

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, October 2, 2023
5:30 PM - City Council Chambers

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Kyle Dellevoet, McCook Christian Church.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.
2. Public Hearings.
 - A. Conduct a public hearing on the application of Loop Brewing Company, LLC; dba "The Yard & Loop Brewing Company Taproom", for Class "C" License #125969 - (Beer, Wine, Distilled Spirits, On and Off Sale) License under the Nebraska Liquor Control Commission, to be located at 801 West "C" Street, McCook, Nebraska.
 1. Reconvene as a City Council.
 - B. Recommend approval to the Nebraska Liquor Control Commission the application of Loop Brewing Company, LLC; dba "The Yard & Loop Brewing Company Taproom", for Class "C" License #125969 - (Beer, Wine, Distilled Spirits, On and Off Sale) License under the Nebraska Liquor Control Commission, to be located at 801 West "C" Street, McCook, Nebraska.
3. Proclamations.
 - A. Approve the proclamation designating October 8 through October 14, 2023 as "Fire Prevention Week" and authorize the Mayor to sign.
 - B. Approve the proclamation designating the week of October 5 - 8, 2023 as "Support Citizens with Intellectual Disabilities Week" in the City of McCook and authorize the Mayor to sign.
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 September 18, 2023 regular City Council meeting.

- B. Adopt Resolution No. 2023-20 setting the property tax request for FY 2023/2024.
 - C. Ratify the approval of the applications for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a wedding reception to be held at the McCook Municipal Auditorium 302 West 5th Street, on October 14, 2023 from 12:00 P.M. to 12:00 A.M.; and for a reception/grand opening to be held at the Art Bank Building, 108 West “C” Street, on October 14, 2023 from 12:00 P.M. to 12:00 A.M.
 - D. Ratify the Mayor’s appointments to the Airport Advisory Commission - reappointing David Pfeffer, Trevor Taylor, and Griff Malleck - terms expire November 2026 and to the City/County Airport Zoning Board - reappointing Steve Keene, Aaron Peterson, and Bruce McDowell - terms expire September 2026.
 - E. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic cable and installing three ground level vaults.
 - F. Adopt Resolution No. 2023-19 establishing criteria for approval or denial of a Special Designated Liquor License and designating the City Clerk to determine approval or denial of the application for Special Designated Liquor License.
 - G. Offer a Contract to BSB Construction, Inc. with a bid of \$981,927.00 as the lowest responsible bidder for the South Street Water Main replacement on South Street and Ravenswood Road from the city shop to South 9th Street and authorize the Mayor to execute the necessary paperwork to award the contract.
5. Regular Agenda.
- A. Update regarding the swimming pool and ballpark projects.
 - B. Council Comments.
 - C. 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 real estate purchase for Sports Complex..
 - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
 - 2. Close Executive Session.

Adjournment.

CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING

ITEM: _____

RECOMMENDATION:

ITEM A 2.A. Conduct a public hearing on the application of Loop Brewing Company, LLC; dba "The Yard & Loop Brewing Company Taproom", for Class "C" License #125969 - (Beer, Wine, Distilled Spirits, On and Off Sale) License under the Nebraska Liquor Control Commission, to be located at 801 West "C" Street, McCook, Nebraska.

ITEM B 2.B. Recommend approval to the Nebraska Liquor Control Commission the application of Loop Brewing Company, LLC; dba "The Yard & Loop Brewing Company Taproom", for Class "C" License #125969 - (Beer, Wine, Distilled Spirits, On and Off Sale) License under the Nebraska Liquor Control Commission, to be located at 801 West "C" Street, McCook, Nebraska.

BACKGROUND:

Upon notice from the Liquor Control Commission, the City has 45 days to conduct a hearing concerning the requested license. The Council may choose not to make a recommendation of approval or denial to the Commission.

Per §53-133, the Liquor Control Commission shall set for hearing any application wherein:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

September 25, 2023



Nathan Schneider, City Manager

September 25, 2023

EXHIBIT #1

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NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that Loop Brewing Company, LLC; dba "The Yard & Loop Brewing Company Taproom", has filed an application for Class "C" License #125969 - (Beer, Wine, Distilled Spirits, On and Off Sale) under the Nebraska Liquor Control Commission, to be located at 801 West "C" Street, McCook, Nebraska.

All persons desiring to give evidence before the McCook City Council in support of or protest against the issuance of such license may do so at the time of this hearing to be held Monday, October 2, 2023 at 5:30 P.M., C.D.S.T.; in the City Council Chambers, 505 West "C" Street, McCook, Nebraska.

-s- Lea Ann Doak
City Clerk

Publish: September 22, 2023.

EXHIBIT #2

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Jim Pillen
Governor

STATE OF NEBRASKA
NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe
Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska, 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814 or (402) 471-2374
TSR USER 800-833-7252 (TTY)
Web Address <http://www.lcc.nebraska.gov/>

RECEIPT

From: Kim Frederick
To: MCCOOK CITY CLERK
Re: LOOP BREWING COMPANY LLC
DBA: THE YARD & LOOP BREWING CO TAPROOM
License #: C 125969

Please complete this page immediately and fax or email to us acknowledging you have received the application. Signatures are not required.

Rebecca Cook

Clerk's Name (Acknowledgement of receipt of the application)

8/31/2023

Date Received

EXHIBIT #3

PAGE(S) - 2

Kim Lowe
Commissioner

Bruce Bailey
Chairman

Harry Hoch
Commissioner

TRANSACTION REPORT

AUG/31/2023/THU 11:57 AM

FAX (TX)

#	DATE	START T.	RECEIVER	COM. TIME	PAGE	TYPE/NOTE	FILE
001	AUG/31	11:56AM	14024712814--226	0:00:22	1	MEMORY OK	SG3 1874



Jim Pillen
Governor

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DBA: THE YARD & LOOP BREWING CO TAPROOM

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Please complete this page immediately and fax or email to us acknowledging you have received the application. Signatures are not required.

Rebecca Cook

Clerk's Name (Acknowledgement of receipt of the application)

8/31/2023

Date Received

APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

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

License Class: C

License Number:
125969



Office Use Only

NEW / REPLACING _____ TOP Yes / No

Hot List Yes / No Yes Adding C to LK location Initial: KF

PLEASE READ CAREFULLY

See directions on the next page. Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

APPLICANT NAME Loop Brewing Company LLC

TRADE (DBA) NAME The Yard & Loop Brewing Company Taproom

PREVIOUS TRADE (DBA) NAME _____

CONTACT NAME AND PHONE NUMBER Tyler Loop 308-737-9921

CONTACT EMAIL ADDRESS loopbrewingcompany@yahoo.com

Crunch
CTB

8-31-2027

Office use only

PAYMENT TYPE CK 8911

AMOUNT \$400.- RCPT _____

RECEIVED: 8/31/23

DATE DEPOSITED _____



EXHIBIT #4

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FORM 100
REV 12/7/2022
PAGE 1



DIRECTIONS

Each item must be included with your application

1. Application fee of \$400 (nonrefundable), please pay online thru our PAYPORT system or enclose payment made payable to the Nebraska Liquor Control Commission
2. Enclose the appropriate application forms
 - Individual License (Form 104)
 - Partnership License (Form 105)
 - Corporate License (Form 101 & Form 103)
 - Limited Liability Company (LLC) (Form 102 & Form 103)
Corporation or Limited Liability Company (LLC) must be active with the Nebraska Secretary of State
3. For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
 - a. For residency enclose proof of registered voter in Nebraska
 - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
 - c. See Applicant Guidelines for further assistance
4. Form 147 - Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures".
5. If purchasing an already licensed business; include Form 125—Temporary Operating Permit (TOP)
 - a. Form 125 must be signed by the seller (current licensee) and the buyer (applicant)
 - b. Provide a copy of the business purchase agreement from the seller (current licensee sells "the business currently licensed" to applicant)
 - c. Provide a copy of alcohol inventory being purchased (must include quantity, brand name and container size)
 - d. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
6. If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
7. If building is being leased, send a copy of signed lease in the name of the applicant. Lease term must run through the license year being applied for.
8. Submit a copy of your business plan.

