

# MCCOOK CITY COUNCIL

## REGULAR MEETING

**Tuesday, September 6, 2022  
5:30 PM - City Council Chambers**

**THE REGULAR MEETING WILL START IMMEDIATELY  
FOLLOWING THE CONCLUSION OF THE BUDGET HEARING**

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Jeff Donelan, McCook Evangelical Free Church.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.
2. Presentation.
  - A. Accept a presentation from the McCook Masonic Templecraft and approve a conditional gift in the amount of \$250,000 for the new City of McCook swimming pool project, said gift subject to conditions.
3. Public Hearings.
  - A. Public Hearing - Set Final Tax Request at a different amount than the prior year.
    1. Adjourn Public Hearing.
  - B. Public Hearing - consider the 2023 McCook Plan of Street Improvements.
    1. Adjourn the Public Hearing.
  - C. Adopt Resolution No. 2022-08 approving the 2023 McCook Plan of Street Improvements.
4. Consent Agenda.

*\*The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Council member or public in attendance, be considered as a separate item under the Regular Agenda.*

  - A. Approve the minutes of the August 15, 2022 regular City Council meeting and the August 24, 2022 special City Council meeting.
  - B. Set a meeting date for the Selection Board for Engineering Services for the Wastewater Treatment Plant Improvements on September 7, 2022 at 10:00 A.M.

- C. Approve Resolution No. 2022-09 authorizing the Mayor to sign the 2022 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.
  - D. Approve and authorize the Mayor to sign a Professional Engineering Agreement with Miller & Associates, Consulting Engineers, P.C., for rotary fan press equipment procurement for the Wastewater Treatment Facility.
  - E. Adopt Resolution No. 2022-10 approving a Sexual Abuse and Molestation Prevention Policy for the City of McCook's employees, volunteers, independent contractors, board and committee members, and other associated individuals.
  - F. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of replacing a fiber optic vault and installing new fiber cabinet at the northeast corner of the intersection of S. Highway 83 and South Street and authorize the Mayor to sign.
  - G. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for Wagner's After Hours Mixer to be held at Wagner Chevrolet & Buick, 201 East "B" Street, on November 2, 2022, from 8:00 A.M. to 11:00 P.M., with an alternate date of November 9, 2022, from 8:00 A.M. to 11:00 P.M.
  - H. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company LLC, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on October 22, 2022 from 4:00 P.M. to 12:00 A.M.
  - I. 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 November 5, 2022 from 4:00 P.M. to 12:00 A.M.
  - J. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a Benefit Concert to be held at the Red Willow County Fairgrounds Kiplinger Arena, 1412 West 5th Street, on October 8, 2022 from 8:00 A.M. to 12:00 A.M.
  - K. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a School Reunion, at the High Plains Museum, 413 Norris Avenue, on October 8, 2022 from 8:00 A.M. to 12:00 A.M.
  - L. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for Farrell's Sip 'n Shop event to be held at Farrell's Hallmark Shop, 116 West "B" Street, on October 21, 2022 from 1:00 P.M. to 8:00 P.M.
  - M. Receive and file the Financial Report for the period ending July 31, 2022.
  - N. Approve a Memorandum of Understanding with the McCook Area Chamber of Commerce whereby ACE funds will be appropriated for promotional activities that benefit the City of McCook.
5. Regular Agenda.
- A. Ordinance No. 2022-3045 providing for the adoption of the budget for FY 2022/2022.
    - 1. Chairperson asks Clerk to read Ordinance by title.

2. Consider approval of Ordinance No. 2022-3045 upon its second reading.
- B. Ordinance No. 2022-3044 providing for the adoption of the FY 2022/2023 Fiscal Year Employee Classification Pay Plan.
  1. Chairperson asks Clerk to read Ordinance by title.
  2. Consider approval of Ordinance No. 2022-3044 upon its second reading.
- C. Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.
- D. Approve Employment Agreement with City Manager Nathan A. Schneider and authorize the Mayor to sign.
- E. Consider Ordinance No. 2022-3046 setting the salary and compensation of City Manager Nathan A. Schneider.
  1. Chairperson asks Clerk to read Ordinance No. 2022-3046 by title.
  2. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.
  3. Final passage of Ordinance No. 2022-3046.
  4. Chairperson declaration after vote and passage, if approved under suspension of the rule.
- F. Council Comments.
- G. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.
  1. Nebraska Open Meetings Act statement, if the motion to close passes.
  2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM NO. \_\_ Accept a presentation from the McCook Masonic Templecraft and approve a conditional gift in the amount of \$250,000 for the new City of McCook swimming pool project, said gift subject to conditions.

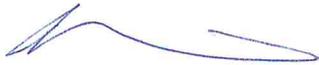
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**BACKGROUND:**

The City of McCook has received notice from the McCook Masonic Templecraft of a wonderful gift. Subject to conditions, the McCook Masonic Templecraft will donate \$250,000 for the new swimming pool project. A letter from the McCook Masonic Templecraft outlining the gracious gift and subsequent conditions is attached to this report.

Members of the McCook Masonic Templecraft will be present at the meeting to share the details of their generous gift with the public.

**APPROVALS:**



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

August 31, 2022



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

August 31, 2022

August 22, 2022

Mike Gonzalas, Mayor  
City of McCook  
P.O. Box 1059  
McCook, NE 69001

Re: Swimming Pool Project Donation

Dear Mr. Gonzales:

McCook Lodge #135 and the associated masonic bodies will donate \$250,000.00 to the new swimming pool project with the following conditions:

1. This gift is contingent upon passage of the bond issue in November.
2. This money is to be applied to the Council selected option for the new pool. Our hope is that this gift would reduce the amount of bonds issued and not add amenities or expand the project.
3. We can lay a cornerstone in the new pool bathhouse. We will pay the cost of the cornerstone and work with your contractor to get it laid in place. We will also work with the City in the design of the cornerstone.

The Masons of McCook believe this is an important project for our community and we support the City Council's efforts to improve McCook.

Respectfully



Greg Wolford, President  
McCook Masonic Templecraft, Inc.

**CITY MANAGER'S REPORT  
SEPTEMBER 8, 2020 CITY COUNCIL MEETING**

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

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**BACKGROUND:**

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

The property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization, unless the governing body passes by a majority vote a resolution or ordinance setting the tax request at a different amount. The resolution to set this amount will be considered after final approval of the budget and must be forwarded to the County Clerk by October 15. The levy generates a different amount as the assessed valuation changes from year to year. The County Assessor must certify assessed value on all taxable property by August 20. The levy amount is subject to change upon approval by the Council.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

**EXHIBIT #1**

**PAGE(S) - 1**

City of McCook  
IN  
Red Willow County, Nebraska

**NOTICE OF BUDGET HEARING AND BUDGET SUMMARY**

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 6th day of September 2022, at 5:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

2020-2021 Actual Disbursements & Transfers	\$ 21,911,747.00
2021-2022 Actual/Estimated Disbursements & Transfers	<u>\$ 23,584,344.00</u>
2022-2023 Proposed Budget of Disbursements & Transfers	<u>\$ 44,568,074.00</u>
2022-2023 Necessary Cash Reserve	<u>\$ 1,198,521.00</u>
2022-2023 Total Resources Available	<u>\$ 45,766,595.00</u>
Total 2022-2023 Personal & Real Property Tax Requirement	<u>\$ 1,683,260.95</u>
Unused Budget Authority Created For Next Year	<u>\$ 857,868.28</u>

**Breakdown of Property Tax:**

Personal and Real Property Tax Required for Non-Bond Purposes	<u>\$ 1,683,260.95</u>
Personal and Real Property Tax Required for Bonds	<u>\$ -</u>

**NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST**

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1632, that the governing body will meet on the 6th day of September 2022, at 5:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2021	2022	Change
Operating Budget	41,883,361.00	44,568,074.00	6%
Property Tax Request	<u>\$ 1,640,450.00</u>	<u>\$ 1,683,260.95</u>	3%
Valuation	456,893,949	493,894,328	8%
Tax Rate	0.359044	0.340814	-5%
Tax Rate if Prior Tax Request was at Current Valuation	<u>0.332146</u>		

**Publish: August 30, 2022**

**/s/ Lea Ann Doak, City Clerk**

CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING

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ITEM:

Public Hearing – consider the 2023 McCook Plan of Street Improvements.

Adopt Resolution No. 2022-08 approving the 2023 McCook Plan of Street Improvements.

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**BACKGROUND**

Included with this Council Report are the following items:

1. McCook 2023 One Year Plan
2. McCook 2023 Long Range Street Plan
3. McCook 2023 Street Plan Map
4. McCook 2023 Street Plan Budget
5. McCook 2022 Completed Street Projects

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

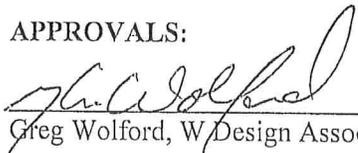
Last year two projects were completed. The first was the North Cherokee reconstruction and the second was an asphalt overlay on East 1<sup>st</sup> Street.

There are four projects noted on the One Year Plan. The first is the North Highway 83 Drainage Repair Project. This project will repair some significant erosion which has been occurring on the east side of the Highway just north of the NPPD office. It will be paid for by federal stimulus funds. The second and third projects are reconstruction of West D from 7<sup>th</sup> to south of B Street and West C from 7<sup>th</sup> to 10<sup>th</sup> street. These are full mill and reconstruction with new asphalt. The last project is Phase I of the North Pointe Addition which will be a new concrete street. This project will be financed by TIF.

The Long Range Plan shows 26 separate projects, of which only 13 are budgeted for in the next 10 years. Two new projects were added this year to the plan, both being a part of the North Pointe Addition.

**FISCAL IMPACT:** None.

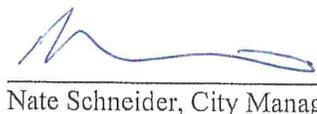
**APPROVALS:**

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

Date: 24 Aug 22

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

Date: 9/1/22

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

Date: Aug 31, 2022

**EXHIBIT #1**

**PAGE(S) - 1**

## NOTICE OF PUBLIC HEARING

Notice of a public hearing to be held in the City Council Chambers at the McCook Municipal Center, 505 West "C" Street, at 5:30 o'clock P.M., C.S.T., on the 6<sup>th</sup> day of September, 2022, is hereby given. The purpose of said hearing is for the presentation of the 2023 Plan of Street Improvements as Developed by the City Council in accordance with Nebraska Law.

-s- Lea Ann Doak  
City Clerk

Publish: August 30, 2022.

RESOLUTION NO. 2022-08

WHEREAS, in accordance with the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given by publication in the legal newspaper of McCook, Nebraska, of a Hearing on the 2023 Plan of Street Improvements of McCook to be held in the Council Chambers at the McCook Municipal Center on the 6<sup>th</sup> day of September, 2022, at 5:30 P.M. for the purpose of hearing comments and objections to said plan.

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

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of McCook, Nebraska that the 2023 Plan of Street Improvements for specific improvements are hereby approved and adopted.

PASSED AND APPROVED THIS 6<sup>th</sup> day of September, 2022.

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

ATTEST:

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

(SEAL)

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

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

**EXHIBIT #3**

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# City of McCook

## One Year Street Plan

Period Including:

Oct., 2022 through Sept., 2023

PRIORITY No.	PROJECT No.	Location	Description	ESTIMATED COST	REMARKS
				(Thousands)	
1	M-399(1)	North Highway 83	Drainage Repair	222	ARPA Funds
2	M-399(10B)	West D & 8th from A to West 7th St.	Full Depth Asphalt Reconstruction	334	
3	M-399(49)	West C St. from West 7th to West 10th	Full Depth Asphalt Reconstruction	295	
4	M-399(8)	West 9th and S St.*	North Point Subdivision - Concrete	421	TIF Funded
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PREPARED BY: Greg Wolford, P.E.				TITLE: Street Supt.	DATE: August 18, 2022

# City of McCook

## Long Range Street Plan

Period Including:

Oct., 2022 to Sept., 2032

PRIORITY No.	PROJECT No.	Location	Description	Estimated Cost	Remarks
				(Thousands)	
1	M-399(1)	North Highway 83	Drainage Repair	222	Budgeted 2023
2	M-399(10B)	West D & 8th from A to West 7th St.	Full Depth Asphalt Reconstruction	334	Budgeted 2023
3	M-399(49)	West C St. from West 7th to West 10th	Full Depth Asphalt Reconstruction	295	Budgeted 2023
4	M-399(8)	West 9th and S St.*	North Point Subdivision - Concrete	421	Budgeted 2023
5	M-399(44)	West 5th St. from J to Q St.	Full Depth Asphalt Reconstruction	558	Budgeted 2024
6	M-399(20)	Norris Ave. from F to O St.	Asphalt Overlay	508	Budgeted 2025
7	M-399(39)	West 1st St. from D to O St.	Full Depth Asphalt Reconstruction	1157	Budgeted 2027
8	M-399(27)	West J St. Extension	Purchase ROW, Grade and Gravel	413	Budgeted 2028
9	M-399(17)	North Westridge Detention	New Stormwater Detention Pond	76	Budgeted 2029
10	M-399(19)	Country Club Drainage	Storm Sewer Upgrades	91	Budgeted 2029
11	M-399(43)	East 6th St. from B to C St.	Concrete Replacement	240	Budgeted 2029
12	M-399(23)	New Northern Connection	New Road from East 11th to West 3rd	2664	Budgeted 2030-32
13	M-399(46)	West 14th St. from O to Q St.*	New Concrete Street	280	
14	M-399(12)	W 3rd St. Prairie Ridge to Henton Rd.*	Replace Asphalt with New Concrete	423	
15	M-399(32)	East A St. from 4th to 6th St.	New Storm Sewer in Existing Ditch	187	
16	M-399(6)	Norris Ave. from F to O St.	Replace Exist. Concrete with New	1963	
17	M-399(42)	Norris Ave. from O to Park Ave.	Asphalt Reconstruction	450	
18	M-399(50)	West 9th St. from B to W 7th.	Full Depth Asphalt Reconstruction	413	
19	M-399(2)	West Q St. from 3rd to 5th. St.	Full Depth Asphalt Reconstruction	187	
20	M-399(3)	West 3rd St. from O to Q St.	Asphalt Overlay	66	
21	M-399(11)	N Hwy 83 from B to North City Limits	New Sidewalks and Handicap Ramps	605	
22	M-399(14)	W 2nd & Q Intersection	Replace Exist. Concrete with New	54	
23	M-399(18)	P St, West 1st & Marsh	Full Depth Asphalt Reconstruction	406	
24	M-399(4)	W Old Hwy 6	Asphalt Overlay	182	
25	M-399(9)	West 9th and T St.*	North Point Subdivision - Concrete	456	
26	M-399(10)	West 7th - Q to City Limits*	North Point Subdivision - Concrete	528	
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		*Paving District Funded			
PREPARED BY: Greg Wolford, P.E.			TITLE: Street Supt.	DATE: August 18, 2022	

# McCOOK, NEBRASKA 2023 - PLAN OF STREET IMPROVEMENTS

ONE YEAR PLAN █  
LONG RANGE PLAN █



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



**2023 STREETS ONE & SIX YEAR PLAN**  
 CITY OF McCOOK  
 McCOOK, NEBRASKA

**DESIGN ASSOCIATES**  
 201 S. 10th St., Suite 100  
 McCook, NE 68801  
 Phone: (402) 792-1111  
 Fax: (402) 792-1112  
 www.designassociates.com

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

DATE: AUGUST 2023
DESIGNED BY: [ ]
DRAWN BY: [ ]
CHECKED BY: [ ]
REVISIONS: [ ]

**EXHIBIT #6**

**City of McCook  
2023 One & Six Year Plan Budget**

Year	Proposed Projects	Actual Spent	Income State Buyout	Income Sales Tax	Income Addtl Gas Tax	Grant or Assessment Inc.	Available Funds From Current Yr.	Accumulated Funds
0	2022	\$ 967,000	\$ 828,000					\$ 569,000
1	2023	\$ 851,000		\$ 150,000	\$ 250,000	\$ 222,000	\$ 1,191,000	\$ 340,000
2	2024	\$ 558,000		\$ 150,000	\$ 250,000		\$ 740,000	\$ 182,000
3	2025	\$ 508,000		\$ 150,000	\$ 250,000		\$ 582,000	\$ 74,000
4	2026			\$ 150,000	\$ 250,000		\$ 474,000	\$ 474,000
5	2027	\$ 1,157,000		\$ 150,000	\$ 250,000		\$ 874,000	\$ (283,000)
6	2028	\$ 413,000		\$ 150,000	\$ 250,000		\$ 117,000	\$ (296,000)
7	2029	\$ 407,000		\$ 150,000	\$ 250,000		\$ 104,000	\$ (303,000)
8	2030	\$ 250,000		\$ 150,000	\$ 250,000		\$ 97,000	\$ (153,000)
9	2031	\$ 500,000		\$ 150,000	\$ 250,000		\$ 247,000	\$ (253,000)
10	2032			\$ 150,000	\$ 250,000		\$ 147,000	\$ 147,000

Projects planned that year

N Cherokee, E 1st St. Overlay

N Hwy 83 Drainage, West C and West D Streets

West 5th St.

