	104,315	0.00	0.00	0.00	104,315.00	100.00
80-012-56100 STREET/HWY IMPROVEMEN	652,760	652,760	0.00	0.00	78,504.55	652,760.00	100.00
80-012-56250 POOL IMPROVEMENTS	0	0	0.00	955.70	0.00	(955.70)	0.00
80-012-56410 AIRPORT IMPROVEMENTS	50,000	50,000	0.00	0.00	0.00	50,000.00	100.00
80-012-56420 STREET MAINTENANCE	188,707	188,707	103,348.04	106,981.04	0.00	81,725.96	43.31
80-012-56430 DRAINAGE MAINTENANCE	40,000	40,000	0.00	28,475.92	0.00	11,524.08	28.81
80-012-56510 AUDITORIUM ROOF REPLA	0	0	0.00	0.00	72,000.00	0.00	0.00
TOTAL CAPITAL OUTLAY	1,035,782	1,035,782	103,348.04	136,412.66	150,504.55	899,369.34	86.83
TOTAL CAPITAL IMPROVE 2018	1,035,782	1,035,782	103,348.04	136,412.66	150,504.55	899,369.34	86.83

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: **4.G.**

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 June 18, 2022 from 4:00 P.M. to 12:00 A.M.

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

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022

**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): 6-18-2022
Event Start Time(s): 4p.m
Event End Time(s): 12.am
Alternate Date: X

Alternate Location Building & Address: X
Event Building Name: McCook City Auditorium
Event Street Address/City: 302 West 5th St.

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: 200
Type of alcohol to be served: Beer X Wine X Distilled Spirits X
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Adam Siegfried Event Contact Phone Number: 308-340-2400
Event Contact Email: Coppermillrestaurantllc@yahoo.com

*Signature Authorized Representative: [Signature] Printed Name Adam Siegfried

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)

_____ Date

Local Governing Body Authorized Signature

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.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 August 20, 2022 from 4:00 P.M. to 12:00 A.M.

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

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022

**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 11th Street McCook Mo
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): 8-20-2022

Event Start Time(s): 4pm

Event End Time(s): 12am

Alternate Date: X

Alternate Location Building & Address: X

Event Building Name: McCook City Auditorium

Event Street Address/City: 302 West 5th St

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: 225

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

Event Contact Name: Adam Sigurd Event Contact Phone Number: 308-340-2400

Event Contact Email: coppermillrestaurantllc@yahoo.com

*Signature Authorized Representative: Adam Sigurd Printed Name Adam Sigurd

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
MAY 16, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4.I. Receive and file an update on the findings of the Middle Republican Natural Resource District with respect to a request from Scott Snyder to purchase property legally described as Block 2 of the Hundt Subdivision.

BACKGROUND:

In January of 2022, a request was presented to the McCook City Council from Scott Snyder, by and through his attorney Phil Lyons, to purchase property owned by the City of McCook. The property described as Block 2 of the Hundt Subdivision. After receiving the request, staff reviewed its files to determine the overall status of the property. On review, staff discovered a memo from former City Attorney, Daylene Bennett, which stated concerns regarding unrecorded limitations that may be attached to the land. After the City Council heard Mr. Snyder's request, staff forwarded Ms. Bennett's concerns to the Middle Republican Natural Resource District for follow-up. Recently, Director Jack Russell followed up with McCook staff. Mr. Russell informed staff that its attorney was unable to locate any documentation that addressed the memo's concerns. Staff is now reviewing the property to make a final recommendation to the City Council. For location purposes, the Red Willow County Parcel ID# for the lot is 000550100.

APPROVALS:



May 12, 2022

Nathan A. Schneider, City Manager



May 12, 2022

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
MAY 16, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4.J. Instruct staff to hold discussions with property owners who own properties that may be part of a future City of McCook annexation project.

BACKGROUND:

Over the past few months, the City Council has instructed staff to determine whether there are areas appropriate for annexation. The findings have been brought back to the City Council for consideration. The focus of the annexation discussions have turned to residential properties that abut City of McCook streets and are already within the corporate boundaries, with said properties also being tied into the City of McCook's water infrastructure. The reasons for focusing on these properties, are: 1) the properties are already receiving the benefit of tax payer funded street maintenance and snow removal, and 2) if the properties are annexed, the residential water rates will drop to the established standard rates for City of McCook residential properties. Due to the fact that these properties have access to all of the services offered by the City of McCook, as well as the fact that the properties considered for annexation currently receive the benefit of the majority of McCook's services, it is equitable for the properties to be annexed into the City's corporate boundaries. At a meeting held in April, the City Council expressed a preference for staff to hold discussions with property owners that may currently be considered for annexation into the City of McCook. Staff would like permission from the Council to begin these discussions. It is prudent to have discussions prior to beginning the statutory annexation processes. By holding meetings, some of the potential misunderstandings and misconceptions associated with annexation can be addressed prior to the formal process commencing. It is staff's intent to provide as much information as possible to assure the impacted property owners understand the true impact of an annexation proceeding. The properties identified as possible areas appropriate for annexation include: 1) West 3rd Street, east of the Miller-Evans Subdivision, and 2) Ravenswood Road, south of the McCook Business Park Subdivision.