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)
CLASS C LICENSE TERM IS FROM NOVEMBER 1 – OCTOBER 31
ALL OTHER CLASSES TERM IS MAY 1 – APRIL 30

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY**
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE**
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(4) YES NO
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY**
- F BOTTLE CLUB,
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(5) YES NO
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- Class K Catering endorsement (Submit Form 106) – Catering license (K) expires same as underlying retail license
- Class G Growler endorsement (Submit Form 165) – Class C licenses only

**Class B, Class C, Class D license do you intend to allow drive through services under Neb Rev. Statute 53-178.01(2) YES NO

ADDITIONAL FEES WILL BE ASSESSED AT THE CITY/VILLAGE OR COUNTY LEVEL WHEN THE LICENSE IS ISSUED

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert FORM 104)
- Partnership License (requires insert FORM 105)
- Corporate License (requires FORM 101 & FORM 103)
- Limited Liability Company (LLC) (requires FORM 102 & FORM 103)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)

Name _____ Phone Number _____

Firm Name _____

Email address _____

Should we contact you with any questions on the application? YES _____ NO _____

PREMISES INFORMATION

Trade Name (doing business as) The Yard & Loop Brewing Company Taproom

Street Address 801 West C Street, Suite 5b

City McCook County Red Willow 48 Zip Code 69001 +3592

Premises Telephone number 308-737-9921

Business e-mail address loopbrewingcompany@yahoo.com

Is this location inside the city/village corporate limits YES X NO _____

MAILING ADDRESS (where you want to receive mail from the Commission)

Check if same as premises

Name Loop Brewing Company LLC

Street Address PO Box 1267

City McCook State NE Zip Code 69001 +1267

DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED

IN THE SPACE PROVIDED BELOW DRAW OR ATTACH A DIAGRAM OF THE AREA TO BE LICENSED
DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS
PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)
INDICATE THE DIRECTION OF NORTH

Building length 50 x width 50 in feet

Is there a basement? Yes _____ No X If yes, length _____ x width _____ in feet

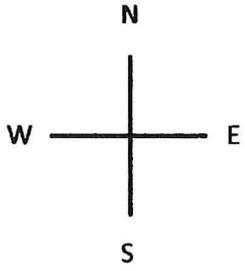
Is there an outdoor area? Yes _____ No X If yes, length _____ x width _____ in feet+

*If including an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing

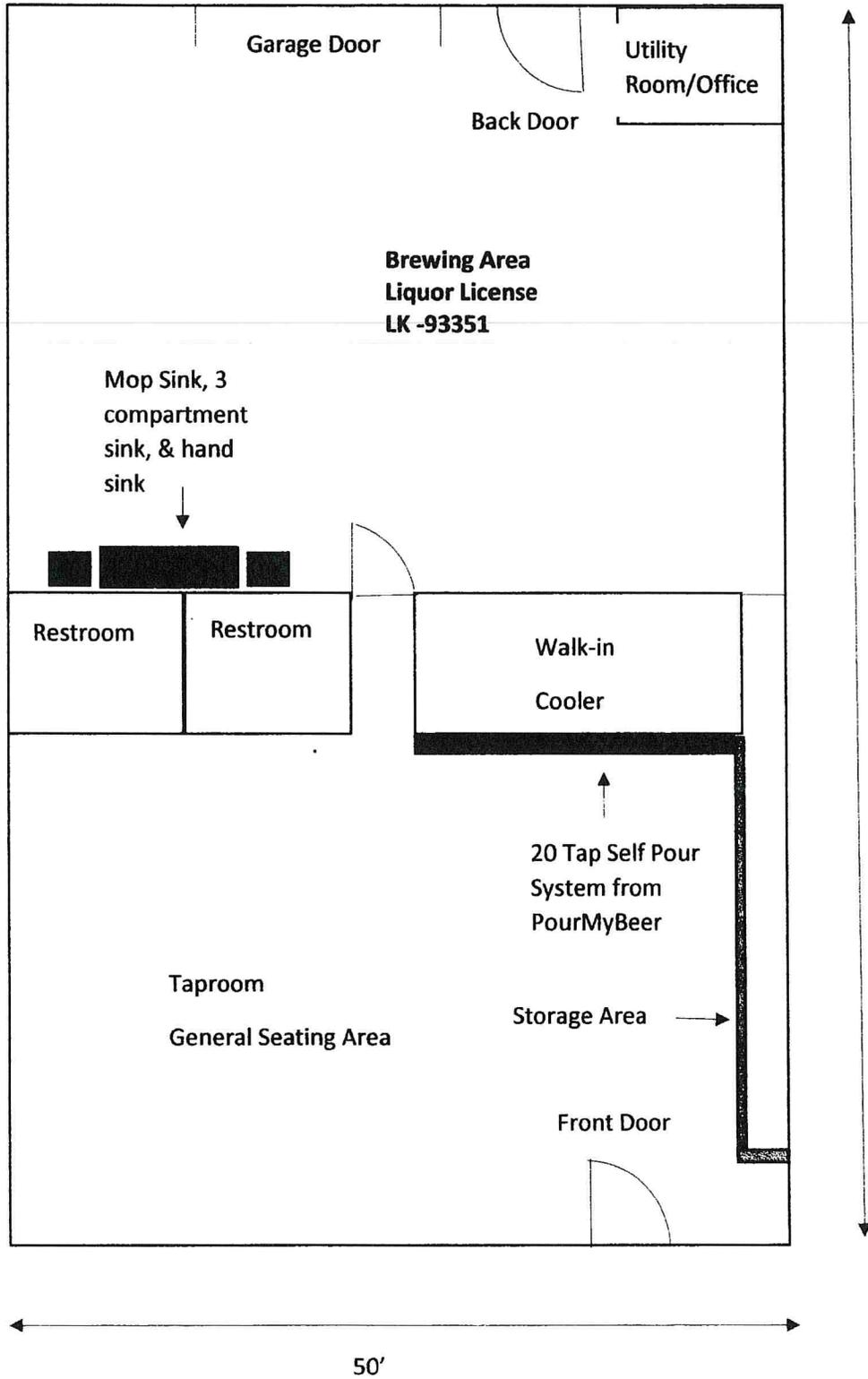
Number of floors of the building 1

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

See Attachment



Loop Brewing
Company LLC
2nd Location
801 West C Street,
Suite 5B
McCook, NE 69001
Single Story
No Basement



The Yard & Loop
Brewing Company
Taproom

APPLICANT INFORMATION

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Tyler R. Loop	07/2002	Holdrege, NE	Minor in Possession of Alcohol	Guilty/Admission and paid fine

2. Was this premise licensed as liquor licensed business within the last two (2) years?

YES NO

If yes, provide business name and license number LK - 093351

3. Are you buying the business of a current retail liquor license?

YES NO

If yes, give name of business and liquor license number _____

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES NO

If yes

a) Attach temporary operating permit (TOP) (Form 125)

a) Submit a copy of the business purchase agreement _____

b) Include a list of alcohol being purchased, list the name brand, container size and how many _____

c) Submit a list of the furniture, fixtures and equipment _____

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

_____ YES NO

If yes, list the lender(s) _____

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

_____ YES NO

If yes, explain. (all involved persons must be disclosed on application)

No silent partners 019.01E Silent Partners; Profit Sharing: No licensee or partner, principal, agent or employee of any Retail Liquor License shall permit any other person not licensed or included as a partner, principal, or stockholder of any Retail Liquor License to participate in the sharing of profits or liabilities arising from any Retail Liquor License. (53-1,100)

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

_____ YES NO

If yes, list such item(s) and the owner. _____

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?

_____ YES NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Nebraska Revised Statute 53-177(1) **AND PROVIDE FORM 134 – CHURCH OR FORM 135 – CAMPUS AND LETTER OF SUPPORT FROM CHURCH OR CAMPUS**

9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties. (Nebraska Revised Statute 53-125(15))

_____ YES NO

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

First Central Bank McCook - Tyler Loop, Jerimey Pace, Jesse Pierson

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

See attachment

List of Present and Past Liquor Licenses held by Tyler R. Loop

Present

Location Name	License Number
Loop Brewing Company LLC DBA Loop Brewing Company 404 West A Street McCook, NE 69001	I-93350

Loop Brewing Company 801 West C St, Suite 5b McCook, NE 69001	LK-93351
---	----------

TL & AS LLC DBA Coppermill Steakhouse 421 Talmadge St, Suite 2 Kearney, NE 68845	C-122867
---	----------

Past

AT LAKE LLC DBA Lakeshore Marina #2 Lakeview Acres Drive 14 Johnson Lake, NE 68937	C-112096
---	----------

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Tyler R. Loop	12/2021	FBST Nebraska

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business
Tyler R. Loop/Owner & Manager	2011-Present	Loop Brewing Company, McCook, NE 69001
Tyler R. Loop/General Manager	2020-2022	Heritage Hills Golf Course, McCook, NE
Tyler R. Loop/Co-Owner	2016-Present	Coppermill Steakhouse, Kearney, NE

13. If the property is owned, submit a copy of the deed or proof of ownership. If leased, submit a copy of the lease covering the entire license year.