Norris Ave. Overlay, F to O St.

West 1st Street

West J St. Extension

Westridge North Detention, Country Club Drainage & East 6th Concrete

ROW Purchase

Grading on New Northern Connection

# City of McCook

## Projects Completed or Contracted in the Last Fiscal Year

Period Including:

Oct., 2021 to Sept., 2022

PRIORITY No.	PROJECT No.	Location	Description	Estimated Cost	Contract Cost
				(Thousands)	(Thousands)
1	M-399(5)	N. Cherokee Dr. - Seminole to Norris	Full Depth Asphalt Reconstruction	518	558
2	M-399(38)	East 1st St. from B to H St.	Asphalt Overlay	227	270
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		*Paving District Funded			
PREPARED BY: Greg Wolford, P.E.				TITLE: Street Supt.	DATE: August 4, 2022

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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

Approve the minutes of the August 15, 2022 regular City Council meeting and the August 24, 2022 special City Council meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

September 1, 2022

McCook City Council  
August 15, 2022  
5:30 PM Central

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

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

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Library Director Crocker, Utilities Director Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, Police Chief Smith, Tyrell Riggs, and Wastewater Treatment Plant Operator John White.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 11, 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. Lisa Mensinger of Our Saviors Lutheran Church, provided the invocation. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

**1. Announcements & Recognitions.**

There were no announcements or recognitions.

**2. Public Hearings.**

2.A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held July 25, 2022.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on a report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held July 25, 2022 with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Weedin, passed.

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

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated August 15, 2022 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the July 25, 2022 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (8 pages); and Exhibit #4 - the minutes of the May 23, 2022 Economic Development Plan Citizen's Advisory Review Committee (3 pages).

Charlie McPherson, McCook Economic Development Director, and Sean Wolfe, President of the Economic Development Plan Citizen's Advisory Review Committee, reviewed the information presented in Exhibit #3 and answered questions from the Council.

Motion to adjourn the public hearing and reconvene as a City Council. 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. Receive and file the minutes of the January 24, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to receive and file the minutes of the January 24, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Weedin, passed.

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

2.C. Public Hearing - Regarding an application from the McCook Economic Development Corporation, John and Elizabeth Nothnagel, and W.A.G.S. Properties, LLC to approve a preliminary plat which serves as the initial step in the creation of the North Pointe Addition to the City of McCook.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment regarding an application from the McCook Economic Development Corporation, John and Elizabeth Nothnagel, and W.A.G.S. Properties, LLC to approve a preliminary plat which serves as the initial step in the creation of the North Pointe Addition to the City of McCook, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the August 15, 2022 City Council meeting (2 pages); Exhibit #2 - Notice of Public Hearing mailed and posted (1 page); Exhibit #3 - listing of property owners notified (1 page); Exhibit #4 - Notice of Public Hearing published (1 page); Exhibit #5 - North Pointe Addition Preliminary Plat (1 page); Exhibit #6 - North Pointe Addition Preliminary Plat proposed and existing utilities (1 page); Exhibit #7 - North Pointe Addition Preliminary Plat overlay map (1 page); Exhibit #8 - Land Use Application and attachments (6 pages); Exhibit #9 - City of McCook Subdivision Regulations,

Section 7. Procedures (1 page); and Exhibit #10 - draft (unapproved) minutes of the August 8, 2022 Planning Commission meeting.

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

Greg Wolford, W Design Associates, representing the McCook Economic Development Corporation, stated that the plat contains 28 lots for building of new homes and that the only concerns received were from John Nothnagel regarding drainage. Drainage will go to the west through the outlot.

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

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

2.D. Approve the preliminary plat for the creation of the North Pointe Addition to the City of McCook.

Motion to approve the preliminary plat for the creation of the North Pointe Addition to the City of McCook. This motion, made by Calvin and seconded by Weedon, passed.

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

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

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

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

3.A. Approve the minutes of the August 1, 2022 regular City Council meeting and the August 8, 2022 special City Council meeting.

3.B. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a Heritage Days Community Celebration to be held at Norris Alley, 406 Norris Avenue, on October 6, 2022 from 8:00 A.M. to 11:00 P.M., alternate location of the Keystone Business Center, 402 Norris Avenue.

3.C. Adopt Resolution No. 2022-06 providing for the levy of special assessments for cost of demolition to abate nuisances.

3.D. Accept the draft minutes of the August 8, 2022 Planning Commission meeting.

3.E. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show, including the bandshell and electricity, on

October 7 & 8, 2022; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until 8:00 p.m., the 100 block of East "G" Street beginning at 1:00 p.m. on Friday, October 7, 2022, the 700 and 800 blocks of East 1st, the 100 and 200 blocks of East "H" Street from 5:00 A.M. to 8:00 P.M. on October 8, 2022, the 100 block of West "G" street from 5:00 a.m. on Saturday October 8, 2022 until after the parade; to allow overnight parking for vendors around Norris Park and to conduct their parade on public streets on October 8, 2022.

- 3.F. Approve specifications and procurement documents for Fan Press Equipment Procurement and set date to receive bids for September 8, 2022 at 2:00 P.M.
- 3.G. Approve the appointment of City Manager Nate Schneider, Utilities Director Pat Fawver, Waste Water Operator John White, Council Member Gene Weedin, and Council Member Jerry Calvin to the Selection Board for Engineering Services for the Wastewater Treatment Plant Improvements.
- 3.H. Appoint Andy Weber to the Board of Zoning Adjustment - term expires January 2023.
- 3.I. Receive and file the claims for the month of July 2022, published August 12, 2022.
- 3.J. Ratify and approve the selection of Hays Companies, Inc., a Brown and Brown Company, to serve as the City of McCook's Health Insurance Broker and execute the accompanying agreements.

**4. Regular Agenda.**

- 4.A. Approve the request from Stacey Aguilar, Emergency Management Director for Community Hospital, to utilize McCook Ben Nelson Regional Airport for a community-wide full scale exercise on Tuesday, September 13, 2022, beginning at 5:30 P.M.

Motion to approve the request from Stacey Aguilar, Emergency Management Director for community Hospital, to utilize McCook Ben Nelson Regional Airport for a community-wide full scale exercise on Tuesday, September 13, 2022, beginning at 5:30 P.M. This motion, made by Gonzales and seconded by Calvin, passed.

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

- 4.B. Introduce and approve on its first reading Ordinance No. 2022-3043 providing for the amendment of Section 7 - Procedures of McCook Subdivision Regulations Ordinance No. 2014-2900, adding Subsection 7.19 - Vacation of Subdivision Plats or portions of Subdivision Plats.

Mayor Gonzales asked the Clerk to read Ordinance No. 2022-3043 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE

AMENDMENT OF MCCOOK SUBDIVISION REGULATIONS ORDINANCE NO. 2014-2900, AMENDING SECTION 7 - PROCEDURES, ADDING SUBSECTION 7.19 - VACATION OF SUBDIVISION PLATS OR PORTIONS OF SUBDIVISION PLATS; PROVIDING FOR THE REPEAL OF ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2022-3043 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended.

Motion to suspend the rule must be adopted by three-fourths of the Council. This motion, made by Weedon and seconded by Calvin, passed.

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

I move for final passage of Ordinance No. 2022-3043. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

Mayor Gonzales stated for the record that Ordinance No. 2022-3043 is declared lawfully passed and adopted upon publication as required by law.

4.C. Approve Resolution No. 2022-07, placing a ballot question on the November 8, 2022 election to approve an increase in the local option sales and use tax by an additional one-half percent (½%).

Paul Grieger, D.A. Davidson, was present via telephone to answer questions from the Council and public.

Motion to approve Resolution No. 2022-07, placing a ballot question on the November 8, 2022 election to approve an increase in the local option sales and use tax by an additional one-half percent (½%). This motion, made by Calvin and seconded by Weedon, passed.

Gonzales: NAY, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 4, NAY: 1

4.D. Approve contract with Lagoon Pumping and Dredging Inc. of Columbus, Nebraska for digester cleaning and land application of biosolids in the amount of \$128,395.00 and authorize the Mayor to sign.

Motion to approve contract with Lagoon Pumping and Dredging Inc. of Columbus, Nebraska for digester cleaning and land application of biosolids in the amount of \$128,395.00 and authorize the Mayor to sign. This motion, made by Calvin and seconded by Weedon, passed.

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

4.E. Ordinance No. 2022-3045 providing for the adoption of the budget for FY 2022/2023.

Mayor Gonzales asked the Clerk to read Ordinance No. 2022-3045 by title.

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

Ordinance No. 2022-3045 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Calvin and seconded by Weedon, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

4.F. Ordinance No. 2022-3044 providing for the adoption of the FY 2022/2023 Fiscal Year Employee Classification Pay Plan.

Mayor Gonzales asked the Clerk to read Ordinance No. 2022-3044 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2022/2023 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2022-3044 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Calvin and seconded by Weedon, passed.

Gonzales: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

4.G. Consider on its third and final reading Ordinance No. 2022-3042 providing for the voluntary annexation of a tract of land located north of "R" Street along West 7th Street in the NE1/4 of Section 19, Township 3 North, Range 29 West of the 6th P.M. in Red Willow County, Nebraska, which is a part of the Willow Grove Precinct, said property owned by John and Elizabeth Nothnagel.

Mayor Gonzales asked the Clerk to read Ordinance No. 2022-3042 by title.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MCCOOK, COUNTY OF RED WILLOW, STATE OF NEBRASKA, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF MCCOOK, NEBRASKA; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCED.

Ordinance No. 2022-3042 has been read by title and I move to approve upon its third and final reading. This motion, made by Calvin and seconded by Weedon, passed.

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

Mayor Gonzales stated that Ordinance No. 2022-3042 is declared lawfully passed and adopted upon publication as required by law.

4.H. Council Comments.

Comments included thanking staff for all that they do with the preparation of the budget.

Adjournment.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:11 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer

McCook City Council  
August 24, 2022  
Special Meeting  
12:00 PM

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, special, and public session at 12:00 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Calvin, Weedin, Muehlenkamp.

Absent: Councilmember Rambali.

Motion to excuse the absence of Councilmember Rambali. This motion, made by Gonzales and seconded by Calvin, passed.

Gonzales: YEA; Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA  
YEA: 4, NAY: 0

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 19, 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 and called the meeting to order.

**1. Regular Agenda.**

- 1.A. Ratify the adoption of Resolution No. 2022-05, approving an Interlocal Cooperation Agreement between the City of McCook and Red Willow County School District 0017 for the purpose of cooperating in the construction of certain recreational facilities in and for the benefit of the City of McCook and its residents and for the benefit of the Red Willow County School District 0017 and its students.

Motion to ratify the adoption of Resolution No. 2022-05, approving an Interlocal Cooperation Agreement between the City of McCook and Red Willow County School District 0017 for the purpose of cooperating in the construction of certain recreational facilities in and for the benefit of the City of McCook and its residents and for the benefit of the Red Willow County School District 0017 and its students. This motion, made by Calvin and seconded by Weedin, passed.  
Rambali: ABSENT, Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA

YEA: 4, NAY: 0, ABSENT: 1

**Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 12:04 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 MCCOOK CITY COUNCIL MEETING**

**ITEM NO. 4.B.** Set a meeting date for the Selection Board For Engineering Services for the Wastewater Treatment Plant Improvements on September 7, 2022.

---

**BACKGROUND:**

The Selection Board for Engineering Services for the Wastewater Treatment Plant will meet September 7, 2022 to review the Requests for Qualifications submitted for improvements to the City's wastewater treatment facility. Since the State Revolving Loan Fund will more than likely be utilized as a funding source, a procurement process for engineering services is necessary. Following a review, the Selection Board will recommend an engineering firm to the Council for services.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

  
\_\_\_\_\_  
Pat Fawver, Utilities Director

August 31, 2022

CITY MANAGER'S REPORT  
AUGUST 15, 2022 CITY COUNCIL MEETING

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ITEM: 3.G.

RECOMMENDATION:

APPROVE THE APPOINTMENT OF CITY MANAGER NATE SCHNEIDER, UTILITIES DIRECTOR PAT FAWVER, WASTE WATER OPERATOR JOHN WHITE, COUNCIL MEMBER GENE WEEDIN, AND COUNCIL MEMBER JERRY CALVIN TO THE SELECTION BOARD FOR ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS.

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BACKGROUND:

The wastewater treatment facility is starting the selection process for engineering services for the proposed improvements at the wastewater treatment facility. Since this contract is expected to utilize the State Revolving Loan Fund with loan forgiveness, we will be using the procurement process for engineering. This requires the appointment of a selection board made up of at least 3 members who have knowledge of the project and the types of services that are required. Staff is recommending that City Manager Nate Schneider, Utilities Director Pat Fawver, Wastewater Operator John White, Council Member Gene Weedon, and Council Member Jerry Calvin be appointed to this committee.

FISCAL  
IMPACT:

APPROVALS:

  
\_\_\_\_\_  
Pat Fawver, Utilities Director

August 15, 2022

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

August 15, 2022

CITY MANAGER'S REPORT  
AUGUST 1, 2022 CITY COUNCIL MEETING

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ITEM: 2.G.

Approve the Request for Qualifications for Professional Engineering Services for improvements to the City of McCook Waste Water Treatment Facility (WWTF) and set the date to receive proposals for August 26, 2022 at 4:00 P.M.

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**BACKGROUND:**

The City plans to utilize the Nebraska Clean Water State Revolving Fund (CWSRF) Program for needed improvements to the existing Waste Water Treatment Facility. The CWSRF Program requires procurement of Architect/Engineering (A/E) services to be eligible for loan forgiveness. The City must procure engineering services for the project to be eligible for funding.

All projects are required to be Build American, Buy America (BABA) compliant. This means that greater than 55% of all materials (iron, steel, manufactured goods, and construction materials) used in the project, must be produced in America. These regulations are expected to be released in October.