APPROVALS:



Nathan A. Schneider, City Manager

May 12, 2022



Lea Ann Doak, City Clerk

May 12, 2022

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.K.

RECOMMENDATION:

Receive and file the minutes of the May 5, 2022 Planning Commission meeting.

BACKGROUND:

Receive minutes from the various board and commission meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 12, 2022

McCook Planning Commission
May 9, 2022
5:15 P.M. Central

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

Present: Chair Vosburg; Commissioners Davidson, Dueland, Friehe, Lyons, McDowell, Stevens.

Absent: Vice Chair Hilker, Commissioners Bradley, Mockry.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 4, 2022, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

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

1. Presentations.

- 1.A. Presentation from Craig Bennett of Miller & Associates regarding whether to continue with the City of McCook's use of replats to modify existing subdivisions versus adopting a vacation and begin a new system.

Craig Bennett of Miller & Associates gave a presentation via Zoom regarding practices available when modifying an existing subdivision.

2. Approve the minutes of the December 13, 2021 regular Planning Commission meeting.

Motion to approve the minutes of the December 13, 2021 regular Planning Commission meeting. This motion, made by McDowell and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA

YEA: 7, NAY: 0, ABSENT: 3

3. Public Hearings and Regular Agenda.

- 3.A. Public Hearing - Request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel

Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, property located within the two mile extra-territorial jurisdiction of the City of McCook.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by Jake Thieszen to allow a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30, West of the 6th P.M., Red Willow County, Nebraska, located within the two mile extra-territorial jurisdiction of the City of McCook, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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 (9 pages); Exhibit #5 - Findings and Determinations of McCook City Council (2 pages).

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

Commissioner Lyons questioned if there would be any odors and Commissioner Dueland questioned why the request was presented after the fact, construction has already started and whether the request fit Section 704, No. 9 of the zoning ordinance.

Jake Thieszen, applicant stated that everything is self-contained, all processes occur in an enclosed building. There should be no odor or dust issues.

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.B. Recommend approval to the City Council the application for a special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I.

After the Commission reviewed special exception requirements A - I and concurred that all were met, a motion was introduced to recommend approval to the City Council the application for a

special exception by Jake Thieszen for a commercial building in the Agricultural (AG) District, with the property located at Block 1, Cappel Industrial Park, a part of the north half of the southeast quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said special exception based upon compliance with special exception requirements A-I. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.C. Public Hearing - Consider replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the May 9, 2022 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); and Exhibit #4 - Proposed Replat of a portion of South Street right-of-way.

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

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

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA
YEA: 7, NAY: 0, ABSENT: 3

3.D. Recommend to the McCook City Council final approval of the replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Motion to recommend to the McCook City Council final approval of the Replat of a portion of South Street right-of-way located in the SE1/4 of the SE1/4 of Section 30, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Vosburg and seconded by Friehe, passed.

Vosburg: YEA, Hilker: ABSENT, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: YEA

YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:47 P.M.

Lea Ann Doak
City Clerk/Recording Secretary

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 4.L.

Authorize City Staff to prepare a resolution fixing as a special assessment all costs incurred by the City with the demolition of the property located at 406 East 1st Street, owned by William Todd Baker.

BACKGROUND:

Attached is an itemized listing of costs incurred by the City with the demolition of the property owned by William Todd Baker and located at 406 East 1st Street. If the Council desires, the appropriate resolution providing for filing of the lien against the property will be prepared for consideration at a future City Council meeting.

This process is outlined in Section 95.03 - Abatement Procedure, of the City of McCook Code of Ordinances regarding nuisances.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022

HOUSE DEMOLITION
406 East 1st Street

Milco Environmental Services, Inc.	Asbestos Inspection	\$ 1,458.53
City of McCook Transfer Station	Disposal Fees	\$ 4,027.65
Front Range Environment Services	Asbestos removal/disposal	\$ 8,299.65
T&K Ventures	House Demolition	\$ 13,000.00
MBGS Law Office	Legal Fees	\$ 956.75
TOTAL COSTS		<u>\$ 27,742.58</u>

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 5.A.