Documents must be in the name of applicant as owner or lessee

x Lease expiration date 08/2027

 Deed

 Purchase Agreement

14. When do you intend to open for business? November 2023

15. What will be the main nature of business? Taproom

16. What are the anticipated hours of operation? Wednesday - Saturday 6 PM - 12 AM

17. List the principal residence(s) for the past 10 years for **ALL** persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS					
APPLICANT CITY & STATE	YEAR		SPOUSE CITY & STATE	YEAR	
	FROM	TO		FROM	TO
McCook, NE	2008	2023	McCook, NE	2008	2023

If necessary, attach a separate sheet

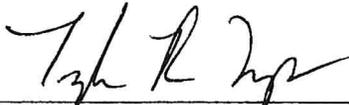
PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

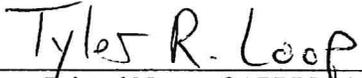
Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

***Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.*

Must be signed by all applicant(s) and spouse(s) owning more than 25%
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)



Signature of APPLICANT



Printed Name of APPLICANT



Signature of SPOUSE



Printed Name of SPOUSE

Signature of APPLICANT

Signature of SPOUSE

Printed Name of APPLICANT

Printed Name of SPOUSE

Nebraska Secretary of State

LOOP BREWING COMPANY, LLC

Thu Aug 31 10:13:17 2023

SOS Account Number

10138386

Status

Active

Principal Office Address

404 WEST A STREET
PO BOX 783
MCCOOK, NE 69001
USA

Registered Agent and Office Address

TYLER RAY LOOP
2005 WEST J STREET
MCCOOK, NE 69001

Designated Office Address

404 WEST A STREET
MCCOOK, NE 69001

Nature of Business

Not Available

Entity Type

Domestic LLC

Qualifying State: NE

Date Filed

Aug 13 2010

Next Report Due Date

Jan 01 2025

Filed Documents

Filed documents for LOOP BREWING COMPANY, LLC may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Document	Date Filed	Price	
Articles Limited	Aug 13 2010	\$1.35 = 3 page(s) @ \$0.45 per page	<input type="button" value="Purchase Now"/>
Biennial Report	Apr 07 2011	\$0.45 = 1 page(s) @ \$0.45 per page	<input type="button" value="Purchase Now"/>
Biennial Report	Mar 27 2013	\$0.45 = 1 page(s) @ \$0.45 per page	<input type="button" value="Purchase Now"/>
Biennial Report	Mar 02 2015	\$0.45 = 1 page(s) @ \$0.45 per page	<input type="button" value="Purchase Now"/>

Document	Date Filed	Price	
Record of Determination	Apr 03 2017	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Biennial Report	Apr 14 2017	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Statement of Change	May 25 2018	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Biennial Report	Feb 01 2019	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Biennial Report	Feb 09 2021	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Biennial Report	Jan 09 2023	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now

Good Standing Documents

- If you need your Certificate of Good Standing Apostilled or Authenticated for use in another country, you must contact the Nebraska Secretary of State's office directly for information and instructions. Documents obtained from this site cannot be Apostilled or Authenticated.

Online Certificate of Good Standing with Electronic Validation

\$6.50

This certificate is available for immediate viewing/printing from your desktop. A Verification ID is provided on the certificate to validate authenticity online at the Secretary of State's website.

[Purchase Now](#)

Certificate of Good Standing - USPS Mail Delivery

\$10.00

This is a paper certificate mailed to you from the Secretary of State's office within 2-3 business days.

[Continue to Order](#)

[↑ Back to Top](#)

LIMITED LIABILITY COMPANY (LLC)

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

License
Class: _____

License Number: _____



INSTRUCTIONS

1. All members and spouses must be listed
2. Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the application
3. Managing/Contact member and all members holding over 25% interest and their spouses must submit fingerprints. See Form 147 for further information
4. Attach copy of Articles of Organization

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

Loop Brewing Company LLC

Name of Registered Agent: **Tyler Loop**

LLC Address: **404 West A Street**

City: **McCook** State: **NE** Zip Code: **69001 + 3516**

LLC Phone Number: **308-737-9921** LLC Fax Number: _____

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: **Loop** First Name: **Tyler** MI: **R**

Home Address: **2005 West J Street** City: **McCook**

State: **NE** Zip Code: **69001 + 3516** Home Phone Number: **308-737-9921**

A handwritten signature in black ink that reads "Tyler Loop".

Signature of Managing/Contact Member

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Loop First Name: Tyler MI: R

Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Spouse Full Name (indicate N/A if single): Tyler Sue Loop

Spouse Social Security Number: [REDACTED]

Percentage of member ownership 100

#spouse

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Is the applying Limited Liability Company owned 100% by another corporation/LLC?

YES NO

If yes, Form 185 is required

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January Ending Date: December

Is this a Non Profit Corporation?

YES NO

If yes, provide the Federal ID #. _____

MANAGER APPLICATION FORM 103

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

License
Class: _____

License Number: _____

RECEIVED

AUG 31 2023

NEBRASKA LIQUOR
CONTROL COMMISSION

MANAGER MUST:

- Be at least 21-years of age
- Complete all sections of the application.
- Form must be signed by a **member or corporate officer**
- Include Form 147 –Fingerprints are required
- Provide a copy of one of the following: US birth certificate, US Passport, naturalization papers OR legal resident documentation
- Be a resident of the state of Nebraska and if an US citizen be a registered voter in the State of Nebraska
- Spouse who **will** participate in the business, the spouse must meet the same requirements as the manager applicant:

Spouse who **will not** participate in the business

- Complete the Spousal Affidavit of Non Participation (Form 116). **Be sure to complete both halves of this form.**

CORPORATION/LLC INFORMATION

Name of Corporation/LLC: Loop Brewing Company LLC

PREMISES INFORMATION

Premises Trade Name/DBA: Loop Brewing Company

Premises Street Address: 801 West C Street, Suite 5b

City: McCook County: Red Willow Zip Code: 69001

Premises Phone Number: 308-737-9921

Premises Email address: loopbrewingcompany@yahoo.com

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

The individual whose name is listed as a corporate officer or managing member as reported or listed with the Commission.

[Signature Box]

MANAGER INFORMATION

Last Name: Loop First Name: Tyler MI: R

Home Address: 2005 West J Street

City: McCook County: Red Willow Zip Code: 69001 +3040

Home Phone Number: 308-737-9921

Driver's License Number: [REDACTED]

Social Security Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: McCook, NE

Email address: loopbrewingcompany@yahoo.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES NO

**Spouse*

Spouse's information

Spouses Last Name: Loop First Name: Tyler MI: S

Social Security Number: [REDACTED]

Driver's License Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: Cambridge, NE

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS
APPLICANT **SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
McCook, NE	2008	2023	McCook, NE	2008	2023

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2011	2023	Loop Brewing Company	Self	308-737-9921
2020	2022	Heritage Hills	Ben Anderson	308-340-5403

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, **include traffic violations**. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Tyler R. Loop	07/2002	Holdrege, NE	Minor in possession of alcohol	Guilty/Admission and paid fine

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Tyler R. Loop	12/2021	FBST Nebraska

*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Tyler R. Loop/Owner & manager	2011-Present	Loop Brewing Company, McCook, NE
Tyler R. Loop/General Manager	2020-2022	Heritage Hills Golf Course, McCook, NE
Tyler R. Loop/Co-Owner	2016-Present	Coppermill Steakhouse, Kearney, NE

5. Have you enclosed Form 147 regarding fingerprints?

YES NO

On File

PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY

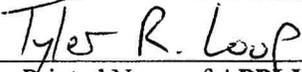
The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

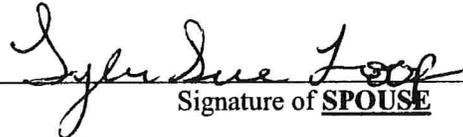
Must be signed by applicant and spouse.



Signature of **APPLICANT**



Printed Name of **APPLICANT**



Signature of **SPOUSE**



Printed Name of **SPOUSE**

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

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

Office Use **RECEIVED**
AUG 31 2023
NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Tyler Sue Loop
Signature of NON-PARTICIPATING SPOUSE

Tyler Sue Loop
Print Name

Tyler R. Loop
Signature of APPLICANT

Tyler R. Loop
Print Name

State of Nebraska, County of Red Willow

State of Nebraska, County of Red Willow

The foregoing instrument was acknowledged before me
this August 28th, 2023 (date)

The foregoing instrument was acknowledged before me
this August 28th, 2023 (date)

by Tyler Sue Loop
Name of person acknowledged
(Individual signing document)

by Tyler R. Loop
Name of person acknowledged
(Individual signing document)

Erica L. Solko
Notary Public Signature

Erica L. Solko
Notary Public Signature

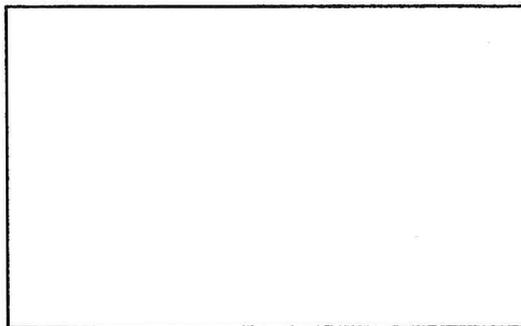
GENERAL NOTARY - State of Nebraska
ERICAL. SOLKO
My Comm. Exp. Aug. 12, 2024

GENERAL NOTARY - State of Nebraska
ERICAL. SOLKO
My Comm. Exp. Aug. 12, 2024

In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

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



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the **NSP PayPort** online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices may be released to the applicants;
Fingerprint cards should be submitted with the application.

Applicant Notification and Record Challenge: *Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.*

****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name Loop Brewing Company

Name of Person Being Fingerprinted: Tyler R. Loop

Date of Birth: [REDACTED]

Date fingerprints were taken: _____

Location where fingerprints were taken: Red Willow Sheriff's Office

How was payment made to NSP?

NSP PAYPORT CASH CHECK SENT TO NSP CK # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED



[Back to Lookup](#) / [Registrant Detail](#)

Tyler R Loop

Political Party
Republican

Precinct
Ward 2 Precinct 2

Election Details

11/08/2022 2022 General Election

We did not find an absentee or provisional ballot associated with this election (may not be available after certification). Note: This website does not track the status of a traditional ballot voted at the polls. If you voted a traditional ballot at the polls, your ballot was accepted and counted.