A copy of a memo from Miller & Associates, dated May 5, 2022, outlines program updates for the CWSRF.

**FISCAL**  
**IMPACT:** None.

**APPROVALS:**

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

July 27, 2022

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

July 27, 2022

**REQUEST FOR QUALIFICATIONS  
PROFESSIONAL ENGINEERING SERVICES**

The City of McCook, Nebraska will be utilizing funding from the Nebraska CWSRF Program and is requesting statements of qualifications from qualified engineering firms to provide professional engineering services regarding improvements to the existing Waste Water Treatment Facility (WWTF).

The selected Engineer will be required to assist the City with the project, from the early stages of planning, evaluating alternatives, design, bidding and construction observation services. The services may include but are not limited to: Complete a Preliminary Engineering Report (PER) to evaluate the existing WWTF and options for future expansion or new process, design of recommended improvements approved by Council based on the findings within the PER, and Construction Administration services for selected improvements. Services shall include the capability to complete topographic and boundary surveys, Geographic Information Systems (GIS), provide a legal survey and easements as required, regulatory compliance assistance, services associated with grant applications, and construction services (Resident Project Representation).

Any interested firms should submit, in writing, their statement of qualifications. The selection of a *PROJECT ENGINEER* will be according to the following criteria and weighing factors:

1. Technical expertise of the firm in connection with the type of services to be provided and the complexity of the project. [25 Points]
2. Past record of performance on engineering contracts with other clients including quality of work, timeliness and cost control. Include examples of past projects of a similar nature and a contact person with phone number for all projects. [45 Points]
3. Capacity of the firm to perform the work. Include a project team for this specific job and qualifications of all team members. [15 Points]
4. Proposed time frame of the project, taking into consideration the current workload of the firm. [20 Points]

TOTAL POSSIBLE POINTS            100 Points

Elaborate and expensive presentation aids are not necessary nor encouraged. The City will evaluate all submittals and select the top three firms for further discussions. Following discussions, the City will require the top qualified firm to meet the City representative for the purpose of contract negotiations for a fixed price or not to exceed contract. Cost and percentage of cost contracts are not allowed.

The City of McCook is an equal opportunity employer and requires all contractors and consultants to comply with all applicable Federal and State laws and regulations.

Six (6) hard copies of the Expression of Interest and Statement of Qualifications and a PDF copy (submitted via email) are required by 4:00 P.M., CDT, on August 26, 2022 in the office of: Lea Ann Doak, City Clerk, 505 West "C" Street, PO Box 1059, McCook, Nebraska 69001-1059. E-mail: [ldoak@cityofmccook.com](mailto:ldoak@cityofmccook.com).

Please mark your envelope *PROJECT ENGINEER*. Questions should be addressed to Pat Fawver, Utilities Director, at 308-345-2022, extension 223.

The Mayor and City Council of the City of McCook, Nebraska reserve the right to waive informalities and to reject any or all proposals.

-s- Lea Ann Doak  
City Clerk

Publish: August 5, 2022.

DATE: 5/5/2022  
TO: Mayor and City Council – City of McCook  
FROM: Miller & Associates, Funding Department, and Chris Miller, P.E. Project Manager  
RE: State Revolving Loan Fund (CWSRF/DWSRF) - Program Updates for:  
• Wastewater Treatment Facility Improvements

Our team is currently tracking upcoming changes within the Nebraska Department of Environment and Energy's State Revolving Loan Fund (NDEE-SRF) program. We wanted to make you aware of these changes and how it will impact your upcoming projects involving SRF Loan/Loan Forgiveness funds. These updates may change the way the City chooses to fund your CWSRF/DWSRF project. The draft Intended Use Plan (IUP) is scheduled to be released on May 16<sup>th</sup> and may have additional guidance. Key highlights of the proposed changes to date are listed below:

- ALL projects will be required to be Build America, Buy America (BABA) compliant. This means that greater than 55% of ALL materials (iron, steel, manufactured goods, and construction materials) used in your project, must be produced in America. Additional guidance for BABA can be found here: <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>
- CWSRF requires procurement of Architect/Engineering (A/E) services to be eligible for loan forgiveness. This means the City must procure engineering services for the project to be eligible for funding. IF your community desires to move forward with a CWSRF loan only it is our understanding that you may do so without going through procurement for A/E services. This option would eliminate any loan forgiveness. If the community desires to procure A/E services a certain procedure must be followed. A/E Procurement requires the following action steps:
  - The initial request for proposal must clearly state the possibility that the firm or individual selected could be awarded a contract for services during design and/or construction.
  - Publish the Request for Qualifications, and mail multiple copies to prospective Engineers.
  - Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria (e.g., identified in the solicitation); Evaluation criteria should be based on demonstrated competence and qualification for the type of professional services required (e.g., past performance, specialized experience, and technical competence in the type of work required);
  - Selection and discussions with at least three firms to be considered to be the most highly qualified to provide the services required; consider anticipated concepts and compare alternative methods for furnishing services;
  - Contract negotiation with the most highly qualified firm to determine the compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered.

- DWSRF projects are not subject to procurement requirements, at this time.
- If A/E procurement was not conducted, a previously prepared wastewater study or Preliminary Engineering Report will no longer be reimbursed through the SRF Program if loan forgiveness was included.
- NDEE will not be able to sign any loans until July 2022, potentially October depending on guidance from the Environmental Protection Agency. Therefore, your project will be delayed until NDEE can process your Loan Agreements.
- Loan Forgiveness for most projects will be based on population and median household income, along with additional criteria.
  - Up to 35% - population 3,300 to 10,000
  - Up to 45% - population 500 to 3,299
  - Up to 55% - population 499 and below
- The SRF program is going from 2 to 11 different types of federal grants.

Miller & Associates will continue to track the new changes in the program and keep you updated when the rules, regulations, and guidelines are finalized.

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM:**        4.C.

**RECOMMENDATION:**

Approve Resolution No. 2022-09 authorizing the Mayor to sign the 2022 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.

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**BACKGROUND:**

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

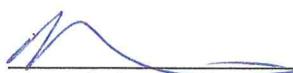
- we have developed, adopted and included in its public records the plans, programs, and standards which are required;
- we meet the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- we expend all tax revenue for highway, road, or street purposes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

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

**RESOLUTION NO. 2022-09**

**SIGNING OF THE**

**MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
2022**

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

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

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

Adopted this 6<sup>th</sup> day of September, 2022 at McCook, Nebraska.

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

ATTEST:

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



Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

August 1, 2022

**Notice to file the Annual Certification of Program Compliance and Signing Resolution with the Nebraska Board of Public Roads Classifications and Standards (NBCS) by October 31, 2022.**

**Please make this an agenda item for your next City Council / Village Board meeting.**

To avoid the suspension of Highway-user Revenue to your municipality please complete the enclosed **MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE** and **SIGNING RESOLUTION** and return them to the NBCS by October 31, 2022. Reference Neb. Rev. Stat. §§39-2120 and 39-2121(1).

Penalties for failure to comply can be found in the following State Statutes:

- Failure to comply with the provisions of Neb. Rev. Stat. §39-2115.
- Failure to comply with the provisions of Neb. Rev. Stat. §39-2119.
- Failure to file the Municipal Annual Certification of Program Compliance with the NBCS, Neb. Rev. Stat. §39-2121(2).
- Filing of a materially false Municipal Annual Certification of Program Compliance, Neb. Rev. Stat. §39-2121(3).
- Construction below minimum standards without the prior approval of the NBCS, Neb. Rev. Stat. §39-2121(3).

**Note: While the signature of the City Street Superintendent is optional on the certification, the NBCS strongly recommends that the superintendent sign this certification if said municipality has a superintendent.**

Please let me know if you have any questions. Email: [lemoyne.schulz@nebraska.gov](mailto:lemoyne.schulz@nebraska.gov)  
Phone: (402) 479-4436

Sincerely,

LeMoyne D. Schulz  
Secretary for the Board

LDS/2022

xc: File

Attachments (2)

- Roger A. Figard  
Lincoln
- LeRoy G. Gerrard  
Stromsburg
- Barbara J. Keegan  
Alliance
- John F. Krager, III  
Omaha
- Lisa Kramer  
Kennard
- James A. Litchfield  
Wakefield
- Brandie S. Neemann  
Lincoln
- Steven D. Rames  
Norfolk
- Timothy W. Weander  
Omaha
- Edward R. Wootton, Sr.  
Bellevue
- LeMoyne D. Schulz  
Secretary – ex officio

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to return both pages of the original document by the filing deadline (October 31, 2022) may result in the suspension of Highway Allocation funds until the documents are filed.

## RESOLUTION

### SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2022

Resolution No. \_\_\_\_\_

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

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

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ Nebraska.  
(Month)

City Council/Village Board Members

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

Attest:

\_\_\_\_\_  
(Signature of Clerk)

**Do not recreate or revise the pages of this document**, as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31, 2022) may result in the suspension of Highway Allocation funds until the documents are filed.

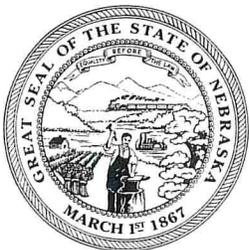
**MUNICIPAL  
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
TO  
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS  
AND STANDARDS  
2022**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads

Classifications and Standards, the City  Village  of \_\_\_\_\_  
(Check one box) (Print name of municipality)

hereby certifies that it:

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



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

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

**Return the completed original signing resolution and annual certification of program compliance by October 31, 2022 to:**

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM: 4.D.**

**RECOMMENDATION:**

Approve and authorize the mayor to sign a professional engineering agreement with Miller & Associates, consulting engineers, p.c., for rotary fan press equipment procurement

---

**BACKGROUND**

Staff is requesting council to enter into an agreement with Miller & Associates for the rotary fan press equipment procurement.

**FISCAL IMPACT: NONE**

**APPROVALS:**

  
\_\_\_\_\_  
Pat Fawver, Utility Director

Date: 9/6/2022

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

Date: 9/6/2022

## An Agreement for the Provision of Limited Professional Services

Design Professional Firm: MILLER & ASSOCIATES,  
CONSULTING ENGINEERS, P.C.  
109 East 2<sup>nd</sup> Street  
McCook, NE 69001  
(hereinafter called ENGINEER)

Client: CITY OF MCCOOK  
P.O. Box 1059  
302 West 5<sup>th</sup>  
McCook, NE 69001  
(hereinafter called CLIENT)

Date: August 11, 2022

Project No. 200-D1-025

---

**Project Name/Location:** Rotary Fan Press Equipment Procurement for Wastewater Treatment Facility, McCook, Nebraska, utilizing ARPA funding.

**Scope/Intent and Extent of Services:** Whereas, the CLIENT desires to employ the ENGINEER to prepare specifications and contract documents for procurement of fan press dewatering equipment. Services are further defined as follows:

1. *Design Phase* - Provide drawings and specifications:
  - a) Field Survey for preliminary layout
  - b) Generate necessary contract documents and specifications for procuring bids
  - c) Provide Engineer's Opinion of Probable Construction Cost
  - d) Submit documents to NDEE as a regulatory agency
  - e) Assist CLIENT in selecting lowest responsible bidder
  
2. *Construction Phase* - The following are included and shall be provided by the ENGINEER:
  - a) Prepare Construction Contracts
  - b) Conduct Pre-Construction Conference
  - c) Review of Shop Drawing Submittals
  - d) Review and process pay requests and construction administration
  - e) Preparation of Certificate of Completions for City

**Fee Arrangement:** A lump sum design fee of \$8,900 will be invoiced for fieldwork, drafting, design, and preparation of bidding documents. Our funding staff will perform the required paperwork for ARPA compliance, pertaining to the labor standards requirements as well as other regulatory requirements pertaining to the funding. Construction observation services will be invoiced on an hourly basis not to exceed basis in the amount of \$2,000.

For the purposes of this agreement, the hourly fees and rates are as follows:

<u>Employee Classification</u>	<u>Rate</u>
Professional Engineer	\$105.00/hour
Project Manager	\$80.00/hour
Licensed Land Surveyor	\$85.00/hour
Senior Design Technician	\$65.00/hour
Survey Crew	\$85.00/hour
Funding Specialist	\$70.00/hour
Technician/Resident Project Representative	\$65.00/hour
CAD Draftsperson	\$65.00/hour
Clerical	\$40.00/hour
Mileage	IRS Rate
Reproduction Services	@ Cost

**Excluded Services:** The following services are not included in the scope of work, and (if requested) will be considered Additional Services:

1. Preparation of Storm Water Pollution Prevention Plan, if site encompasses more than 1-acre
2. Construction Administration Services
3. Assistance in connection with Bid protests, rebidding or renegotiating contracts for construction, materials, equipment or services. Rebidding or renegotiating contracts to reduce the contract costs to funds available shall be considered Additional Services.
4. Legal Survey as required for the acquisition of property
5. Preparation of renderings and animations.
6. Furnishing services of A/E's Consultants for other than Basic Services
7. Gas, Telephone, Cable TV, and Electrical Systems Design.
8. Geotechnical Report, related to subsurface investigations. A/E will assist the Owner in procuring these type of services, as a part of Basic Services
9. Any and all permit or review fees shall be the responsibility of the Client.

Offered by:

*Chris Miller*

signature

8/12/22

date

Accepted by:

signature

date

**Chris A. Miller, P.E.**

printed name/title

**Miller & Associates,  
Consulting Engineers, P.C.**

CONSULTANT

**City of McCook**

CLIENT

The *Terms and Conditions* on the following page are a part of this Agreement

## *Terms and Conditions*

---

The firm shall perform the services outlined in this agreement for the stated fee arrangement.

**Access To Site:** Unless otherwise stated, the ENGINEER will have access to the site for activities necessary for the performance of the services. The ENGINEER will take precautions to minimize damages due to these activities, but the cost of restoration of any resulting damage has not been included in the fee.

**Dispute Resolution:** Any claims or disputes made during design, construction or post-construction between the CLIENT and ENGINEER shall be submitted to non-binding mediation. CLIENT and ENGINEER agree to include a similar mediation agreement with all contractors, subcontractors, subconsultants, supplies and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties.

**Billing/Payment:** Invoices for the ENGINEER's services shall be submitted, at the ENGINEER's option, either between completion of such services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. If the invoice is not paid within 30 days, the ENGINEER may, without waiving any claim or right against the CLIENT, and without liability whatsoever to the CLIENT, terminate the performance of the service. Retainers shall be credited on the final invoice.

**Late Payments:** Accounts unpaid 60 days after the invoice date may be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event any portion or all of an account remains unpaid 90 days after the billing, the CLIENT shall pay all costs of collection, including reasonable attorney's fees.

**Indemnification:** The CLIENT shall, to the fullest extent permitted by law, indemnify and hold harmless the ENGINEER, his or her officers, directors, employees, agents and subconsultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties above named of the services under this agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the ENGINEER.

**Certifications: Guarantees and Warranties:** The ENGINEER shall not be required to execute any document that would result in its certifying, guaranteeing or warranting the existence of conditions whose existence the ENGINEER cannot ascertain.

**Defects in Service:** The CLIENT shall provide prompt written notice to the ENGINEER if the CLIENT becomes aware of any fault or defect in the Project, including any errors, omissions or inconsistencies in the ENGINEER's instruments of service.

**Limitation of Liability:** In recognition of the relative risks, rewards and benefits of the project to both the client and the ENGINEER, the risks have been allocated such that the CLIENT agrees that, to the fullest extent permitted by law, the ENGINEER's total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed the fee. Such cause may include, but are not limited to, the ENGINEER's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

**Consequential Damages:** In no event will ENGINEER, ENGINEER's affiliated corporations, officers, employees, or subcontractors be liable for special, indirect, or consequential damages, and in order to protect ENGINEER against indirect liability or third-party proceedings, CLIENT will indemnify ENGINEER for any such loss or damage.