RECOMMENDATION:

**AUTHORIZE USDA TO CONDUCT A GOOSE ROUNDUP TO
SIGNIFICANTLY REDUCE THE GOOSE POPULATION IN BARNETT
PARK**

BACKGROUND:

Over the past few years, we have experienced a number of fish kills in Barnett Park. Previous water tests have shown that the levels of nitrogen, ammonia and phosphorous are quite high. These levels are high enough that the environment in the ponds make it difficult at best for fish to survive. According to the NGPC and NDEQ, these elevated numbers are a direct result of the waste being produced by the goose population.

In addition to the negative impact on the water quality, the geese have made the recreational fields, that were used for soccer and flag football almost unusable at times due to the number of geese and the waste that they produce.

Barnett Park is a very popular area within the City of McCook for its residents to fish, observe wildlife (geese), picnic, attend and participate in athletic activities and various other outdoor activities.

Over the past several years, City staff have tried numerous methods to try and reduce the number of local geese, as well as minimize the number of migrating geese that frequent the park. With guidance from Nebraska Game and Parks, we have tried egg oiling and harassment using noise makers. Neither of these methods seem to have proven successful in reducing the number of geese in the park.

To begin healing the waters of the park and the areas that are frequented by visitors, staff feels that it is time to take the next step in controlling the geese. City staff has been in contact with USDA about conducting a goose roundup in Barnett Park. This would include the removal of as many of the geese as possible. This would be completed during the molting season when the geese are unable to fly. This would allow us to minimize the attractant of live geese to those birds that are migrating. It would also minimize the number of newly hatched geese that are born in the park.

It would be great to be able to come to a happy medium where we have good fish habitat and a resident goose population. According to the experts, this may be difficult to achieve. It will be very difficult to make improvements to the park until the goose population is controlled and in some cases, grant funding will not be available for such improvements until such steps are taken.

**FISCAL
IMPACT:** None.

APPROVALS:



Kyle Potthoff, Public Works Director

May 9, 2022



Nate Schneider, City Manager

May 9, 2022

**CITY MANAGER'S REPORT
MAY 16, 2022 MCCOOK CITY COUNCIL MEETING**

5.B.
ITEM NO. _____ Receive and file a presentation regarding whether to continue with the City of McCook's use of replats to modify existing subdivisions versus adopting a vacation and begin anew system.

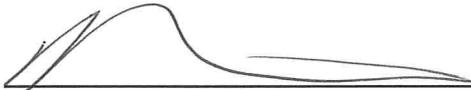
BACKGROUND:

For decades, the City of McCook has utilized the replat system for modifying existing subdivisions to account for new redevelopment projects. McCook's subdivision regulations allow for the replatting format to be used in order to address requested development changes to existing subdivisions. Increasingly, there has been some concern that the replatting process can cause confusion. An example of the confusion can be seen with the Clary Subdivision replats, which now total six in number.

For quite some time, staff has internally discussed the best practice available when modifying an existing subdivision. One approach that has been adopted by various communities is to start from scratch. For example, the City of Kearney has adopted a vacation system. If a developer wishes to modify the layout of an existing subdivision, Kearney requires the existing subdivision to be vacated. The vacation of the established subdivision serves as a termination point, providing a distinct cutoff for developers, title companies, and abstractors to rely on. Following the vacation of the existing subdivision, a new subdivision is adopted, said newly created subdivision containing the desired layout for the new development. The newly platted subdivision has a definitive starting point, eliminating the need to refer to the previous replats. For property owners and interested parties, the legal description will be clean and defined. On the downside, existing ownership documents from lenders will have to be modified in order to reflect the new subdivision. Additionally, all of the interested parties subject to the newly created subdivision will be required to execute a new plat. In some instances, this process could become onerous due to the fact that not all of the parties may be local.

At the May 9, 2022, McCook Planning Commission meeting, Craig Bennett of Miller & Associates gave a presentation regarding the pros and cons of both options. Staff would like to share Mr. Bennett's overview with the McCook City Council.

APPROVALS:



Nathan A. Schneider, City Manager

May 12, 2022



Lea Ann Doak, City Clerk

May 12, 2022

**CITY MANAGER'S REPORT
MAY 16, 2022 CITY COUNCIL MEETING**

ITEM: 5.C.

Consider bid options and approve the City's option for the Sheriff's Sale for Block Six (6), Lot Ten (10), Third Addition to the City of McCook, Red Willow County, Nebraska - Sarah L.Wederski Property.

BACKGROUND:

At the May 2 council meeting, City Attorney Mustion presented information regarding the bidding process for the Wederski property that is being sold at Sheriff's Sale at the request of the City to foreclose the special assessments due the City on the property.

At that meeting, it was the consensus of the Council to have a market analysis and title report prepared on the property before making a bidding option selection. Mr. Mustion is waiting on the title report from McCook Abstract. He would like to have that report before making a recommendation on the bid selection. When the City receives the market analysis and title report they will be uploaded to the agenda packet .

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

May 12, 2022



Nathan A. Schneider, City Manager

May 12, 2022