Polling Location

Community Building 2-2

1400 W 5th Street McCook, NE 69001
Fairgrounds



Ballot Styles

12.01

Districts

Show

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Certificate of Achievement

- for those who serve or sell alcohol in Nebraska

TYLER LOOP

holds a

State Alcohol certificate

Permit # RB-0145889

Permit Expires: 12-10-2024 Amount Paid: \$

 **N E B R A S K A** 
Responsible Beverage Service Training



Executive Summary

The Yard & Loop Brewing Company Taproom is a concept that has been developed by myself, Tyler Loop, after 12 years of owning Loop Brewing Company learning the market, and listening to friends, family, employees, and customers about the needs and opportunities in McCook, NE. Loop Brewing Company has been a brewpub, also known as a restaurant and brewery, at 404 West A in McCook for 12 years with good success on the restaurant side. The brewery part has taken time to develop into something we can sell outside our doors and now we believe we are there. Earlier this year we moved our brewery operation to a larger location at 801 West C and brought in bigger and better equipment. This new location is 5,000 sq. ft. and we split it down the middle so the brewery operates in 2,500 sq. ft space the new taproom would operate in the other 2,500 sq. ft.

The official concept of The Yard & Loop Brewing Company Taproom is a place that reminds our patrons of a backyard from the floor covering, the furniture, and even the lighting. Along with the design we will have games such as cornhole toss, darts, and a golf simulator that can be used by scheduling tee times. We will not be serving food but will allow the customers to order for delivery from Loop Brewing Company's menu at the restaurant on 404 West A. We will also feature a self-pouring tap system purchased from PourMyBeer that will include 16 taps but not just pouring Loop's beers, we will also have seltzers, wine, and even liquor and cocktails on tap. Thus, the need to obtain a Class C liquor license. The use of this system will allow us to serve beer, wine, and liquor safely and responsibly while only needing one employee on site and any given time.

We believe that the rising costs of having employees and the difficulty finding employees has created a need for more automation and with the PourMyBeer system, we will save money on staff but also save on the time it takes to recruit and train new employees. Along with that, it reduces waste, is more efficient, and will increase usable space as a bar will not be needed. More can be learned about how the system works at pourmybeer.com



Marketing Plan

Self-pouring systems like this are new, and interesting, and they turn heads. In a bar and restaurant market where new places come and go and margins are tight, the need to stand out is imperative. Self-Pour is a great way to do exactly that, especially if marketed well.

The first plan of marketing would be about education which would be done through all the major social media networks via videos & pictures but also through one-on-one interaction. Some people will be very eager to try it while some will be a little scared as it is new and different, it will be our job to make sure the ones that are willing to try it find how easy and fun it is with positive reinforcement and then the word of mouth the ones that were scared at first will want to try it because it the new and cool thing that everyone is doing and those people will have the "fear of missing out" mentality. Once we get everyone to try it will become less about education and more about being the place to be.

We will create a fun and unique place to be in multiple facets. The self-pour system will be a social and interactive experience with customers talking to each other about their favorite drinks, how to pour perfectly, and which ones look the coolest. A lot of this will make it on social media through the patron's accounts and be a great boost to marketing as well. The other facet will be the theme of the backyard and the games we provide which are fun games that everyone can enjoy such as cornhole toss, darts, and golf. With those, we will create leagues and contests. The last part will be the ability to host live entertainment such as musicians, comedians, and even performance plays.

Since Loop Brewing Company, the brewpub, has been in business for 12 years there is already a big following on the business's social media pages so marketing this new taproom and the fun things that go along with it will make it easier to reach and educate thousands of people right off the bat with minimal financial input.

RESTRICTED: This information not to be released to other than authorized personnel.

LIQUOR APPLICATION REPORT

POLICE DEPARTMENT REPORT

DATE REQUESTED: September 1, 2023

DUE DATE: September 12, 2023

APPLICANT: Loop Brewing Company, LLC

DBA: The Yard & Loop Brewing Company Taproom

APPLICANT'S ADDRESS:

PHONE NUMBER (HOME):

(BUSINESS):

PROPOSED LICENSE ADDRESS: 801 W C St, Ste 5B

TYPE OF LICENSE: Class "C" - License #125969

(Beer, Wine & Distilled Spirits, On and Off Sale)

TYPE OF INVESTIGATION:

- | | |
|--|--|
| <input type="checkbox"/> Purchase of Business | <input checked="" type="checkbox"/> New and Additional License |
| <input type="checkbox"/> Upgrade of Existing License | <input type="checkbox"/> Transfer of Location |
| <input type="checkbox"/> Expansion of Present Business | <input type="checkbox"/> Manager |
| <input type="checkbox"/> Renewal - Long Form | |

TYPE OF BUSINESS:

- | | |
|--|--|
| <input type="checkbox"/> Hotel/Motel | <input type="checkbox"/> Restaurant/Food Service |
| <input checked="" type="checkbox"/> Liquor/On-Off Sale | <input type="checkbox"/> Liquor/On-Sale Only |
| <input type="checkbox"/> Liquor/Off-Sale Only | <input type="checkbox"/> Entertainment/Bottle Club |
| <input type="checkbox"/> Other - Convenience Store | |

TYPE OF OWNERSHIP: Corporation Partnership Individual

Limited Liability Company (LLC)

Investigation Completed by: Kevin A. Hodgson

Date: 9-5-23

EXHIBIT #5

PAGE(S) - 4

PREMISE:

1. Type of Neighborhood: (X) Commercial; () Industrial; () Residential.

2. Condition:

a) Traffic: **Normal side street traffic**

b) Parking: **Off-street lot shared with other businesses in this location.**

3. Designation of Adjacent Street (Local, Collector, Minor or Major Arterial, Highway):

Local

4. Street Width and Profile: **40' / Normal curb to normal crown to normal curb**

5. Speed Limit: **25mph**

6. Average Daily Traffic Count:

According to the NDOT Traffic Count Map of 2017 for the City of McCook; West 10th St. N. of B St. ADT = 2915, West 7th N. of B St. ADT = 1085

7. Accident Report at Adjacent Intersections: **1 reported accident in the last 6 months**

8. Analysis of Traffic Effects:

The area already has a several other businesses. There should be no adverse traffic effects.

9. Ready for Operation: () Yes (X) No

If no, estimated date: **November 2023**

10. Type of Food Service: **No Food Service** () Microwave () Grill () Kitchen

11. Number of Employees: Full Time: **1** Part Time: **1**

12. Does premise comply with legal distance from churches, schools, etc.?

(X) Yes () No

If No, specify:

13. The Business has been inspected within the last three (3) months by the City's Building Inspector. () Yes () No (If yes, attach report)

Per applicant the business was inspected but more than three months ago

14. The Business has been inspected within the last three (3) months by the City's Fire Department. () Yes () No (If yes, attach report)

Per applicant the business was inspected but more than three months ago

- 15. Estimated Seating Capacity: **100**
- 16. Estimated Number of Customers per Day: **30 / day**
- 17. Hours of Operation: **Wednesday – Saturday 6pm to 12 am**

MISCELLANEOUS:

- 25. Number of Licenses and Types within competitive distance: **Casey's, Class D; Outlaws 1882 Saloon, Class IB**
- 26. Is another person responsible for Daily Operation? () Yes () No
If yes, who? **To Be Determined**
(complete investigation of manager form)

PERSONAL HISTORY:

- 27. Applicant's name: **Tyler Loop**
- 28. Date of Birth:
- 29. Sex: **Male**
- 30. Home address: **2005 West J St. McCook, NE**
- 31. Citizen of the United States? (**X**) Yes () No
If Naturalized, Certificate Number:
Place:
- 32. Proper Residence has been Established? (**X**) Yes () No
If no, explain:
- 33. Criminal History – Has applicant been arrested and/or pled guilty to any
() misdemeanor? () felony? (If felony, attach detailed description.)
MIP in 2002; convicted and paid fine
- 34. Has applicant been cited for and/or been found in violation of the Liquor Laws of the State of Nebraska or other State in which previously licensed?
() Yes (**X**) No (If yes, attach detailed description)

35. Has applicant had a beneficial interest in another liquor license? (**X**) Yes () No

If yes, Name, City, Address, Type of License:

Loop Brewing Co. McCook, NE Type I, Coppermill Steakhouse Kearney, NE Type C, Lakeshore Marina Johnson Lake, NE Type C

36. Records Check Made (civil history): () Yes (**X**) No (Attach Records)

37. Investigation made of character/reputation of applicant, report details of investigation: **No**

38. Number of Hours that will be spent by applicant at license premises each week?

20hrs / week

39. Number of hours that will be spent by applicant working in occupation other than licensed premises each week?

30hrs / week

41. Applicant will oversee in person the management of licensed premises? (**X**) Yes () No

42. Another person will be responsible for the management of the licensed premises?

() Yes () No (If yes, attach investigative report for manager) **TBD**

PERSONAL HISTORY – MANAGER: TO BE DETERMINED

RECOMMENDATION OF THE NEBRASKA LIQUOR CONTROL COMMISSION

KF

Date Mailed from Commission Office: 8-31-2023

I, _____ Clerk of _____
(City, Village or County)

Nebraska, hereby report to the Nebraska Liquor Control Commission in accordance with Revised Statutes of Nebraska, Chapter 53, Sec. 134 (7) the recommendation of said city, village or county, as the case may be relative to the application for a license under the provisions of the Nebraska Liquor Control Act as applied for by:

LOOP BREWING COMPANY, LLC dba THE YARD & LOOP BREWING CO TAP
801 W C ST, MCCOOK / RED WILLOW County, 69001

Application for Class C 125969
45 days - 10-16-23

1. Notice of local hearing was published in a legal newspaper in or of general circulation in city, village or county, one time not less than 7 nor more than 14 days before time of hearing.