**Termination of Services:** This agreement may be terminated by the CLIENT or the ENGINEER should the other fail to perform its obligations hereunder. In the event of termination, the CLIENT shall pay the ENGINEER for all services rendered to the date of termination, and all reimbursable expenses.

**Ownership of Documents:** All documents produced by the ENGINEER under this agreement shall remain the property of the ENGINEER and may not be used by the CLIENT for any other endeavor without the written consent of the ENGINEER.

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4.E. Approve Resolution No. 2022-10, adopting a Sexual Abuse and Molestation Prevention Policy for the City of McCook's employees, volunteers, independent contractors, board and committee members, and other associated individuals.

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**BACKGROUND:**

Travelers Insurance, the City of McCook's insurance carrier, has requested that the City of McCook adopt a sexual abuse and molestation prevention policy. The City's HR Director, Chief of Police, Library Director, Senior Center Director, and City Manager developed the policy based on similar policies adopted by other municipalities.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

**RESOLUTION NO. 2022-10**

**AMENDING THE CITY OF MCCOOK EMPLOYEE HANDBOOK  
TO INCLUDE A SEXUAL ABUSE AND MOLESTATION  
PREVENTION POLICY.**

WHEREAS, it is necessary to periodically update the City of McCook Employee Handbook; and,

WHEREAS, the City of McCook may maintain certain policies separately from the Employee Handbook, but by reference incorporate these policies as part of the City of McCook Employee Handbook; and,

WHEREAS, it is the desire of City Council to include a Sexual Abuse and Molestation Prevention Policy as part of the City of McCook Employee Handbook;

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

SECTION 1. That a Sexual Abuse and Molestation Prevention Policy as attached hereto be made part of the City of McCook Employee Handbook.

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book.

ADOPTED this 6<sup>th</sup> day of September, 2022.

ATTEST:

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

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

**CITY OF MCCOOK**  
**SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY**  
Approved September 6, 2022  
Resolution No. 2022-10

**PURPOSE**

This policy establishes how the City of McCook, will prevent the physical, emotional, and sexual abuse of children and vulnerable adults by its employees or volunteers. The City of McCook seeks to create a welcoming and nurturing environment and has "zero-tolerance" for those whose actions may jeopardize the safety, health, or innocence of a minor or vulnerable adult.

The City of McCook does not permit or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it. In order to make this "zero-tolerance" policy clear to all employees, independent contractors, and volunteers, we have adopted mandatory procedures that employees, volunteers, independent contractors, board Members, individuals, and victims must follow when they learn of or witness sexual abuse or molestation.

**DEFINITIONS**

Abuse - Because it takes many forms, abuse can be broken down into the following subtypes, all of which are prohibited within the scope of this policy.

- Physical abuse - Injury inflicted on a child or vulnerable adult.
- Sexual abuse - Contact or activity of a sexual nature between an adult and a child or vulnerable adult.
- Emotional abuse - Mental or emotional injury inflicted on a child or vulnerable adult by the actions of an adult.
- Neglect - Failure to provide adequate care for a child or vulnerable adults.
- Economic abuse - Deliberate misuse of the money or belongings of a child or vulnerable adult.
- Child - A child is defined as anyone under the age of 17.
- Venerable Adult - An adult who is unable to protect themselves against significant harm or exploitation.

**POLICY GUIDELINES**

**Personnel Screenings**

Safeguards in the hiring process will be used to eliminate from consideration any candidates who display characteristics that could classify them at a high risk for violating this policy. The required screenings and background information will depend on the positions and its level of involvement with children and vulnerable adults.

**For those who regularly work with or around children or vulnerable adults:**

Candidates for positions that involve regular interaction with children or vulnerable adults, will be screened and selected using the following:

- Standard City of McCook employment application that includes signed authorization to perform necessary background checks.

- Criminal background checks for job applicants that have a conditional offer of employment in any and all states where the candidate has lived in the past seven years.
- Sexual offender registry checks for applicants that have a conditional offer of employment for or in any and all states where the candidate has lived for the last seven years.
- Driving records and any applicable certification if the position requires the transportation of children.
- In-person interview of the candidate.
- If hired, criminal and sexual offender registry checks will be conducted every five years for those who regularly work with children or vulnerable adults.

**For those who occasionally work with children or vulnerable adults:**

Candidates for positions that involve occasional contact with children or youth will be screened and selected using the following:

- Standard City of McCook employment application that includes signed authorization to perform necessary background checks.
- In-person interview of the candidate.
- Driving records and any applicable certification if the position requires the transportation of children.

All information collected about a candidate will be reviewed and used to determine if they are appropriate for the respective position. If hired, all information collected during the hiring process will be included in the employee's permanent file, which will be maintained over the course of their employment with the City of McCook.

Personnel screenings are required regardless of current employment status with the City of McCook. City of McCook employees seeking to transfer into a position that involves working with children or vulnerable adults must undergo the same review process as new hires.

**Structural Guidelines for Programs**

All City of McCook programs are designed to encourage safe interaction between employees and volunteers and children or vulnerable adults. The following guidelines are meant to keep established safeguards effective:

- Programs for children and vulnerable adults must have a reasonable adult to child ratio.
- When feasible, employees and volunteers are restricted from being alone with a child or vulnerable adult where they cannot be easily observed by others.
- Employees are not allowed to implement new activities or programs for children or vulnerable adults without supervisors consent. Request for new activities or programs should be submitted in writing to supervisors.

**General Conduct**

In an effort to provide a safe and healthy environment for both mind and body, the following guidelines are meant to guide City of McCook employees, independent contractors, and volunteers during their interactions with children and vulnerable adults. These guidelines do not and cannot outline every situation that may be encountered while on the job, requiring employees, independent contractors, and volunteers to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean

it is acceptable behavior. The City of McCook reserves the right to take disciplinary action against employees whose actions are found to be inappropriate or prevent a person from continuing to volunteer or work as an independent contractor with the City of McCook regardless of whether they appear in this section.

- Employees, independent contractors, and volunteers will treat all children and vulnerable adults with respect and consideration. Treatment must be fair and equal, and must not be based on sex, race, religion, sexual orientation, or economic or social status. All effort must be made to avoid favoritism or the appearance of favoritism.
- Employees, independent contractors, and volunteers must not use harsh or inappropriate language, degrading punishment, or any type of restraining device in the name of behavior management.
- Employees, independent contractors, and volunteers must not participate in or allow others to engage in any form of hazing,
- Employees, independent contractors, and volunteers must not have sexual contact with children or vulnerable adults.
- Employees, independent contractors, and volunteers must not dress, undress, shower, or bathe with or in the presence of children or vulnerable adults.
- Employees, independent contractors, and volunteers must not use physical punishment in any form. The only time physical force is allowed to be used against a child or vulnerable adult is when their actions are placing others at an immediate risk for serious harm.
- Employees, independent contractors, and volunteers are prohibited from sharing sleeping locations with children or vulnerable adults. This includes beds, tents, hotel rooms, and other similar areas.
- Employees, independent contractors, and volunteers must not discuss sexual content while in the company of children or vulnerable adults.
- Employees, independent contractors, and volunteers are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing) when conducting business in the name of the City of McCook.
- When one-on-one discussion or counseling is warranted, employee (and not a volunteer or independent contractor) interaction with a child or vulnerable adult will take place in an area that allows for private conversation while remaining in the view of others, with a minimum of two (2) adult employees.

If, for any reason, an employee, independent contractor, or volunteer feels there is a need to make an exception to these guidelines, they must submit to their supervisor a written description of the incident and why their actions were necessary. Their report will be reviewed. A copy of the original report along with any additional findings made by the reviewer will be included in the employee's permanent file.

### **Reporting Procedure**

All employees, independent contractors, or volunteers who witness or learn of sexual abuse being committed must immediately report it to a Supervisor who will then report to the City Manager or Human Resource Coordinator. If the victim is an adult, the abuse will be reported by this designee to the local or state Police Agency. If a child is the victim, the designee will report it to the local or state Police Agency. The appropriate family members/guardians of the victim must be notified immediately if child or vulnerable adult abuse is suspected.

### **Investigation & Follow Up**

We take allegations of sexual abuse seriously. Once the allegation is reported we will promptly and thoroughly, initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. The report may be investigated by either an internal team or we may hire an

independent third party. We will cooperate fully with any investigation conducted by law enforcement or regulatory agencies and we may, depending on the serious nature of allegations, report directly to law enforcement or other regulatory agency for investigation or refer the complaint, and the result of our investigation to those agencies. We reserve the right to place the subject of the investigation on an involuntary leave of absence or reassigning that person to responsibilities that do not involve personal contact with children or vulnerable adults, To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, our policy provides for disciplinary penalties, including but not limited to termination of the actor's relationship with our organization. There are a number of "red flags" that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody, or torn undergarments;
- Genital pain or itching or physical injuries involving the external genitalia;
- Behavioral signals suggestive of sexual abuse include, but are not limited to:
  - Fear or reluctance about being left in the care of a particular person;
  - Recoiling from being touched;
  - Bundling oneself in excessive clothing, especially night clothes;
  - Discomfort or apprehension when sex is referred to or discussed; and
  - Nightmares or fear of night and/or darkness.

### **Retaliation Prohibited**

The City of McCook prohibits any retaliation against anyone, including an employee, volunteer, board member, and/or individual, who in good faith reports sexual abuse, alleges that it is being committed, or participates in the investigation. Intentionally false or malicious accusations/allegations of sexual abuse are prohibited.

Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

**ACKNOWLEDGMENT OF RECEIPT OF CITY OF MCCOOK SEXUAL ABUSE  
AND MOLESTATION PREVENTION POLICY**

I, (print name) \_\_\_\_\_, acknowledge that I have received and read the **CITY OF MCCOOK SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY**. I understand that I am bound to follow the policy and understand the consequences in the event that I fail to do so.

Dated: \_\_\_\_\_

Signature of employee: \_\_\_\_\_

Signature of employee:

If you choose to send the form back electronically, please type in your name starting with "/s/". Example: /s/ John Doe. This will act as a legal signature.

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

**ITEM:**        4.F.

**RECOMMENDATION:**

**Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of replacing a fiber optic vault and installing new fiber cabinet at the northeast corner of the intersection of S. Highway 83 and South St.**

**BACKGROUND:**

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City utility right-of-way to replace a fiber optic underground vault and install a new fiber cabinet on top of the vault.

The construction will take place on the northeast corner of S. Hwy 83 and South St. Great Plains Communications will be replacing an existing underground fiber vault with a new vault and above ground cabinet. The cabinet location will be 90' East, from the center of S. Hwy 83 & 15' north of the north South St. curb. The location has been reviewed by City staff and will not interfere with visibility or traffic. Attached photos show the new cabinet and location of construction.

**FISCAL IMPACT:**(None) GPC will provide the required \$2,500 performance deposit prior to construction

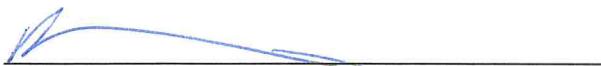
**APPROVALS:**

  
\_\_\_\_\_  
Pat Fawver Utilities Dir.

September 6, 2022

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

September 6, 2022

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

September 6, 2022



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

### APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communication DATE: 7-28-2022  
ADDRESS: 1009 West R McCook PHONE: 402-278-2325  
FAX: 308-364-7060 START DATE: August 2022 FINISH DATE: September 2022

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

Type: (circle)
Over-Cross
Under-Cross
<u>Occupy</u>
Miscellaneous

With a: (circle)
Water Line
Sewer Line <u>Fiber Cabinet</u>
Gas Line <u>Above Ground</u>
Telephone Line
(Underground Aerial)
Tree Trimming/Removal
Grading
Other
Electric Line
(Underground Aerial)

Location: Beginning 90 feet (East West North South) of Intersection US Hwy 83  
South St. and ending (East West North South) \_\_\_\_\_ feet of Intersection  
same location, fiber cabinet

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

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

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

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

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

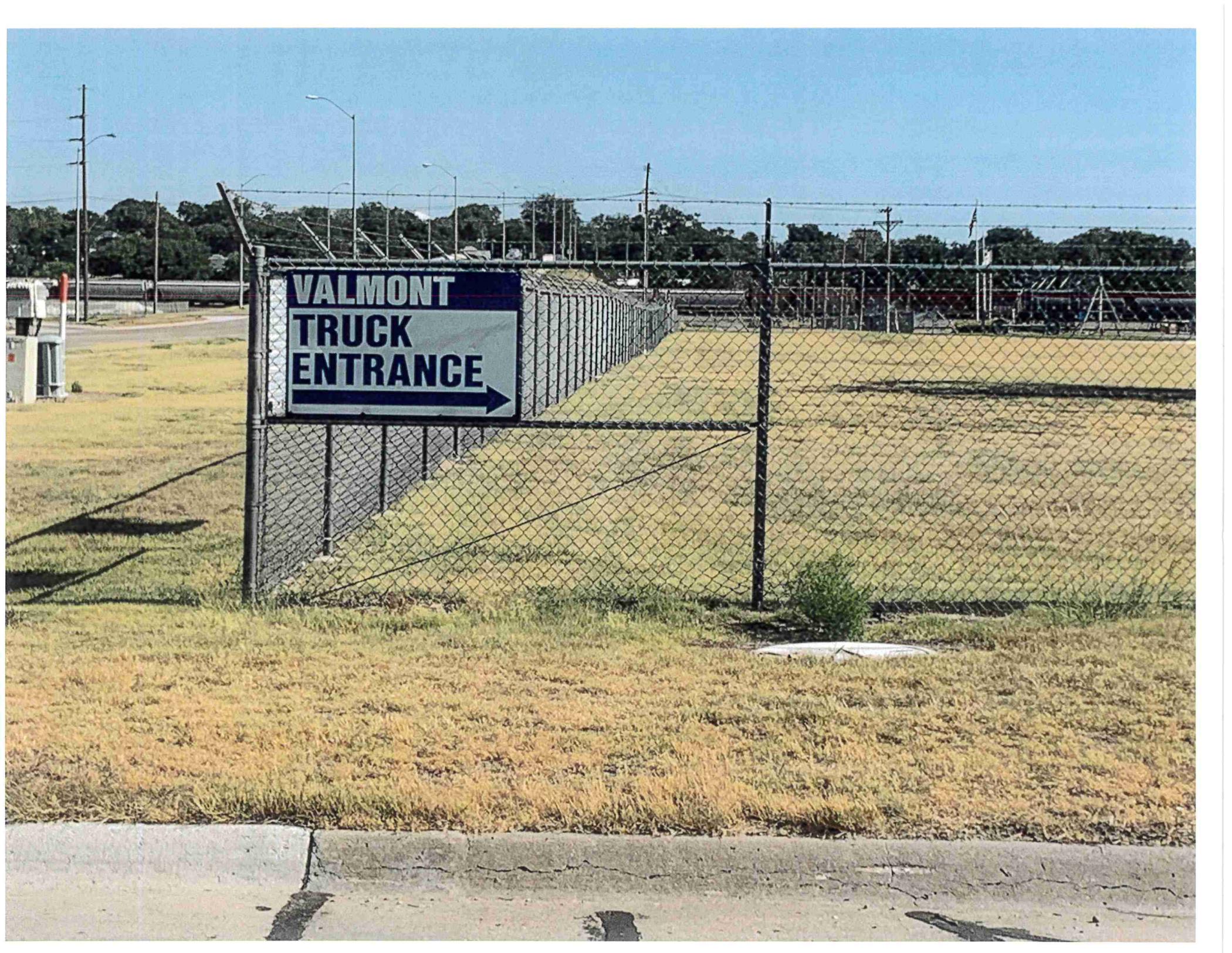
[Signature]  
Applicant's Signature

Recommended By \_\_\_\_\_

Date \_\_\_\_\_

Director of Public Works Approval \_\_\_\_\_

**VALMONT**  
**TRUCK**  
**ENTRANCE** →







**MNB**  
BANK

BRANCH OF THE  
MIDLAND  
NORTH BANK

Master

MADE IN U.S.A.  
MIDLAND NORTH BANK

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM:        4.G.**

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for Wagner's After Hours Mixer to be held at Wagner Chevrolet & Buick, 201 East "B" Street, on November 2, 2022, from 8:00 A.M. to 11:00 P.M., with an alternate date of November 9, 2022, from 8:00 A.M. to 11:00 P.M.