Check one Yes No

The Statutes require that such hearing shall be held not more than 45 days after the date of receipt of this notice from the Commission.

2. Local hearing was held not more that 45 days after receipt of notice from the Nebraska Liquor Control Commission.

Check one Yes No

3. Date of hearing of Governing Body: _____

4. Type or write the Motion as voted upon by the Governing Body. If additional Motions are made by the Governing Body, then use an additional page and follow same format.

5. Motion was made by: _____ Seconded by: _____

6. Roll Call Vote: _____

7. Check one: The motion passed: _____ The motion failed: _____

8. If the motion is for recommendation of denial of the applicant, then list the reasons of the governing body upon which the motion was made.

(Attached additional page if necessary)

Clerk's name **DATE** _____

EXHIBIT #6

PAGE(S) - 1

**CITY MANAGER'S REPORT
OCTOBER 2, 2023, CITY COUNCIL MEETING**

ITEM # 3.A.

RECOMMENDATION:

Approve the proclamation designating October 8 through October 14 as "Fire Prevention Week" and authorize the mayor to sign.

BACKGROUND:

Fire Prevention Week was established to commemorate the Great Chicago Fire, the tragic 1871 conflagration that killed more than 250 people, left 100,000 homeless, destroyed more than 17,400 structures and burned more than 2,000 acres. The fire began on October 8, but continued into and did most of its damage on October 9, 1871.

While the Great Chicago Fire was the best-known blaze to erupt during this fiery two-day stretch, it wasn't the biggest. That distinction goes to the Peshtigo Fire, the most devastating forest fire in American history. The fire, which also occurred on October 9th, 1871, roared through Northeast Wisconsin, burning down 16 towns, killing 1,152 people, and scorching 1.2 million acres before it was done.

In 1920, President Woodrow Wilson issued the first National Fire Prevention Day proclamation, and since 1922, National Fire Prevention Week has been observed on the Sunday-through-Saturday period in which October 9th falls. In addition, the President of the United States has signed a proclamation pronouncing a national observance during that week every year since 1925.

The theme this year for Fire Prevention Week is "Cooking safety starts with YOU. Pay attention to fire prevention." "When Fire Strikes: Get Out! Stay Out!" According to the NFPA news release, cooking is the leading cause of home fires and home fire injuries in the United States.

This Fire Prevention Week, the McCook City and Volunteer Fire Department will be concentrating our efforts on making sure that students and residents of McCook understand that they need working smoke alarms on every level of their home, and they should plan ahead of time how they will get out if fire strikes, and practice that plan regularly. Having early warning of fire and following a well-practiced escape plan to get out quickly – and

**CITY MANAGER'S REPORT
OCTOBER 2, 2023, CITY COUNCIL MEETING**

stay out – can make the difference between surviving a fire and dying in one.

The members of the McCook City and Volunteer Fire Department will be visiting the preschools and grade schools to spread the word about the importance of fire safety.

**FISCAL
IMPACT:** None

RECOMMENDATION:

Approve the proclamation designating October 8 through October 14 as “Fire Prevention Week” and authorize the mayor to sign.

PAGE 2

APPROVALS:



Marc A. Harpham, Fire Chief

20 SEPT 2023
Date



Nate Schneider, City Manager

Sept. 26, 2023
Date

*Office of the Mayor
McCook, Nebraska
Proclamation*

"FIRE PREVENTION WEEK"

WHEREAS, the City of McCook, Nebraska is committed to ensuring the safety and security of all those living in and visiting McCook; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed caused 2,800 civilian deaths in the United States in 2021, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 338,000 home fires; and

WHEREAS, cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020; and

WHEREAS, two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

WHEREAS, more than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

WHEREAS, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

WHEREAS, McCook's residents should turn pot handles toward the back of the stove; always keep a lid nearby when cooking; keep a three-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires almost in half; and

WHEREAS, McCook's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, McCook's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and
WHEREAS, the 2023 Fire Prevention Week™ theme, "Cooking safety starts with YOU. Pay attention to fire prevention™," effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

THEREFORE, I Linda Taylor mayor of the City of McCook do hereby proclaim October 8 through 14, 2023, as Fire Prevention Week throughout this community, and I urge all the people of McCook to check their kitchens for fire hazards and use safe cooking practices during Fire Prevention Week 2023, and to support the many public safety activities and efforts of McCook's fire and emergency services.

Dated this 2nd rd day of October, 2023.

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

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 3.B.

Approve the proclamation designating the week of October 5 - 8, 2023 as "Support Citizens with Intellectual Disabilities Week" in the City of McCook and authorize the Mayor to sign.

BACKGROUND:

This proclamation is being presented at the request of Stephen Lowery, Intellectual Disabilities Foundation Director, Nebraska State Knights of Columbus. Please see his attached email for addition background information.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 25, 2023



Tera Koetter, Assistant City Manager

September 25, 2023



Nathan A. Schneider, City Manager

September 25, 2023



Linda Taylor <ltaylor@cityofmccook.com>

Proclamation Request

1 message

Stephen Lowery <sglowery82@gmail.com>
To: "ltaylor@cityofmccook.com" <ltaylor@cityofmccook.com>

Mon, Aug 28, 2023 at 10:01 PM

Dear Mayor Taylor,

I am writing to you on behalf of the Knights of Columbus and, specifically, those of the City of McCook to request a proclamation in honor of our upcoming Campaign for People with Intellectual Disabilities which is being held October 5-8, 2023. Annually, we hold this drive to help raise funds through Tootsie Roll distribution or other fundraisers that are distributed to non-profit organizations across Nebraska, including the Southwest Area Training Services and Southwest Area Family Advocates in the McCook area, that serve our citizens who have Intellectual Disabilities. We hope that you will consider issuing a proclamation declaring the week of October 5-8, 2023 as Support Citizens with Intellectual Disabilities week in McCook to help us support more of our citizens with our campaign this year.

If you are willing to issue the proclamation, I have attached a copy of language we have used in the past for a proclamation from other cities as well as from the State of Nebraska and Governor's office. Please feel free to adjust the language as you see fit.

If you have any questions or concerns, please do not hesitate to contact me.

Thank you for your consideration,

Stephen Lowery
Intellectual Disabilities Foundation Director
Nebraska State Knights of Columbus
402-540-1670

McCook Proclamation Language.docx
13K

Office of the Mayor
McCook, Nebraska

Proclamation

"SUPPORT CITIZENS WITH INTELLECTUAL DISABILITIES WEEK"

- WHEREAS, Intellectual disabilities affect one out of every ten families in America and over 50,000 Nebraskans; and
- WHEREAS, Quality of life is important to all citizens of our city, including children and adults with intellectual disabilities; and
- WHEREAS, The Knights of Columbus is a charitable and fraternal organization that promotes the dignity and welfare of citizens with intellectual disabilities.

NOW, THEREFORE, I, Linda Taylor, Mayor of the City of McCook, Nebraska, do hereby proclaim the week of October 5 - 8, 2023 as

SUPPORT CITIZENS WITH INTELLECTUAL DISABILITIES WEEK

In McCook, Nebraska, and I do hereby urge all citizens to take due notice of the observance.

Dated this 2nd day of October, 2023.

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

Linda Taylor, Mayor

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.A.

Approve the minutes of the September 19, 2023 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 25, 2023

McCook City Council
September 18, 2023
5:30 P.M. Central

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

Present: Mayor Taylor, Councilmembers Calvin, Weedon, Muehlenkamp.

Absent: Councilmember Rambali.

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

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Library Director Crocker, Utilities Director Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on September 14, 2023, 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 Taylor announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Jeff Donelan of the McCook Evangelical Free Church provided the invocation. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

1. Announcements & Recognitions.

There were no announcements or recognitions.

2. Public Hearings.

2.A. Public Hearing - Regarding a Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Elevate Wellness Redevelopment Project.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment regarding a Redevelopment Plan Amendment for the City of McCook, Nebraska, including

the Elevate Wellness Redevelopment Project, with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the September 18, 2023 City Council meeting (1 page), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - listing of Public Entities who received Notice of Public Hearing (1 page); Exhibit #4 - copies of letter to Public Entities receiving Notice of Public Hearing (5 pages); Exhibit #5 - Amendment to the Redevelopment Plan of the City of McCook, Nebraska, for the Elevate Wellness Redevelopment Project (12 pages); Exhibit #6 - City Manager's Report prepared for the September 11, 2023 Planning Commission meeting (2 pages); Exhibit #7 - Planning Commission Resolution No. PC 2023-06 recommending approval of the Redevelopment Plan Amendment for the Elevate Wellness Redevelopment Project (2 pages); and Exhibit #8 - minutes of the September 11, 2023 Planning Commission meeting (3 pages).

City Attorney Mustion accepted Exhibits #1 - #8, took comments from city staff before opening to the public for comment.

City Manager Schneider reviewed the information contained in Exhibit #1 and the proposed Amendment to the Redevelopment Plan for the Elevate Wellness Redevelopment Project.

Emily Young, applicant, was present to address questions from the Council. With the addition of five staff members, they have outgrown their current location and have no room to expand. A portion of the new building will be utilized for their business. They also plan to lease additional space to third-party health and wellness providers that will allow physical therapy services to be brought to Southwest Nebraska that are not currently available outside of a one to two hour drive.

With no one else present to comment, motion to adjourn the public hearing and to convene as the McCook Community Development Agency for consideration of CDA Agenda at 5:39 P.M. This motion, made by Weedon and seconded by Taylor, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.B. Meeting of the Community Development Agency.

2.B.1 Call to Order and Roll Call.

2.B.2 Open Meetings Act Announcement.

A meeting of the Mayor and City Council of the City of McCook, Nebraska, acting as the governing body of the Community Development Agency of the City of McCook, Nebraska was convened in open and public session at 5:39 o'clock P.M. on September 18, 2023, at the McCook Municipal Center in McCook, Nebraska. Agency Members present were: Taylor, Calvin, Weedon, Muehlenkamp. Absent: Rambali. Notice of the meeting was given in advance thereof by publication, one of the City's designated methods for giving notice, a copy of the proof of publication

being attached to these minutes. Advanced notice of the meeting was given to each member of the Agency and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and all members of the Council. Mayor Taylor presided and City Clerk Doak recorded the proceedings. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

2.B.3. Adopt Resolution No. CDA 2023-07 recommending approval of a Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Elevate Wellness Redevelopment Plan.

Motion to adopt Resolution No. CDA 2023-07 recommending approval of a Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Elevate Wellness Redevelopment Plan. This motion, made by Calvin and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.B.4. Recess as a Community Development Agency.

Motion to recess as the McCook Community Development Agency and reconvene as the McCook City Council. This motion, made by Calvin and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.C. Adopt Resolution No. 2023-16 approving a Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Elevate Wellness Redevelopment Project.

Motion to adopt Resolution No. 2023-16 approving a Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Elevate Wellness Redevelopment Project. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.C.1. Recess as a City Council.

Motion to recess as the McCook City Council and reconvene as the McCook Community Development Agency. This motion, made by Muehlenkamp and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.D. Adopt Resolution No. CDA 2023-08 authorizing and approving a Redevelopment Agreement including the use of Tax Increment Financing for the Elevate Wellness Redevelopment Project.

Motion to adopt Resolution No. CDA 2023-08 authorizing and approving a Redevelopment Agreement including the use of Tax Increment Financing for the Elevate Wellness Redevelopment Project. This motion, made by Weedon and seconded by Calvin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.D.1. Adjourn the McCook Community Development Agency.

Motion to adjourn the meeting of the McCook Community Development Agency at 5:41 P.M. and to reconvene as the McCook City Council. This motion, made by Weedon and seconded by Taylor, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.E. Approve Resolution No. 2023-17 approving the Redevelopment Agreement between the City of McCook/CDA and Elevate Wellness.

Motion to approve Resolution No. 2023-17 approving the Redevelopment Agreement between the City of McCook/CDA and Elevate Wellness. This motion, made by Muehlenkamp and seconded by Weedon, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.F. Public Hearing - consider the 2024 McCook Plan of Street Improvements.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the 2024 McCook Plan of Street Improvements with the City Attorney to act as hearing officer. This motion, made by Weedon and seconded by Calvin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated September 18, 2023 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - proposed Resolution No. 2023-18 (1 page); Exhibit #4 - One Year Street Plan (1 page); Exhibit #5 - Long Range Street Plan (1 page); Exhibit #6 - Map of 2024 - Plan of Street Improvements (1 page); Exhibit #7 - 2024 One & Six Year Plan Budget (1 page); and Exhibit #8 - Projects Completed or Contracted in the Last Fiscal Year (1 page).

City Attorney Mustion accepted Exhibits #1 - #8, took comment from city staff before opening to the public for comment.

Greg Wolford and Kyle Potthoff discussed the progress of the current street plan. They also discussed what will be coming up in the next couple of years.

Jay Hancock, Marc Wilcox, and Mike Daffer spoke on behalf of the property owners in the West 14th and “Q” Streets area regarding the proposed drainage and paving district in that area to address drainage issues. They asked the Council to provide some assistance to the project and asked that the city evaluate a larger area to see if there is runoff water coming from further west and south of the proposed boundaries.

2.F.1. Adjourn the Public Hearing.

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

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weed in: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.G. Adopt Resolution No. 2023-18 approving the 2024 McCook Plan of Street Improvements.

Motion to adopt Resolution No. 2023-18 approving the 2024 McCook Plan of Street Improvements. This motion, made by Calvin and seconded by Weed in, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weed in: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

3. Consent Agenda.

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

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weed in: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

3.A. Approve the minutes of the September 5, 2023 Budget Hearing, the September 5, 2023 regular City Council meeting, and the September 12, 2023 special City Council meeting.

3.B. Approve Resolution 2023-15 authorizing the Mayor to sign the 2023 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.

3.C. Accept the minutes of the September 11, 2023 Planning Commission meeting.

3.D. 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 7, 2023 from 8:00 A.M. to 12:00 A.M.

- 3.E. 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 November 10, 2023 from 1:00 P.M. to 9:00 P.M.
- 3.F. Receive and file the claims for the month of August 2023, published September 19, 2023.
- 3.G. Receive and file the Financial Report for the period ending August 31, 2023.
- 3.H. Approve a Memorandum of Understanding, temporarily modifying the Firefighters and Lieutenants Collective Bargaining Agreements between the City of McCook and the McCook professional Firefighters Association, Local 2100 for the period of October 1, 2020 to September 30, 2025, authorizing a maximum cost of living increase of 4.5% for Fiscal Year 2023-2024, and authorize the Mayor to sign said agreement.

4. Regular Agenda.

- 4.A. Ordinance No. 2023-3070 providing for the adoption of the budget for FY 2023/2024.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3070 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. 2023-3070 has been read by title and I move to approve upon its third and final reading. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA

YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that Ordinance No. 2023-3070 is declared lawfully passed and adopted upon publication as required by law.

- 4.B. Ordinance No. 2023-3071 providing for the adoption of the FY 2023/2024 Fiscal Year Employee Classification Pay Plan.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3071 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2023/2024 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. 2023-3071 has been read by title and I move to approve upon its third and final reading. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that Ordinance No. 2023-3071 is declared lawfully passed and adopted upon publication as required by law.

4.C. Ordinance No. 2023-3072 providing for the amendment of Appendix F, Solid Waste Collection Fees of the City of McCook Code of Ordinances.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3072 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2022-3048 AND ANY AND ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ordinance No. 2023-3072 has been read by title and I move to approve upon its third and final reading. This motion, made by Muehlenkamp and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that Ordinance No. 2023-3072 is declared lawfully passed and adopted upon publication as required by law.

4.D. Council Comments.

Police Chief Smith thanked the Mayor, Council, and city staff for all of their support they have given him the past three years as he moves on to a new life journey.

4.E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to real estate purchase for Sports Complex.

Motion to go into executive session for the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex at 6:15 P.M. This motion, made by Calvin and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA
YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex. The Council will reconvene in public

session following this closed session.

Included in the closed session were City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, Public Works Director Potthoff, and City Clerk Doak.

Motion to come out of executive session at 7:03 P.M. This motion, made by Calvin and seconded by Weedin, passed.

Rambali: ABSENT, Taylor: 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 Taylor declared the meeting adjourned at 7:04 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.B.

Adopt Resolution No. 2023-20 setting the property tax request for FY 2023/2024.

BACKGROUND:

This is the final step of the budget process as required by Nebraska Revised Statute 77-1601.02 which provides that the property tax request for the prior year shall be the property tax request for the current year unless the Council passes by majority vote a resolution or ordinance setting the tax request at a different amount after a special hearing has been held. Our hearing was held at the same time as the budget hearing on September 5, 2023. The Red Willow County Joint Public Hearing was on September 19, 2023.

Our levy amount for the General Fund will remain \$.340814. The current city valuation will generate \$1,897,419.33 tax revenue for the coming fiscal year. The City's maximum levy is \$.45.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 25, 2023



Tera Koetter, Assistant City Manager

September 25, 2023



Nathan A. Schneider, City Manager

September 25, 2023

RESOLUTION NO. 2023-20

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of McCook passes by majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of McCook, resolves that:

1. The 2023-2024 property tax request be set at \$1,897,419.33 for the General Fund.
2. The total assessed value of property differs from last year's total assessed value by 12.72 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.302347 per \$100 of assessed value.
4. The City of McCook proposes to adopt a property tax request that will cause its tax rate to be 0.340814 per \$100 of assess value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of McCook will increase last year's budget by 94.15 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2023.

PASSED AND APPROVED THIS 3rd day of October, 2022.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.C.

Ratify the approval of the applications for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for a wedding reception to be held at the McCook Municipal Auditorium 302 West 5th Street, on October 14, 2023 from 12:00 P.M. to 12:00 A.M.; and for a reception/grand opening to be held at the Art Bank Building, 108 West "C" Street, on October 14, 2023 from 12:00 P.M. to 12:00 A.M.