---

**BACKGROUND:**

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

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 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

McCook Chamber of Commerce

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

402 Norris Ave. STE 316, McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

47-0233780

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

11/2/2022

Event Start Time(s):

8:00 am

Event End Time(s):

11:00 pm

Alternate Date: 11/9/2022 from 8am-11pm

Alternate Location Building & Address:

Event Building Name: Wagner Chevrolet & Buick

Event Street Address/City: 201 E. B St. McCook, NE 69001

Indoor area to be licensed in length & width: 40ft X 80ft

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

Type of Event: Wagner's After Hours Mixer Estimate # of attendees: 140

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

Event Contact Name: Molly Smith Event Contact Phone Number: 308-345-3200

Event Contact Email: molly@mccookchamber.org

**\*Signature Authorized Representative:**



**Printed Name**

Jade Lesko

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

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

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

Local Governing Body completes below:

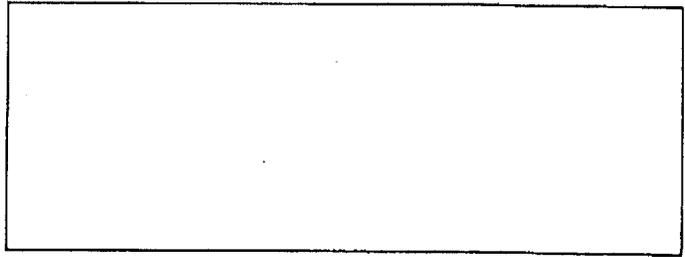
The local governing body for the City/Village of \_\_\_\_\_ OR County of \_\_\_\_\_ approves  
the issuance of a Special Designated License as requested above. (Only one should be written above)

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

\_\_\_\_\_  
Date

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

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



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

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

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

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

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

**McCook Chamber of Commerce**

NAME OF CORPORATION

**47-0233780**

FEDERAL ID NUMBER

SIGNATURE OF TITLE OF CORPORATE OFFICERS

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

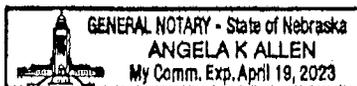
SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS

*25<sup>th</sup>*

DAY OF

*August*

*2022*



NOTARY PUBLIC SIGNATURE & SEAL

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 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 5<sup>th</sup> Street, on October 22, 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

September 1, 2022

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

September 1, 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

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

Retail Liquor License Address or Non-Profit Business Address 404 West ~~5th~~ A Street McCluck Ne

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

Consecutive Dates only  
Event Date(s): Oct 22nd 2022

Event Start Time(s): 4pm

Event End Time(s): 12am

Alternate Date: X

Alternate Location Building & Address: X

Event Building Name: McCluck City Auditorium

Event Street Address/City: 302 West 5th St

Indoor area to be licensed in length & width: 150x80

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

Type of Event: Wedding Reception Estimate # of attendees: 150

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

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

Event Contact Email: Copperhillrestaurantllc@yahoo.com

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

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

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

**Local Governing Body completes below:**

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

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

---

**ITEM:**        4.I.

Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company LLC, Liquor License #LK-093351, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5<sup>th</sup> Street, on November 5, 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

September 1, 2022

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

September 1, 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  
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): Nov 5th 2022

Event Start Time(s): 4 p.m.

Event End Time(s): 12 a.m.

Alternate Date: X X

Alternate Location Building & Address: McCook City Auditorium

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: 150

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 Sigfried Event Contact Phone Number: 308-340-2400

Event Contact Email: Coppermillrestaurantllc@yahoo.com

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

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

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

**Local Governing Body completes below:**

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

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2021 CITY COUNCIL MEETING**

---

**ITEM:**        4.J.

Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a Benefit Concert to be held at the Red Willow County Fairgrounds Kiplinger Arena, 1412 West 5<sup>th</sup> Street, on October 8, 2022 from 8:00 A.M. to 12:00 A.M.

---

**BACKGROUND:**

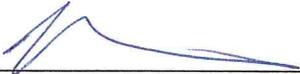
Ambriz Ventures will be catering this event. They are making application to allow them to serve alcohol at this temporary location. Approval of the City Council is required with all applications.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 2022



**CITY MANAGER'S REPORT  
SEPTEMBER 6, CITY COUNCIL MEETING**

---

**ITEM:        4.K.**

Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a School Reunion, at the High Plains Museum, 413 Norris Avenue, on October 8, 2022 from 8:00 A.M. to 12:00 A.M.

---

**BACKGROUND:**

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

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 2022



**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

---

**ITEM:**        4.L.

Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for Farrell's Sip 'n Shop event to be held at Farrell's Hallmark Shop, 116 West "B" Street, on October 21, 2022 from 1:00 P.M. to 8:00 P.M.

---

**BACKGROUND:**

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

**FISCAL  
IMPACT:**        None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 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

**Citta' Deli, LLC**

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

**110 W 1st Street, McCook NE 69001**

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

**121305**

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

**Consecutive Dates only** 10-21-22

**Event Date(s):**

**Event Start Time(s):** 1pm

**Event End Time(s):** 8pm

**Alternate Date:** n/a

**Alternate Location Building & Address:**

**Event Building Name:** Farrell's Hallmark Shop

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

**Indoor area to be licensed in length & width:** 60' X 70'

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

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

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

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

**Event Contact Email:** billlesko1@gmail.com

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

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

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

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

**Local Governing Body completes below:**

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

Local Governing Body Authorized Signature

Date

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

---

**ITEM: 4.M.**

Receive and file the Financial Report for the period ending July 31, 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 July 31, 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. That is why the Ending Cash Balance in the Primary Operating Account is (\$37,058.30), issued checks had not yet cleared the bank. The Payroll Account is also a sweep account and maintains a \$1,000 balance.

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 July 31, 2022.

Attachment C is a Financial Summary of Revenue and Expense by Fund for the quarter ending July 31, 2022.

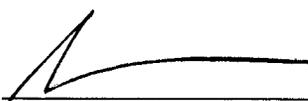
Staff is always available to address any questions that the Council may have. The Department Heads receive monthly financial reports and it is their responsibility to monitor their individual budgets. It is the bottom-line per department that is monitored. If they go over on a line item, that must adjust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

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 2022

# ATTACHMENT

# A

City of McCook, Nebraska  
 TREASURER'S REPORT  
 Period Ending July 31, 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	
<b>TOTAL BEGINNING CASH</b>			<b>\$ 17,742,951.01</b>
Receipts:			
Taxes	\$	4,882,057.45	
Fees, Permits and Licenses	\$	399,694.18	
Intergovernmental Services	\$	1,689,789.91	
Charges - Current Services	\$	1,603,311.87	
Public Utilities	\$	3,240,482.91	
Use of Money & Property	\$	1,633,229.73	
Interfund Transfers	\$	4,065,217.10	
Other Revenue	\$	1,788,488.79	
Unapplied/Accounts Payable	\$	(2,964.20)	
<b>PLUS TOTAL RECEIPTS</b>			<b>\$ 19,299,307.74</b>
Disbursements:			
Personal Services	\$	5,739,872.33	
Supplies	\$	1,260,299.06	
Services & Charges	\$	5,899,489.33	
Budget Transfers	\$	2,938,509.10	
Capital Outlay	\$	2,007,050.25	
Unapplied/Accounts Payable	\$	31.79	
<b>MINUS TOTAL DISBURSEMENTS</b>			<b>\$ 17,845,251.86</b>
Ending Cash Balance July 31, 2022			
McCook National Bank - Public Funds	\$	18,200,288.90	
McCook National Bank - Primary Operating	\$	(37,058.30)	
McCook National Bank - LB840 Funds	\$	928,535.82	
McCook National Bank - Payroll	\$	1,000.00	
McCook National Bank - CRA	\$	57.93	
Petty Cash	\$	1,150.00	
Purchase Account	\$	10,000.00	
NDEQ Irrevocable Escrow	\$	84,544.39	
McCook National Bank - Pension	\$	8,488.15	
<b>TOTAL ENDING CASH</b>	\$	19,197,006.89	<b>\$ 19,197,006.89</b>

Dated: July 31, 2022

-s- Lea Ann Doak, City Clerk

# ATTACHMENT B

City of McCook, Nebraska  
 TREASURER'S REPORT  
 CASH BALANCE BY FUNDS  
 Period Ending July 31, 2022 (unaudited)

Beginning Cash on Hand, October 1, 2021	Beginning Cash	YTD Revenue	YTD Expenditures	Ending Cash
General Fund - 10	\$ 3,166,009.66	\$ 6,814,973.78	\$ 6,605,741.89	\$ 3,375,241.55
General Fund Unapplied/Accts. Payable	\$ 6,930.00	\$ (3,005.00)	\$ (103.98)	\$ 4,028.98
Street Fund - 15	\$ 562,460.09	\$ 149,581.02	\$ 2,000.00	\$ 710,041.11
Special Revenue - 20	\$ 2,225,074.50	\$ 399,085.51	\$ 1,239,035.53	\$ 1,385,124.48
Special Revenue Unapplied/Accts. Payable	\$ -		\$ -	\$ -
Debt Service - 30	\$ 395,909.07	\$ 1,406.00	\$ 122.84	\$ 397,192.23
Community Redevelopment Authority - 40	\$ 72,402.36	\$ 254,971.83	\$ 252,876.80	\$ 74,497.39
Economic Development Fund - 45	\$ 879,312.54	\$ 492,245.08	\$ 443,021.80	\$ 928,535.82
Pension Trust - 50	\$ 5,212.19	\$ 19,003.73	\$ 15,727.77	\$ 8,488.15
Trust & Agency - 60	\$ 331,559.78	\$ 140,981.98	\$ 126,230.89	\$ 346,310.87
Internal Service Fund - 65	\$ 361,345.20	\$ 2,299,121.39	\$ 1,749,622.77	\$ 910,843.82
Enterprise Fund - 70	\$ 8,899,188.10	\$ 8,193,807.32	\$ 7,237,219.84	\$ 9,855,775.58
Enterprise Fund Unapplied/Accts. Payable	\$ -	\$ 40.80	\$ 135.77	\$ (94.97)
Capital Improvement - 80	\$ 837,547.52	\$ 537,094.30	\$ 173,619.94	\$ 1,201,021.88
<b>BALANCES</b>	<b>\$ 17,742,951.01</b>	<b>\$ 19,299,307.74</b>	<b>\$ 17,845,251.86</b>	<b>\$ 19,197,006.89</b>

Dated: July 31, 2022

-s- Lea Ann Doak, City Clerk

# ATTACHMENT C

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

10 -GENERAL FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
GENERAL REVENUE	9,439,695	9,439,695	522,268.68	6,609,136.82	6,748,599.03	2,830,558.18	29.99
RESERVES/CO TREASURER BAL	<u>1,756,659</u>	<u>1,756,659</u>	<u>17,427.86</u>	<u>205,836.96</u>	<u>225,810.10</u>	<u>1,550,822.04</u>	<u>88.28</u>
<b>TOTAL REVENUES</b>	<b>11,196,354</b>	<b>11,196,354</b>	<b>539,696.54</b>	<b>6,814,973.78</b>	<b>6,974,409.13</b>	<b>4,381,380.22</b>	<b>39.13</b>
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ADMINISTRATION	762,814	762,814	41,801.16	468,943.94	461,616.67	293,870.06	38.52
PUBLICITY	8,750	8,750	999.74	3,980.25	3,525.46	4,769.75	54.51
AUDITORIUM	50,056	50,056	6,022.81	36,758.91	35,041.12	13,297.09	26.56
COUNCIL	562,228	562,228	18,774.25	199,158.05	304,635.93	363,069.95	64.58
POLICE	2,188,434	2,188,434	196,707.84	1,480,056.25	1,376,616.46	708,377.75	32.37
MUNICIPAL CENTER	117,179	117,179	( 1,658.69)	77,821.11	80,726.27	39,357.89	33.59
FIRE	1,609,965	1,609,965	84,050.78	1,082,063.10	1,146,726.79	527,901.90	32.79
AMBULANCE	174,880	174,880	8,703.03	120,007.10	130,149.20	54,872.90	31.38
CIVIL DEFENSE	10,075	10,075	4,334.58	4,931.80	4,755.53	5,143.20	51.05
BUILDING & ZONING	99,604	99,604	8,002.49	76,241.98	64,965.33	23,362.02	23.45
LIBRARY	361,567	361,567	30,950.66	268,218.45	263,631.26	93,348.55	25.82
STREET	1,050,567	1,050,567	96,312.79	809,963.30	744,696.17	240,603.70	22.90
CEMETERY	236,078	236,078	25,138.52	183,211.35	155,341.50	52,866.65	22.39
PARKS	281,264	281,264	30,039.55	209,379.89	150,036.34	71,884.11	25.56
BALL PARKS	156,669	156,669	14,547.55	117,541.35	91,159.26	39,127.65	24.97
POOL	99,232	99,232	199.51	4,166.38	50,619.55	95,065.62	95.80
AIRPORT	173,619	173,619	8,086.32	109,301.72	125,181.42	64,317.28	37.05
UNEMPLOYMENT	10,000	10,000	0.00	0.00	174.00	10,000.00	100.00
UNCOLLECTABLE TAX	15,000	15,000	253.64	11,054.82	10,991.77	3,945.18	26.30
SENIOR CENTER	447,304	447,304	32,584.73	351,457.68	303,524.07	95,846.32	21.43
PUBLIC TRANSPORTATION	177,330	177,330	15,018.72	146,719.78	131,119.05	30,610.22	17.26
HEALTH OPERATING	787,075	787,075	65,589.50	655,895.00	588,330.00	131,180.00	16.67
RESERVES/CO TREASURER BAL	<u>656,659</u>	<u>656,659</u>	<u>34,791.00</u>	<u>188,869.68</u>	<u>70,172.40</u>	<u>467,789.32</u>	<u>71.24</u>
<b>TOTAL EXPENDITURES</b>	<b>10,036,349</b>	<b>10,036,349</b>	<b>721,250.48</b>	<b>6,605,741.89</b>	<b>6,293,735.55</b>	<b>3,430,607.11</b>	<b>34.18</b>
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	1,160,005	1,160,005 (	181,553.94)	209,231.89	680,673.58	950,773.11	81.96