BACKGROUND:

Ambriz Ventures will be catering these events. 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.

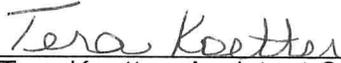
**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 25, 2023



Tera Koetter, Assistant City Manager

September 25, 2023



Nathan A. Schneider, City Manager

September 25, 2023

**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

Ambriz Ventures, LLC

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

312 Norris Ave., McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

CK #124450

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

10-14-2023

Event Start Time(s):

12:00 pm

Event End Time(s):

12:00 am

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: McCook City Auditorium

Event Street Address/City: 302 W. 5th St., McCook, NE 69001

Indoor area to be licensed in length & width: 50 x 150

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

Type of Event: Wedding Reception Estimate # of attendees: 250

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: Andrew Ambriz Event Contact Phone Number: 402-922-0774

Event Contact Email: andrew@sehnerts.com

*Signature Authorized Representative: Andrew Ambriz Printed Name Andrew Ambriz

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

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

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

Local Governing Body completes below:

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

Rea Ann Dosh, City Clerk

Local Governing Body Authorized Signature

9/22/23

Date

**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

Ambriz Ventures, LLC

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

312 Norris Ave., McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

CK #124450

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

10-14-2023

Event Start Time(s):

12:00pm

Event End Time(s):

12:00am

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Art Bank Building

Event Street Address/City: 108 West D St.

Indoor area to be licensed in length & width: 95 x 60

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

Type of Event: Reception/Grand Opening Estimate # of attendees: 100

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: Andrew Ambriz Event Contact Phone Number: 402-922-0774

Event Contact Email: andrew@sehnerts.com

*Signature Authorized Representative: Andrew Ambriz Printed Name Andrew Ambriz

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

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

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

Local Governing Body completes below:

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

Lea Ann Dool, City Clerk

Local Governing Body Authorized Signature

9/22/23

Date

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.D.

RECOMMENDATION:

Ratify the Mayor's appointments to the:

- Airport Advisory Commission - reappoint David Pfeffer, Trevor Taylor, and Griff Malleck - terms expire November 2026;
 - City/County Airport Zoning Board - reappoint Steve Keene, Aaron Peterson, and Bruce McDowell - terms expire September 2026.
-

BACKGROUND:

The appointees have been contacted and are willing to serve on these boards. The County will be contacted for their updated appointments to the City/County Airport Zoning Board.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 25, 2023

AIRPORT ADVISORY COMMISSION

DAVID PFEFFER
902 Airport Road - PO Box 274
Appointed April 2016 (Replaced Doug Vap)
Reappointed - October 2023
Term Expires - November 2026
d.pfeffer7829@gmail.com

345-5547 (H)
340-7829 (C)

TREVOR TAYLOR
904 W. 4th Street
Appointed - August 2013 (Replaced Ken Allen)
Reappointed - October 2023
Term Expires - November 2026
tmtaylor98@gmail.com

340-0131 (C)

GRIFF MALLECK
Red Willow Aviation
PO Box 444
Reappointed - October 2023
Term Expires - November 2026
gmalleck@mccooknet.com

345-3635 (O)
345-3207 (H)
345-3689 (F)
340-1294 (C)

DICK TRAIL*
201 West "M" Street
Appointed - September 2013 (Replaced Wally Hampton)
Reappointed - January 2023
Term Expires - November 2025
dickt@swnebr.net

345-5181 (H)
340-7689 (C)

CLEO SPENCER
Red Willow Aviation (FBO)
PO Box 444
McCook, NE 69001
Appointed - July 2022 (Replaced Jeff Williams)
Reappointed - January 2023
Term Expires - November 2025

(208)293-7848(C)

DOUG SKILES
PO Box 36
Appointed - November 2005
Reappointed - February 2022
Term Expires - November 2024
dskiles@slbwcpa.com

345-5100 (O)
345-2342 (H)
345-2943 (F)

MIKE KUGLER
#13 Sandpiper
Reappointed - February 2022
Term Expires - November 2024
mkugler@kuglercompany.com

345-2280 (O)
345-7006 (H)
345-7756 (F)

*Denotes Chairperson
3 yr. terms

CITY/COUNTY AIRPORT ZONING BOARD

STEVE KEENE 111 West "G" Street Appointed by City - November 2009 Reappointed - October 2023 Term Expires - September 2026	308-227-1604
MIKE KUGLER #13 Sandpiper Rural Route 3 Appointed by County - August 2002 Term Expires - August 2022	278-2436 (O) 345-7006 (H)
AARON PETERSON 1106 Norris Avenue (Replaced Richard Stull) Appointed by City - June 2020 Reappointed - October 2023 Term Expires - September 2026	345-2370 (O)
BRUCE MCDOWELL 904 West 3 rd Street Appointed by City - November 2009 Reappointed - October 2023 Term Expires - September 2026	345-5439 (H) 303-883-0587 (C)
RON FRIEHE Rural Route 4 Appointed by County - August 4 1998 Term Expires - August 2022	345-2821 (H)
NATE SCHNEIDER City Manager	345-2022

*Denotes Chairperson

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.E.

RECOMMENDATION:

Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic cable and installing three ground level vaults.

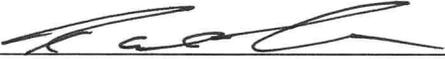
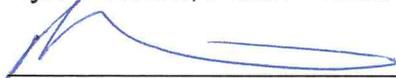
BACKGROUND:

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City utility right-of-way to install underground fiber optic cable, duct and three ground level vaults.

The construction will originate 164 feet East of the intersection of West 5th Street and West M Street. The cable and duct will continue East on the South side of West M Street to the end point 226 feet West of the intersection of West 1st Street and West M Street. A total of three ground level vaults will be installed with this project.

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

APPROVALS:

 _____ Pat Fawver Utilities Dir.	October 2, 2023
 _____ Kyle Potthoff, Public Works Dir.	October 2, 2023
 _____ Nate Schneider, City Manager	October 2, 2023



P.O. BOX 1069 • 506 WEST C • McCook, NE 69001-1069 • PHONE (308) 346-2022 • FAX (308) 346-1461

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 9-25-2023
ADDRESS: 1009 West B St. McCook PHONE: 402-278-2325
FAX: 308-364-9060 START DATE: October 2023 FINISH DATE: October 2023

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
Gas Line
Telephone Line
(Underground Aerial)
<u>Fiber</u>
Tree Trimming/Removal
Grading
Other
Electric Line
(Underground Aerial)

Location: Beginning 164 feet (East West North South) of Intersection West 5th & West M St.
~~_____~~ and ending (East West North South) 226 feet of Intersection
West 1st & West M St.

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 _____



164

2 x 1.25" duct
417'

2 x 1.25" duct
384'

2 x 1.25"
duct
390'

New vault
Will come off
power pole
with Fiber
to New vault
will go back to
west to Ext. vault

New vault
Will come off
power pole with
Fiber to New vault

New vault
will come off
power pole with
Fiber to new vault

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING**

ITEM: 4.F.

Adopt Resolution No. 2023-19 establishing criteria for approval or denial of a Special Designated Liquor License and designating the City Clerk to determine approval or denial of the application for Special Designated Liquor License.

BACKGROUND:

The Nebraska Liquor Control Commission (NLCC) requires that Special Designated Liquor License (SDL) applications be submitted ten working days prior to the event. There are circumstances when this time frame does not allow for an application to be considered at a regular scheduled council meeting, which creates a need for a special council meeting to be held. Section 53-124.11 of the Nebraska Liquor Control Act, allows for the local governing body to establish criteria for approving or denying a SDL and to designate an agent to determine whether a SDL is to be approved or denied. Such agent shall follow criteria established by the local governing body in making the determination. The determination of the agent shall be considered the determination of the local governing body unless otherwise provided by the local governing body.

In order to avoid holding special council meetings and to expedite the process of approving SDL applications, staff reviewed state statute and resolutions from South Sioux City, Columbus, Kimball, Gothenburg, St. Paul, and David City to prepare the attached resolution to present to the Council for consideration.

The proposed resolution appoints the City Clerk, or approved designee, as the Agent for the City. Applicants who have not previously applied for a SDL through the City of McCook or applications that involve unusual or special circumstances; i.e. an outdoor beer garden, outdoor special events where music will be present, or a new/unfamiliar location will be referred to the City Council for approval or denial. The ten working days NLCC requirement is addressed, adding two working days for the City and its criteria is established to be applied when reviewing applications.

Copies of state statutes regarding SDL's, the NLCC 10-Day calendar, and a listing of the current City of McCook liquor license holders, are attached for reference.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

September 26, 2023



Tera Koetter, Assistant City Manager

September 26, 2023



Nathan A. Schneider, City Manager

September 26, 2023

RESOLUTION NO. 2023-19

RESOLUTION ESTABLISHING CRITERIA FOR APPROVAL OR DENIAL OF A SPECIAL DESIGNATED LIQUOR LICENSE AND DESIGNATING THE CITY CLERK TO DETERMINE APPROVAL OR DENIAL OF THE APPLICATION FOR SPECIAL DESIGNATED LIQUOR LICENSE.