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

15 -STREET FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
STREET IMPROVEMENTS	<u>522,367</u>	<u>522,367</u>	<u>855.00</u>	<u>149,581.02</u>	<u>161,023.14</u>	<u>372,785.98</u>	<u>71.36</u>
TOTAL REVENUES	<u>522,367</u>	<u>522,367</u>	<u>855.00</u>	<u>149,581.02</u>	<u>161,023.14</u>	<u>372,785.98</u>	<u>71.36</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>2,000.00</u>	<u>0.00</u>	<u>520,367.00</u>	<u>99.62</u>
TOTAL EXPENDITURES	<u>522,367</u>	<u>522,367</u>	<u>0.00</u>	<u>2,000.00</u>	<u>0.00</u>	<u>520,367.00</u>	<u>99.62</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	855.00	147,581.02	161,023.14	( 147,581.02)	0.00

CITY OF MCCOOK  
STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
AS OF: JULY 31ST, 2022

20 -SPECIAL REVENUE  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
FAA GRANTS	7,262	7,262	80,144.00	189,487.00	86,666.84 (	182,225.00)	2,509.29-
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	33.00	9,176.00	19,734.00	21,785.00	70.36
MCCOOK RECREATIONAL TRAIL	53,979	53,979	65.00	191.00	76.00	53,788.00	99.65
CCCCFF GRANT-SWIMMING POOL	25,000	25,000	0.00	0.00	6,250.00	25,000.00	100.00
MCCOOK COMM FOUNDATION	0	0	0.00	0.00	25,000.00	0.00	0.00
COVID-19 CARES ACT	718,337	718,337	519.00	42,477.32	742,556.12	675,859.68	94.09
ENHANCED E911	166,497	166,497	2,014.38	25,638.07	21,693.64	140,858.93	84.60
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	426,233	426,233	580.00	12,761.25	12,958.67	413,471.75	97.01
PSAP FUNDS	117,992	117,992	3,958.70	67,329.17	42,203.54	50,662.83	42.94
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	1,338,028	1,338,028	344.00	33,316.00	669,013.68	1,304,712.00	97.51
BIRDELLA NELSON TECH CTR	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>2,989,716</b>	<b>2,989,716</b>	<b>87,658.08</b>	<b>399,085.51</b>	<b>1,626,152.49</b>	<b>2,590,630.49</b>	<b>86.65</b>

	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	0.00	173,937.56	66.00 (	166,675.56)	2,295.17-
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	1,864.00	18,960.00	36,117.80	12,001.00	38.76
MCCOOK RECREATIONAL TRAIL	53,979	53,979	0.00	0.00	0.00	53,979.00	100.00
CCCCFF 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	25,000.00	0.00	0.00
COVID-19 CARES ACT	718,337	718,337	51,457.50	384,791.32	15,803.04	333,545.68	46.43
ENHANCED E911	166,497	166,497 (	510.12)	150,149.85	79,311.49	16,347.15	9.82
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	426,233	426,233	6,670.00	9,251.00	6,793.40	416,982.00	97.83
PSAP FUNDS	117,992	117,992	1,463.28	59,786.09	63,098.69	58,205.91	49.33
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	1,338,028	1,338,028	0.00	416,418.21	0.00	921,609.79	68.88
BIRDELLA NELSON TECH CTR	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL EXPENDITURES</b>	<b>2,989,716</b>	<b>2,989,716</b>	<b>60,944.66</b>	<b>1,239,035.53</b>	<b>226,190.42</b>	<b>1,750,680.47</b>	<b>58.56</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>26,713.42 (</b>	<b>839,950.02)</b>	<b>1,399,962.07</b>	<b>839,950.02</b>	<b>0.00</b>

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

30 -DEBT SERVICE  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	395,856	395,856	477.00	1,406.00	36,697.82	394,450.00	99.64
BOND RESERVE	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>395,856</b>	<b>395,856</b>	<b>477.00</b>	<b>1,406.00</b>	<b>36,697.82</b>	<b>394,450.00</b>	<b>99.64</b>
<hr/>							
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
AIRBASE JUDGEMENT	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	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
<b>TOTAL EXPENDITURES</b>	<b>395,856</b>	<b>395,856</b>	<b>0.00</b>	<b>122.84</b>	<b>0.00</b>	<b>395,733.16</b>	<b>99.97</b>
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REVENUES OVER/(UNDER) EXPENDITURES	0	0	477.00	1,283.16	36,697.82 (	1,283.16)	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

40 -COMMUNITY DEVELOPMENT  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
KEYSTONE BUS CENTER PROJ	31,000	31,000	0.00	28,587.79	28,486.89	2,412.21	7.78
CITY INVESTMENTS	72,489	72,489	88.00	256.00	5,993.00	72,233.00	99.65
NORTH POINTE	30,000	30,000	955.16	22,463.82	26,296.09	7,536.18	25.12
CLARY VILLAGE LLC	9,500	9,500	0.00	4,561.42	4,534.21	4,938.58	51.99
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	0.00	27,614.18	27,449.49	32,385.82	53.98
QUILLAN COURTS	15,000	15,000	883.87	7,304.02	16,050.94	7,695.98	51.31
MCCOOK LODGING/HOLIDAY I	134,000	134,000	0.00	50,620.97	50,321.38	83,379.03	62.22
NEXT GENERATION	200,000	200,000	0.00	113,563.63	108,850.83	86,436.37	43.22
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
<b>TOTAL REVENUES</b>	<b>771,989</b>	<b>771,989</b>	<b>1,927.03</b>	<b>254,971.83</b>	<b>267,982.83</b>	<b>517,017.17</b>	<b>66.97</b>
<b>EXPENDITURES SUMMARY</b>							
	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	28,587.79	28,486.89	2,412.21	7.78
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	21,508.66	17,998.55	8,491.34	28.30
CLARY VILLAGE LLC	9,500	9,500	0.00	4,561.42	4,534.21	4,938.58	51.99
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	0.00	27,614.18	27,449.49	32,385.82	53.98
QUILLAN COURTS	15,000	15,000	0.00	6,420.15	14,303.08	8,579.85	57.20
MCCOOK LODGING/HOLIDAY I	134,000	134,000	0.00	50,620.97	50,321.38	83,379.03	62.22
NEXT GENERATION	200,000	200,000	0.00	113,563.63	108,850.83	86,436.37	43.22
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
<b>TOTAL EXPENDITURES</b>	<b>771,989</b>	<b>771,989</b>	<b>0.00</b>	<b>252,876.80</b>	<b>251,944.43</b>	<b>519,112.20</b>	<b>67.24</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>1,927.03</b>	<b>2,095.03</b>	<b>16,038.40 (</b>	<b>2,095.03)</b>	<b>0.00</b>

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

45 -ECONOMIC DEVELOPMENT FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
ECONOMIC DEVELOPMENT FUN	1,268,739	1,268,739	48,115.18	492,245.08	499,835.24	776,493.92	61.20
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
<b>TOTAL REVENUES</b>	<b>1,268,739</b>	<b>1,268,739</b>	<b>48,115.18</b>	<b>492,245.08</b>	<b>499,835.24</b>	<b>776,493.92</b>	<b>61.20</b>
	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	443,021.80	443,736.65	825,717.20	65.08
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
<b>TOTAL EXPENDITURES</b>	<b>1,268,739</b>	<b>1,268,739</b>	<b>11,330.00</b>	<b>443,021.80</b>	<b>443,736.65</b>	<b>825,717.20</b>	<b>65.08</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>36,785.18</b>	<b>49,223.28</b>	<b>56,098.59</b>	<b>( 49,223.28)</b>	<b>0.00</b>

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

50 -PENSION TRUST  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
POLICE OFFICER DISABILIT	21,213	21,213	3,000.31	19,003.73	15,005.56	2,209.27	10.41
TOTAL REVENUES	21,213	21,213	3,000.31	19,003.73	15,005.56	2,209.27	10.41
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
POLICE OFFICER DISABILIT	21,213	21,213	1,572.83	15,727.77	15,728.30	5,485.23	25.86
TOTAL EXPENDITURES	21,213	21,213	1,572.83	15,727.77	15,728.30	5,485.23	25.86
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	1,427.48	3,275.96 (	722.74)(	3,275.96)	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

60 -AGENCY FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
PERPETUAL CARE	157,271	157,271	342.00	6,563.00	3,961.00	150,708.00	95.83
SENIOR CENTER CONTRIBUTIO	65,064	65,064	115.00	8,026.25	11,747.66	57,037.75	87.66
SCHOOL	8,050	8,050	0.00	6,725.00	6,365.00	1,325.00	16.46
FIRE CONTRIBUTIONS	5,228	5,228	0.00	643.06	995.20	4,584.94	87.70
LIBRARY MEMORIAL	38,714	38,714	300.00	22,190.00	14,114.07	16,524.00	42.68
COMMUNITY BETTERMENT	141,634	141,634	7,352.64	81,449.63	83,806.13	60,184.37	42.49
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	1,341.00	6,365.00	100.00
AMBULANCE CONTRIBUTIONS	9,246	9,246	500.00	12,200.00	4,075.00 (	2,954.00)	31.95-
COMMUNITY PARAMEDIC PROG	4,316	4,316	0.00	0.00	0.00	4,316.00	100.00
POLICE CONTRIBUTIONS	2,771	2,771	225.00	2,750.38	1,817.89	20.62	0.74
FIRE TRAINING TRAILER	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>441,811</b>	<b>441,811</b>	<b>8,834.64</b>	<b>140,981.98</b>	<b>128,622.95</b>	<b>300,829.02</b>	<b>68.09</b>
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	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	1,571.96	12,730.88	63,492.04	97.58
SCHOOL	8,050	8,050	0.00	6,725.00	6,340.00	1,325.00	16.46
FIRE CONTRIBUTIONS	5,228	5,228	0.00	1,497.61	0.00	3,730.39	71.35
LIBRARY MEMORIAL	38,714	38,714	750.00	13,682.88	18,463.81	25,031.12	64.66
COMMUNITY BETTERMENT	141,634	141,634	11,431.00	85,440.00	64,332.00	56,194.00	39.68
DARE CONTRIBUTIONS	3,152	3,152	869.32	2,063.44	1,061.04	1,088.56	34.54
PUBLIC WORKS CONTRIBUTION	6,365	6,365	0.00	0.00	712.00	6,365.00	100.00
AMBULANCE CONTRIBUTIONS	9,246	9,246	11,250.00	15,250.00	0.00 (	6,004.00)	64.94-
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
FIRE TRAINING TRAILER	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL EXPENDITURES</b>	<b>441,811</b>	<b>441,811</b>	<b>24,300.32</b>	<b>126,230.89</b>	<b>105,121.61</b>	<b>315,580.11</b>	<b>71.43</b>
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REVENUES OVER/(UNDER) EXPENDITURES	0	0 (	15,465.68)	14,751.09	23,501.34 (	14,751.09)	0.00

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

65 -INTERNAL SERVICE FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
FLEX DEPENDENT CARE	11,994	11,994	384.00	3,572.34	2,884.71	8,421.66	70.22
FLEX - MEDICAL	65,297	65,297	2,812.92	29,716.04	27,528.51	35,580.96	54.49
SELF INSURED HEALTH INSUR	<u>2,588,281</u>	<u>2,588,281</u>	<u>264,781.27</u>	<u>2,265,833.01</u>	<u>1,805,209.45</u>	<u>322,447.99</u>	<u>12.46</u>
TOTAL REVENUES	<u>2,665,572</u>	<u>2,665,572</u>	<u>267,978.19</u>	<u>2,299,121.39</u>	<u>1,835,622.67</u>	<u>366,450.61</u>	<u>13.75</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	384.00	3,918.42	3,652.78	8,075.58	67.33
FLEX - MEDICAL	65,297	65,297	2,251.65	35,776.54	33,487.56	29,520.46	45.21
SELF INSURED HEALTH INSUR	<u>2,588,281</u>	<u>2,588,281</u>	<u>122,160.10</u>	<u>1,709,927.81</u>	<u>1,738,760.77</u>	<u>878,353.19</u>	<u>33.94</u>
TOTAL EXPENDITURES	<u>2,665,572</u>	<u>2,665,572</u>	<u>124,795.75</u>	<u>1,749,622.77</u>	<u>1,775,901.11</u>	<u>915,949.23</u>	<u>34.36</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	143,182.44	549,498.62	59,721.56 (	549,498.62)	0.00

CITY OF McCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

70 -ENTERPRISE FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
SOLID WASTE-LANDFILL POST	0	0	0.00	0.00	0.00	0.00	0.00
SOLID WASTE - RECYCLING	360,800	360,800	9,073.47	80,790.81	74,046.20	280,009.19	77.61
SOLID WASTE - COLLECTION	955,830	955,830	70,685.68	691,756.82	672,030.12	264,073.18	27.63
SOLID WASTE - TRANSFER ST	1,293,095	1,293,095	99,730.47	884,541.44	844,412.69	408,553.56	31.60
LANDFILL RESERVE	786,644	786,644	7,176.00	65,168.00	67,920.00	721,476.00	91.72
SOLID WASTE - DISPOSAL	357,996	357,996	26,516.60	281,434.19	238,766.60	76,561.81	21.39
WATER MAINTENANCE & OPERA	4,458,576	4,458,576	276,544.83	2,007,297.75	1,947,370.98	2,451,278.25	54.98
WATER BOND & INTEREST RED	1,383,272	1,383,272	37,698.00	368,896.00	422,596.37	1,014,376.00	73.33
WATER CAPITAL - REPLACEME	3,913,215	3,913,215	29,521.00	276,974.00	272,955.00	3,636,241.00	92.92
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	170,527	170,527	209.53	657.39	309.56	169,869.61	99.61
SEWER MAINTENANCE & OPERA	2,669,422	2,669,422	146,447.98	1,356,199.01	1,254,149.40	1,313,222.99	49.20
SEWER BOND & INTEREST RES	122,212	122,212	148.00	433.00	172.00	121,779.00	99.65
SEWER CAPITAL - REPLACEME	2,789,990	2,789,990	749,410.00	1,115,741.00	358,195.00	1,674,249.00	60.01
SEWER CAPITAL - DEVELOPME	1,356	1,356	2.00	4.00	0.00	1,352.00	99.71
COMBINED UTILITIES	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
ELECTRIC UTILITY	1,330,000	1,330,000	109,574.85	1,063,913.91	1,068,190.25	266,086.09	20.01
<b>TOTAL REVENUES</b>	<b>21,293,260</b>	<b>21,293,260</b>	<b>1,562,738.41</b>	<b>8,193,807.32</b>	<b>7,221,114.17</b>	<b>13,099,452.68</b>	<b>61.52</b>
	=====	=====	=====	=====	=====	=====	=====
	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	496.30	7,194.24	4,452.75	7,355.76	50.56
SOLID WASTE - RECYCLING	387,706	387,706	12,906.48	93,383.30	94,463.35	294,322.70	75.91
SOLID WASTE - COLLECTION	955,830	955,830	78,345.44	659,955.05	679,217.26	295,874.95	30.95
SOLID WASTE - TRANSFER ST	1,251,639	1,251,639	86,824.30	864,482.34	779,708.45	387,156.66	30.93
LANDFILL RESERVE	786,644	786,644	0.00	0.00	0.00	786,644.00	100.00
SOLID WASTE - DISPOSAL	357,996	357,996	26,516.60	282,684.19	240,016.60	75,311.81	21.04
WATER MAINTENANCE & OPERA	4,458,576	4,458,576	275,208.49	1,919,483.96	1,829,186.77	2,539,092.04	56.95
WATER BOND & INTEREST RED	1,383,272	1,383,272	0.00	445,771.46	532,413.91	937,500.54	67.77
WATER CAPITAL - REPLACEME	3,913,215	3,913,215	6,127.68	544,721.98	271,474.63	3,368,493.02	86.08
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	170,527	170,527	0.00	0.00	0.00	170,527.00	100.00
SEWER MAINTENANCE & OPERA	2,669,422	2,669,422	97,443.80	1,062,938.96	990,682.78	1,606,483.04	60.18
SEWER BOND & INTEREST RES	122,212	122,212	0.00	0.00	0.00	122,212.00	100.00
SEWER CAPITAL - REPLACEME	2,789,990	2,789,990	0.00	292,690.45	537,481.89	2,497,299.55	89.51
SEWER CAPITAL - DEVELOPME	1,356	1,356	0.00	0.00	0.00	1,356.00	100.00
COMBINED UTILITIES	700,325	700,325	0.00	0.00	0.00	700,325.00	100.00
ELECTRIC UTILITY	1,330,000	1,330,000	109,574.85	1,063,913.91	1,068,190.25	266,086.09	20.01
<b>TOTAL EXPENDITURES</b>	<b>21,293,260</b>	<b>21,293,260</b>	<b>693,443.94</b>	<b>7,237,219.84</b>	<b>7,027,288.64</b>	<b>14,056,040.16</b>	<b>66.01</b>
	=====	=====	=====	=====	=====	=====	=====
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>869,294.47</b>	<b>956,587.48</b>	<b>193,825.53</b>	<b>( 956,587.48)</b>	<b>0.00</b>

CITY OF MCCOOK  
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL  
 AS OF: JULY 31ST, 2022

80 -CAPITAL IMPROVEMENTS FUND  
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<b>REVENUE SUMMARY</b>							
CAPITAL IMPROVE 2018	1,035,782	1,035,782	54,205.33	535,631.30	506,374.30	500,150.70	48.29
CAPITAL IMPROVE PRE 2018	<u>440,707</u>	<u>440,707</u>	<u>513.00</u>	<u>1,463.00</u>	<u>650.00</u>	<u>439,244.00</u>	<u>99.67</u>
TOTAL REVENUES	<u>1,476,489</u>	<u>1,476,489</u>	<u>54,718.33</u>	<u>537,094.30</u>	<u>507,024.30</u>	<u>939,394.70</u>	<u>63.62</u>
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
CAPITAL IMPROVE 2018	1,035,782	1,035,782	2,540.00	158,604.37	311,266.61	877,177.63	84.69
CAPITAL IMPROVE PRE 2018	<u>440,707</u>	<u>440,707</u>	<u>0.00</u>	<u>15,015.57</u>	<u>206,089.35</u>	<u>425,691.43</u>	<u>96.59</u>
TOTAL EXPENDITURES	<u>1,476,489</u>	<u>1,476,489</u>	<u>2,540.00</u>	<u>173,619.94</u>	<u>517,355.96</u>	<u>1,302,869.06</u>	<u>88.24</u>
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	52,178.33	363,474.36 (	10,331.66)(	363,474.36)	0.00

**CITY MANAGER'S REPORT**  
**SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM:**        **4.N.**

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

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**BACKGROUND:**

At the August 6, 2022 council meeting, Molly Smith, the Chamber President/CEO requested that the City consider allocating \$6,000 of ACE funds to the Chamber for event promotion purposes during Fiscal Year 22/23. She requested that 3.4 of the MOU be amended to business promotion through social media, replacing develop, and review on a continuing basis, community relocation packets. The three remaining categories for utilizing funds are Heritage Days, Crazy Days, and Christmas promotion. The City of McCook receives a benefit from these activities. A similar request was made by the Chamber last year in the amount of \$6,000. These funds have been allocated in the proposed FY22/23 Budget.

**FISCAL**  
**IMPACT:**        None.

**APPROVALS:**

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

September 1, 2022

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

September 1, 2022

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

THIS MEMORANDUM OF UNDERSTANDING, made and entered into on this 6<sup>th</sup> day of September, 2021, by and between the City of McCook, Nebraska, a municipal corporation, hereinafter referred to as "City", and the McCook Area Chamber of Commerce, a Nebraska non-profit corporation, hereinafter referred to as "Chamber".

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

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

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

1. The City has allocated Six Thousand Dollars (\$6,000.00) for the Chamber in its fiscal year 2022/2023 budget.
2. The funds allocated to the Chamber will be specifically derived from ACE Fund Program dollars.
3. The Chamber agrees to spend the \$6,000.00 allocated to it from the City on promoting the following community growth events and projects:
  - 3.1. Crazy Days;
  - 3.2. Heritage Days;
  - 3.3. Promote local Christmas shopping;
  - 3.4. Business promotion through social media.
4. The City will hold the proceeds for disbursement to the Chamber upon the Chamber presenting invoices (or other sufficient documentation) of expenses related to the above described community growth events and projects.
5. The Chamber agrees that no funds allocated to it from the City will be deposited into the Chamber's general fund for any other purpose but those purposes described in this Memorandum of Understanding.
6. It is expressly understood that this Memorandum of Understanding does not commit the City to allocating future funds to the Chamber. Whether funds are allocated in the future and/or how much is allocated in the future will be a decision that is made by the City on a year by year basis.

Attest:

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

Attest:

\_\_\_\_\_  
Secretary

CITY OF MCCOOK, NEBRASKA,  
A Municipal Corporation

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

MCCOOK AREA CHAMBER OF COMMERCE  
A Nebraska non-profit corporation

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM:**        5.A.

Approve Ordinance No. 2022-3045 providing for the adoption of the budget for FY 2022/2023 on its second reading.

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**BACKGROUND:**

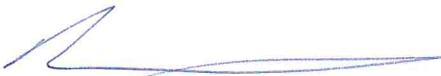
Ordinance No. 2022-3045, on its second reading, provides for the adoption of the budget for Fiscal Year 2022/2023 after discussion and consideration by the Council.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

**ORDINANCE NO. 2022-3045**

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

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2022, through September 30, 2023. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of McCook. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and the County Clerk of Red Willow County, Nebraska, for use by the levying authority.

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

PASSED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2022.

-s- Michael D. Gonzales  
Mayor

ATTEST:

-s- Lea Ann Doak  
City Clerk

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM:           5.B.**

Approve Ordinance No. 2022-3044 providing for the adoption of the FY 2022/2023 Fiscal Year Employee Classification Pay Plan under suspension of the rule on its second reading.

---

**BACKGROUND:**

The attached ordinance provides for the adoption of the Employee Classification and Pay Plan for Fiscal Year 2022/2023.

The Assistant City Manager position has been added to Step 265.

**FISCAL  
IMPACT:**       None.

**APPROVALS:**

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

August 31, 2022

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

August 31, 2022

ORDINANCE NO. 2022-3044

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2022/2023 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

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

SECTION 1. The 2022/2023 Employee Classification and Pay Plan shall be and is hereby adopted. Said Classification and Pay Plan is incorporated herein by reference the same as if set out in full. A copy of the Classification and Pay Plan shall be on file in the office of the City Clerk and is available for public inspection at any reasonable time. (Ref. City of McCook Code of Ordinances, § 30.075).

SECTION 2. The Employee Classification and Pay Plan shall be effective October 1, 2022.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

-s- Michael D. Gonzales  
Mayor

ATTEST:

-s- Lea Ann Doak  
City Clerk

Publish:

**CITY OF MCCOOK  
CLASSIFICATION AND PAY PLAN  
FY 2022-2023**

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(S1)	Pool Basket Help	6.750    6.750	
(S2T)	Temporary Seasonal - work less than 90-Days Part-Time Laborer Maintenance Man Part-Time Clerical	10.000 - 11.000	
(S4)	Pool Seasonal/Seasonal II Pool Manager Seasonal II Assistant Pool Manager Pool Guard	10.500 - 14.000 9.000 - 11.000 9.000 - 11.000	
(3P)	Permanent Part-Time (No annual range adjustment - employees eligible for annual COLA & merit) Part-Time Clerical Part-Time Transit Driver Senior Center Aide Part-Time Custodian/Maintenance	10.500 - 15.500	
(100)	Public Transportation Driver	13.490 - 19.084	28,059 - 39,694
(105)	Full-Time Custodial/Maintenance	13.916 - 20.898	28,945 - 43,468
(110)	Assistant Cook	14.232 - 18.711	29,603 - 38,918
(115)	Clerk II (Public Transit Dispatcher)	15.150 - 20.841	31,513 - 43,351

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(120)	Head Cook	15.330 - 22.810	31,887 - 47,445
(125)	Laborer I Equipment Operator I	15.689 - 22.288	32,632 - 46,358
(130)	Transfer Station Assistant	15.949 - 20.712	33,174 - 43,081
(135)	Circulation Librarian	16.254 - 21.385	33,808 - 44,480
(140)	Public Safety Office Assistant Office Assistant	16.124 - 21.711	33,538 - 45,159
(145)	Disposal Plant Operator I	16.808 - 23.081	34,960 - 48,008
(150)	Catalogue/Media Librarian	17.001 - 22.331	35,363 - 46,448
(155)	Administrative Assistant	16.694 - 22.600	34,723 - 47,008
(160)	Laborer II	17.308 - 22.831	36,001 - 47,489
(165)	Equipment Operator II	17.254 - 23.092	35,888 - 48,032
(170)	Refuse Collection Driver	17.286 - 23.039	35,955 - 47,922
(175)	Utility Service Technician I	17.363 - 23.451	36,114 - 48,777
(180)	Juvenile Services Librarian	17.363 - 23.984	36,114 - 49,886
(185)	Disposal Plant Operator II	18.478 - 23.994	38,434 - 49,908
(190)	Assistant Mechanic	18.884 - 26.561	39,279 - 55,246
(195)	Chief Dispatcher	19.091 - 24.354	39,710 - 50,655

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(200)	Equipment Operator III Tractor-Trailer Operator Financial Administrative Assistant E911 Office Coordinator	18.667 - 25.170	38,827 - 52,353
(205)	Utility Service Technician II	19.505 - 26.343	40,570 - 54,795
(210)	Cemetery Sexton	20.766 - 26.963	43,194 - 56,083
(215)	Disposal Plant Operator III Water Plant Operator I	20.147 - 26.997	41,905 - 56,153
(220)	Equipment Operator/Groundskeeper II - Parks Equipment Operator/Groundskeeper II - Street	20.135 - 27.408	41,880 - 57,009
(225)	Mechanic	19.907 - 27.833	41,407 - 57,892
(230)	Airport Maintenance Operator	24.035 - 30.917	49,993 - 64,308
(235)	Deputy City Clerk Human Resource Coordinator	20.853 - 31.996	43,374 - 66,912
(240)	Water Plant Operator II	23.245 - 31.225	48,350 - 64,947
(245)	Laborer Foreman	24.452 - 31.536	50,860 - 65,595
(250)	Building Inspector/Code Compliance Officer	25.474 - 33.550	52,986 - 69,784
(255)	Police Sergeant (42 hour) Sergeant/Patrol Supervisor	25.985 - 34.639	56,751 - 75,651

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(260)	Library Director Senior Services Director Public Works Superintendent Solid Waste Superintendent Wastewater Superintendent Water Superintendent	28.778 - 37.346	59,859 - 77,680
(265)	City Clerk/Treasurer Assistant City Manager	31.573 - 45.066	65,671 - 93,737
(270)	Utilities Director	35.443 - 47.642	73,722 - 99,094
(275)	Public Works Director	36.313 - 49.849	75,531 - 103,685
(280)	Fire Chief Chief of Police	36.564 - 49.370	76,052 - 102,690

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

**Firefighter/Paramedic - Union Contract**

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/1/2022 - 9/30/2023	\$ 16.958	\$ 17.664	\$ 18.169	\$ 18.809	\$ 19.483	\$ 20.146	\$ 20.855	\$ 21.581	\$ 22.335	\$ 23.112	\$ 23.922

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

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

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/1/2022 - 9/30/2023	\$ 23.738	\$ 24.731	\$ 25.433	\$ 26.332	\$ 27.277	\$ 28.204	\$ 29.198	\$ 30.213	\$ 31.266	\$ 32.360	\$ 33.491

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

**Police Officers/Detectives/Dispatchers - Union Contract**

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
10/1/2021 - 9/30/2022								
Police Officers	\$ 20.247	\$ 21.108	\$ 22.058	\$ 23.050	\$ 24.087	\$ 25.292	\$ 26.557	\$ 27.885
Detectives	\$ 23.011	\$ 23.931	\$ 24.888	\$ 25.884	\$ 26.919	\$ 27.996	\$ 29.256	\$ 30.645
Dispatchers	\$ 15.310	\$ 15.877	\$ 16.464	\$ 17.073	\$ 17.704	\$ 18.377	\$ 19.076	\$ 19.839

**NOT UPDATED - CURRENT CONTRACT EXPIRES 9/30/22  
WILL UPDATE WHEN CONTRACT RENEWED**

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

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**ITEM: 5.C.**

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

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**BACKGROUND:**

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

Restricted funds are defined as:

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

Allowable Increases:

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING  
Page - 2**

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Attachment #1 is a copy of form LC-3 Supporting Schedule which shows the preliminary Calculation of Restricted Funds and the Total Unused Restricted Funds Authority (page 9),

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

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 31, 2022

  
\_\_\_\_\_

Nathan A. Schneider, City Manager

August 31, 2022

# ATTACHMENT

#1

City of McCook in Red Willow County

2022-2023 LID SUPPORTING SCHEDULE

**Calculation of Restricted Funds**

Total Personal and Real Property Tax Requirements	(1)	\$	1,683,260.95
Motor Vehicle Pro-Rate	(2)	\$	5,000.00
In-Lieu of Tax Payments	(3)	\$	115,000.00
Prior Year Budgeted Capital Improvements that were excluded from Restricted Funds.			
Prior Year Capital Improvements Excluded from Restricted Funds (From Prior Year Lid Support, Line (17))		\$	640,000.00
<b>LESS:</b> Amount Spent During 2021-2022	(4)	\$	640,000.00
<b>LESS:</b> Amount Expected to be Spent in Future Budget Years	(5)	\$	-
Amount to be included as Restricted Funds ( <b>Cannot Be A Negative Number</b> )	(6)	\$	-
Motor Vehicle Tax	(7)	\$	170,000.00
Local Option Sales Tax	(8)	\$	2,750,000.00
Transfers of Surplus Fees	(9)	\$	955,000.00
Highway Allocation and Incentives	(10)	\$	1,079,356.00
	(11)		
	(12)		
Motor Vehicle Fee	(13)	\$	70,000.00
Municipal Equalization Fund	(14)	\$	424,000.00
Insurance Premium Tax	(15)	\$	-
Nameplate Capacity Tax	(15a)	\$	-
<b>TOTAL RESTRICTED FUNDS (A)</b>	(16)	\$	<b>7,251,616.95</b>

**Lid Exceptions**

Capital Improvements (Real Property and Improvements on Real Property)		\$	640,000.00	(17)
<b>LESS:</b> Amount of prior year capital improvements that were excluded from previous lid calculations but were not spent and now budgeted this fiscal year ( <i>cannot exclude same capital improvements from more than one lid calculation.</i> )				
Agrees to Line (6).		\$	-	(18)
Allowable Capital Improvements	(19)	\$	640,000.00	
Bonded Indebtedness	(20)			
Public Facilities Construction Projects (Statutes 72-2301 to 72-2308)	(21)			
Interlocal Agreements/Joint Public Agency Agreements	(22)	\$	187,680.00	
Public Safety Communication Project (Statute 86-416)	(23)			
Benefits Paid Under the Firefighter Cancer Benefits Act	(23a)			
Payments to Retire Interest-Free Loans from the Department of Aeronautics (Public Airports Only)	(24)			
Judgments	(25)			
Refund of Property Taxes to Taxpayers	(26)			
Repairs to Infrastructure Damaged by a Natural Disaster	(27)			
<b>TOTAL LID EXCEPTIONS (B)</b>	(28)	\$	<b>827,680.00</b>	

<b>TOTAL RESTRICTED FUNDS For Lid Computation (To Line 9 of the Lid Computation Form)</b>	<b>\$ 6,423,936.95</b>
<i>To Calculate: Total Restricted Funds (A)-Line 16 MINUS Total Lid Exceptions (B)-Line 28</i>	

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

City of McCook  
IN  
Red Willow County

**LID COMPUTATION FORM FOR FISCAL YEAR 2022-2023**

**PRIOR YEAR RESTRICTED FUNDS AUTHORITY OPTION 1 OR OPTION 2**

**OPTION 1**

Prior Year Restricted Funds Authority (Base Amount) = Line (8) from last year's Lid Form 7,035,560.61  
Option 1 - (Line 1)

**OPTION 2**

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

Line (1) of Prior Year Lid Computation Form Option 2 - (A)

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

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

Calculated Prior Year Restricted Funds Authority (Base Amount) Line (A) Plus Line (C) -  
Option 2 - (Line 1)

**CURRENT YEAR ALLOWABLE INCREASES**

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

(2)

**2** ALLOWABLE GROWTH PER THE ASSESSOR MINUS 2.5% - %

(3)

$\frac{2,928,260.00}{2022 \text{ Growth per Assessor}} \div \frac{456,893,949.00}{2021 \text{ Valuation}} = \frac{0.64}{\text{Multiply times 100 To get \%}}$

**3** ADDITIONAL ONE PERCENT COUNCIL/BOARD APPROVED INCREASE 1.00 %

(4)

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

**ATTACH A COPY OF THE BOARD MINUTES APPROVING THE INCREASE.**

**4** SPECIAL ELECTION/TOWNHALL MEETING - VOTER APPROVED % INCREASE - %

(5)

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

TOTAL ALLOWABLE PERCENT INCREASE = Line (2) + Line (3) + Line (4) + Line (5) 3.50 %  
(6)

Allowable Dollar Amount of Increase to Restricted Funds = Line (1) x Line (6) 246,244.62  
(7)

Total Restricted Funds Authority = Line (1) + Line (7) 7,281,805.23  
(8)

**Less:** Restricted Funds from Lid Supporting Schedule 6,423,936.95  
(9)

Total Unused Restricted Funds Authority = Line (8) - Line (9) 857,868.28  
(10)

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

# ATTACHMENT

#2

## Budget Form Instructions

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

### 12. **Lid Supporting Schedule**

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

#### Restricted Funds

- As the limitation is on “budgeted” restricted funds, you need to compare the current budgeted amount to the prior year actual amount when budgeting these receipts on page 2.
- State Statute Section 13-518 defines restricted funds as:
  - Property Tax – Includes Real Estate and Personal Property
  - Payments In Lieu of Property Tax
  - Local Option Sales Tax
  - Motor Vehicle Tax
  - State Aid (see Section 13-518(7))
    - All governmental units - aid paid pursuant to section 60-3,202 (Pro-Rate Motor Vehicle) and 77-3523 (Homestead Exemption). *Note: Homestead Exemption should not be budgeted as a separate line item. It is included within Property Tax.*
    - Community Colleges - aid paid pursuant to Community College Aid Act (section 85-2231 to 85-2237).
    - Educational Service Units - State aid appropriated under section 79-1241 (Aid for Core Services and Technology Infrastructure).
    - Local Public Health Departments - aid as distributed under section 71-1628.08 (County Public Health Aid).
    - Municipalities – aid paid pursuant to sections 39-2501 through 39-2520 (Highway Allocation and Incentive Payments), 60-3,190 (Motor Vehicle Fee), 77-27,139.04 (Municipal Equalization Aid), and insurance premium tax.
    - Counties - aid paid pursuant to sections 60-3,190 (Motor Vehicle Fee), 77-27,223 through 77-27,227 (License or Occupation Tax), 29-3933 (Indigent Defense Services), and insurance premium tax.
  - Surplus Fees
    - The transfer of a user fee, permit fee or regulatory fee which is used to fund a service or function not directly related to the earning of that fee. *Surplus Fees can be used for other functions without being transferred to another fund.*
  - Prior Year Budgeted Capital Improvements that were used as a lid exception on LID Supporting Schedule, but were not spent and are not expected to be spent for capital improvements.
- All amounts should agree to the amounts budgeted to be received on page 2.

#### Lid Exceptions

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

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

- i. Acquisition of real property (land/buildings).
- ii. Improvements on real property.

Retirement of Bonded Debt

## Budget Form Instructions

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

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

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

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

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

Property Tax Refunds

Firefighter Cancer Benefits. Restricted funds budgeted to pay benefits under the Firefighter Cancer Benefits Act (State Statute Section 35-1002 to 35-1010).

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

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

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

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

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

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

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

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

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

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

## Budget Form Instructions

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

Line (A) – Line (1) of last year’s Lid Computation Form.

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

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

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

- **Allowable Increases**

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

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

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

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

Townhall Meeting - In lieu of the election procedures, any governmental unit may exceed the allowable growth percentage by an amount approved by a majority of legal voters at a meeting of the residents. **Increased authority obtained from a townhall meeting is for one year only. Option 2 must be used on next year’s Lid Computation Form.** The following requirements must be met to obtain increased authority at a townhall meeting.

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

- **Unused Restricted Funds Authority**

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

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

### 14. **Consequences of Noncompliance with Budget Limits**

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

- The Auditor shall notify the governing body of this determination and notify the State Treasurer of the noncompliance.

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

---

**ITEM:**

- 5.D.** Approve Employment Agreement with City Manager Nathan A. Schneider and authorize the Mayor to sign.
- 5.E.** Introduce and approve under suspension of the rule, Ordinance No. 2022-3046 setting the salary and compensation of City Manager Nathan A. Schneider.
- 

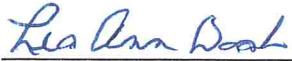
**BACKGROUND:**

Attached are copies of the proposed Employment Agreement and proposed Ordinance No. 2022-3046.

The ordinance can be approved under suspension of the rule since all items included in the ordinance were approved by the Council in the Employment Agreement.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 31, 2022

ORDINANCE NO. 2022-3046

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

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

SECTION 1. From and after October 1, 2022, the City Manager of the City of McCook, Nebraska shall receive for his base annual (12 month) salary \$124,496, plus 1% longevity \$1,245, for a gross annual (12 month) salary \$125,741 said salary to be paid bi-weekly; retirement benefit of 7% of his salary; and other benefits as shall be determined by the City Council of the City of McCook.

SECTION 2. The City Manager's employment agreement executed September 6, 2022, and effective October 1, 2022, includes these provisions.

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

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

PASSED AND APPROVED THIS 6<sup>th</sup> day of September, 2022.

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

ATTEST:

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

Current Base Salary	\$116,351
4.5% COLA	\$ 5,236
<u>2½% Merit</u>	<u>\$ 2,909</u>
New Base	\$124,496
<u>1% Longevity</u>	<u>\$ 1,245</u>
Gross Annual	<u>\$125,741</u>

Publish:

## EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into this 6<sup>th</sup> day of September, 2022, by and between the City of McCook, Nebraska, a municipal corporation, hereinafter called the "City", and Nathan A. Schneider, hereinafter called the "City Manager", both of whom understand and agree to the following:

### WITNESSETH:

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

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

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

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

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

### SECTION 1. DUTIES

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

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

## SECTION 2. TERM

The term of this Agreement shall commence on the 1<sup>st</sup> day of October, 2022, and shall supersede the Agreement of May 8, 2014. The City Manager shall be an "at will" employee, and shall serve at the pleasure of the City Council, without specific term or tenure.

## SECTION 3. SALARY

The City agrees to pay the City Manager for his services a base annual salary of \$124,496 plus longevity of \$1,245, for a gross annual salary of \$125,741, payable in equal bi-weekly installments.

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

The City Council shall review the City Manager's salary and benefits at a convenient date and time near July 1, 2023, and determine whether to take action to adjust the compensation of the City Manager. Annual performance evaluations, and salary reviews shall be scheduled at approximately twelve-month intervals thereafter.

## SECTION 4. HOURS OF WORK

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

## SECTION 5. AUTOMOBILE

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

shall provide the City with a Certificate of Insurance.

SECTION 6. DUES, SUBSCRIPTIONS AND MEMBERSHIPS

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

SECTION 7. CELL PHONE (SMART PHONE) PROVISION

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

SECTION 8. CONFERENCES

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

SECTION 9. VACATION

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

SECTION 10. SICK LEAVE

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

SECTION 11. OTHER TYPES OF LEAVE

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

SECTION 12. HEALTH AND DENTAL INSURANCE

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

### SECTION 13. GROUP LIFE INSURANCE

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

### SECTION 14. RETIREMENT

In addition to the salary paid by the City to the City Manager, the City agrees to pay an amount equal to seven percent (7%) of the City Manager's gross salary into a qualified retirement plan on the City Manager's behalf. The plan to be used shall be selected by the City Manager. The City Manager shall advise the City of his selection upon commencing employment so that any necessary participation agreements may be completed prior to payroll. The City Manager shall be responsible for all administrative, or custodial charges made by the plan.

### SECTION 15. LONGEVITY

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

### SECTION 16. PERFORMANCE EVALUATION

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

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

SECTION 17. TERMINATION OR DISCHARGE

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

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

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

1. Conducting a pre- and post-termination grievance hearing.
2. Conducting a Loudermill hearing and "full blown" due process hearing.
3. Defending a discrimination charge brought under the municipal code, state law, and/or federal law.
4. Defending a breach of contract claim.
5. The City Manager, in accepting this lump sum payment, agrees after termination of employment with the City that he will voluntarily participate and cooperate with the City in the defense of the City and its elected officials and employees and the prosecution of any action or proceeding about which the Employee has knowledge, including any litigation related to these actions. Such participation and cooperation includes, for example, agreeing to speak with the City's attorneys at mutually convenient times regarding the fact of the matter and agreeing to make himself available for a deposition and/or trial.
6. The City shall prepare a release and waiver form to be signed by the City Manager in accordance with this paragraph.

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

#### SECTION 18. DEFENSE AND INDEMNIFICATION

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

SECTION 19. GENERAL PROVISIONS

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

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

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

CITY OF MCCOOK

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

ATTEST:

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

CITY MANAGER

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

**CITY MANAGER'S REPORT  
SEPTEMBER 6, 2022 CITY COUNCIL MEETING**

---

**ITEM:**

- 5.D.** Approve Employment Agreement with City Manager Nathan A. Schneider and authorize the Mayor to sign.
- 5.E.** Introduce and approve under suspension of the rule, Ordinance No. 2022-3046 setting the salary and compensation of City Manager Nathan A. Schneider.
- 

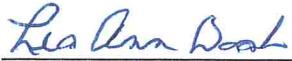
**BACKGROUND:**

Attached are copies of the proposed Employment Agreement and proposed Ordinance No. 2022-3046.

The ordinance can be approved under suspension of the rule since all items included in the ordinance were approved by the Council in the Employment Agreement.

**FISCAL  
IMPACT:** None.

**APPROVALS:**

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

August 31, 2022

ORDINANCE NO. 2022-3046

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

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

SECTION 1. From and after October 1, 2022, the City Manager of the City of McCook, Nebraska shall receive for his base annual (12 month) salary \$124,496, plus 1% longevity \$1,245, for a gross annual (12 month) salary \$125,741 said salary to be paid bi-weekly; retirement benefit of 7% of his salary; and other benefits as shall be determined by the City Council of the City of McCook.

SECTION 2. The City Manager's employment agreement executed September 6, 2022, and effective October 1, 2022, includes these provisions.

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

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

PASSED AND APPROVED THIS 6<sup>th</sup> day of September, 2022.

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

ATTEST:

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

Current Base Salary	\$116,351
4.5% COLA	\$ 5,236
<u>2½% Merit</u>	<u>\$ 2,909</u>
New Base	\$124,496
<u>1% Longevity</u>	<u>\$ 1,245</u>
Gross Annual	<u>\$125,741</u>

Publish:

## EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into this 6<sup>th</sup> day of September, 2022, by and between the City of McCook, Nebraska, a municipal corporation, hereinafter called the "City", and Nathan A. Schneider, hereinafter called the "City Manager", both of whom understand and agree to the following:

### WITNESSETH:

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

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

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

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

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

### SECTION 1. DUTIES

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

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

## SECTION 2. TERM

The term of this Agreement shall commence on the 1<sup>st</sup> day of October, 2022, and shall supersede the Agreement of May 8, 2014. The City Manager shall be an "at will" employee, and shall serve at the pleasure of the City Council, without specific term or tenure.

## SECTION 3. SALARY

The City agrees to pay the City Manager for his services a base annual salary of \$124,496 plus longevity of \$1,245, for a gross annual salary of \$125,741, payable in equal bi-weekly installments.

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

The City Council shall review the City Manager's salary and benefits at a convenient date and time near July 1, 2023, and determine whether to take action to adjust the compensation of the City Manager. Annual performance evaluations, and salary reviews shall be scheduled at approximately twelve-month intervals thereafter.

## SECTION 4. HOURS OF WORK

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

## SECTION 5. AUTOMOBILE

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

shall provide the City with a Certificate of Insurance.

SECTION 6. DUES, SUBSCRIPTIONS AND MEMBERSHIPS

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

SECTION 7. CELL PHONE (SMART PHONE) PROVISION

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

SECTION 8. CONFERENCES

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

SECTION 9. VACATION

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

SECTION 10. SICK LEAVE

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

SECTION 11. OTHER TYPES OF LEAVE

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

SECTION 12. HEALTH AND DENTAL INSURANCE

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

### SECTION 13. GROUP LIFE INSURANCE

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

### SECTION 14. RETIREMENT

In addition to the salary paid by the City to the City Manager, the City agrees to pay an amount equal to seven percent (7%) of the City Manager's gross salary into a qualified retirement plan on the City Manager's behalf. The plan to be used shall be selected by the City Manager. The City Manager shall advise the City of his selection upon commencing employment so that any necessary participation agreements may be completed prior to payroll. The City Manager shall be responsible for all administrative, or custodial charges made by the plan.

### SECTION 15. LONGEVITY

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

### SECTION 16. PERFORMANCE EVALUATION

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

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

SECTION 17. TERMINATION OR DISCHARGE

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

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

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

1. Conducting a pre- and post-termination grievance hearing.
2. Conducting a Loudermill hearing and "full blown" due process hearing.
3. Defending a discrimination charge brought under the municipal code, state law, and/or federal law.
4. Defending a breach of contract claim.
5. The City Manager, in accepting this lump sum payment, agrees after termination of employment with the City that he will voluntarily participate and cooperate with the City in the defense of the City and its elected officials and employees and the prosecution of any action or proceeding about which the Employee has knowledge, including any litigation related to these actions. Such participation and cooperation includes, for example, agreeing to speak with the City's attorneys at mutually convenient times regarding the fact of the matter and agreeing to make himself available for a deposition and/or trial.
6. The City shall prepare a release and waiver form to be signed by the City Manager in accordance with this paragraph.

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

#### SECTION 18. DEFENSE AND INDEMNIFICATION

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

SECTION 19. GENERAL PROVISIONS

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

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

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

CITY OF MCCOOK

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

ATTEST:

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

CITY MANAGER

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