WHEREAS, pursuant to Nebraska Rev. Statute Section 53-124.11, all applications for special designated licenses for the sale or consumption of alcoholic liquor must have approval or denial of the local governing body or its designated agent; and,

WHEREAS, said application must be to the Nebraska Liquor Control Commission at least ten working days prior to the event for their consideration; and,

WHEREAS, there are circumstances when this time frame does not allow for an application to be considered at a regular scheduled meeting of the City Council; and,

WHEREAS, in order to avoid holding special council meetings and to expedite the process of the local governing body to determine when an application for a special designated liquor license is to be approved or denied and establishing guidelines to be followed by such agent; and,

WHEREAS, criteria should be established for approval or denial of a special designated license.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of McCook, Nebraska, that the City Clerk, or approved designee, is hereby designated as the "Agent" of the City of McCook to determine when an application for a special designated liquor license is to be approved or denied.

The City Council hereby designates its Agent to review special designated license application requests. Applications that are:

1. From an applicant for a special designated license who has not previously applied for a special designated liquor license within the City of McCook; or
2. The Agent determines that unusual or special circumstances are involved with the application. Examples, an outdoor beer garden, outdoor special events where music will be present, or a new/unfamiliar location;

shall be referred to the City Council for approval or denial.

BE IT FURTHER RESOLVED that the following criteria will be applied in reviewing applications for special designated licenses for the sale or consumption of alcoholic liquor:

1. Applications shall be submitted two (2) City of McCook working days prior to the due date listed in the Nebraska Liquor Control Commission's SDL 10-Day Calendar for

the current year. Special circumstances maybe considered for applications not meeting the City of McCook's two (2) business days requirement.

2. That a favorable police report has been issued relating to the type and level of security to be provided to insure that the liquor laws will be complied with.
3. In all cases, the nature of the business, location, and character of the person or persons applying for a license are material factors to be considered in determining whether or not a license shall be approved.
4. That the granting of such a license will not create traffic congestion or hazards, and will not violate any of the provisions of the Municipal Code relating to noise control.
5. No license shall be approved unless the applicant shall file with the City a Certificate by an insurance company authorized to do business in the State of Nebraska certifying that the applicant has in full force and effect a policy or policies of insurance providing for liability, including liquor Liability and property insurance coverage in the sum of \$1,000,000.00. Such Certificate shall clearly set forth the name of the insurance carrier, the policy number, a description of the coverages, the limits of liability and period of coverage.
6. That the application complies with the requirements of the Nebraska Rev. Statute Section 53-134 and with the City of McCook Municipal Code.

PASSED AND APPROVED this 2nd day of October, 2023.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

53-124.11. Special designated license; issuance; procedure; fee.

(1) The commission may issue a special designated license for sale or consumption of alcoholic liquor at a designated location to a retail licensee, a craft brewery licensee, a microdistillery licensee, a farm winery licensee, the holder of a manufacturer's license issued pursuant to subsection (2) of section 53-123.01, 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, under conditions specified in this section. The applicant shall demonstrate meeting the requirements of this subsection.

(2)(a) No retail licensee, craft brewery licensee, microdistillery licensee, farm winery licensee, holder of a manufacturer's license issued pursuant to subsection (2) of section 53-123.01, organization, or corporation enumerated in subsection (1) of this section may be issued a special designated license under this section for more than six calendar days in any one calendar year, except that a nonprofit corporation, the purpose of which is fraternal, charitable, or public service and which has been exempted from the payment of federal income taxes, may be issued a special designated license for up to twelve calendar days in any one calendar year. Only one special designated license shall be required for any application for two or more consecutive days.

(b) 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, may apply for special designated licenses for the same location in a single application. The application shall include all dates and times for which a special designated license is being requested at such location.

(c) This subsection shall not apply to any holder of a catering license.

(3) Except for any special designated license issued to a holder of a catering license or to an organization or corporation as provided in subdivision (2)(b) of this section, there shall be a fee of forty dollars for each day identified in the special designated license. For a special designated license issued to an organization or corporation as provided in subdivision (2)(b) of this section, there shall be a fee of forty dollars for the initial special designated license and ten dollars for each additional day beyond the first at the same location in such application. Such fee

regulations of the commission so designated by the commission and stated upon the issued special designated license, except that the commission may not designate exemption of sections 53-180 to 53-180.07. The decision of the commission shall be final. If the applicant does not qualify for a special designated license, the application shall be denied by the commission.

(6) A special designated license issued by the commission shall be mailed or delivered electronically to the city, village, or county clerk who shall deliver such license to the licensee upon receipt of any fee or tax imposed by such city, village, or county.

Source: Laws 1983, LB 213, § 9; Laws 1988, LB 490, § 5; Laws 1991, LB 344, § 27; Laws 1994, LB 1292, § 4; Laws 1996, LB 750, § 7; Laws 2000, LB 973, § 4; Laws 2006, LB 562, § 4; Laws 2007, LB549, § 8; Laws 2010, LB861, § 58; Laws 2016, LB1105, § 17; Laws 2019, LB56, § 1; Laws 2022, LB1236, § 3; Laws 2023, LB376, § 11.

Effective Date: April 22, 2023

53-124.12. Annual catering license; issuance; procedure; fee; occupation tax.

(1) The holder of a license to sell alcoholic liquor at retail issued under subsection (6) of section 53-124, a craft brewery license, a microdistillery license, a farm winery license, or a manufacturer's license issued under subsection (2) of section 53-123.01 may obtain an annual catering license as prescribed in this section. The catering license shall be issued for the same period and may be renewed in the same manner as the retail license, craft brewery license, microdistillery license, farm winery license, or manufacturer's license.

(2) Any person desiring to obtain a catering license shall file with the commission:

(a) An application upon such forms as the commission prescribes; and

(b) A license fee of one hundred dollars payable to the commission, which fee shall be returned to the applicant if the application is denied.

(3) When an application for a catering license is filed, the commission shall notify the clerk of the city or incorporated village in which such applicant is located or, if the applicant is not located within a city or incorporated village, the county clerk of the county in which such applicant is located, of the receipt of the application. The commission shall include with such notice one copy of the application by mail or electronic delivery. The local governing body and the commission shall process the application in the same manner as provided in section 53-132.

(4) The local governing body with respect to catering licensees within its liquor license jurisdiction as provided in subsection (5) of this section may cancel a catering license for cause for the remainder of the period for which such catering license is issued. Any person whose catering license is canceled may appeal to the district court of the county in which the local governing body is located.

(5) For purposes of this section, local governing body means (a) the governing body of the city or village in which the catering licensee is located or (b) if such licensee is not located within a city or village, the governing body of the county in which such licensee is located.

(6) The local governing body may impose an occupation tax on the business of a catering licensee doing business within the liquor license jurisdiction of the local governing body as provided in subsection (5) of this section. Such tax may not exceed double the license fee to be paid under this section.

§ 17; Laws 2006, LB 562, § 5; Laws 2007, LB549, § 9; Laws 2010, LB861, § 59;
Laws 2011, LB407, § 4; Laws 2016, LB1105, § 18; Laws 2022, LB1204, § 4.

53-124.13. Catering licensee; special designated license; application; procedure; proceeds; violation; penalty.

(1) The holder of a catering license may deliver, sell, or dispense alcoholic liquor, including beer, for consumption at premises designated in a special designated license issued pursuant to section 53-124.11.

(2) The holder of the catering license shall file an application seeking a special designated license for the event. The application shall be filed at least twenty-one days prior to the event for which the special designated license is requested unless the local governing body has established an expedited process for such applications, in which case the application shall be filed at least twelve days prior to the event. In addition to the information required by subsection (3) of section 53-124.11, the applicant shall inform the commission of (a) the time of the event, (b) the name of the person or organization requesting the applicant's services, (c) the opening and closing dates of the event, and (d) any other information the commission or local governing body deems necessary. A holder of a catering license shall not cater an event unless such licensee receives a special designated license for the event, except that the holder of a catering license who also holds a promotional farmers market special designated license under section 53-124.16 may cater a farmers market as prescribed in section 53-124.17.

(3) If the organization for which the holder of a catering license is catering is a nonprofit organization exempted from the payment of federal income taxes, such organization may share with such licensee a part or all of the proceeds from the sale of any alcoholic liquor sold and dispensed pursuant to this section.

(4) For purposes of this section, local governing body means the governing body of the city or village in which the event will be held or, if the event will not be held within the corporate limits of a city or village, the governing body of the county in which such event will be held.

(5) Only the holder of a special designated license or employees of such licensee may dispense alcoholic liquor at the event which is being catered. Violation of any provision of this section or section 53-124.12 or any rules or regulations adopted and promulgated pursuant to such sections occurring during an event being catered by such licensee may be cause to revoke, cancel, or suspend the class of retail license issued under section 53-124 held by such licensee.

Source: Laws 1988, LB 490, § 2; Laws 1991, LB 344, § 29; Laws 2010, LB861, § 60; Laws 2019, LB56, § 2; Laws 2021, LB274, § 16.

shall be submitted with the application for the special designated license, collected by the commission, and remitted to the State Treasurer for credit to the General Fund. The applicant shall be exempt from the provisions of the Nebraska Liquor Control Act requiring an application or renewal fee and the provisions of the act requiring the expiration of forty-five days from the time the application is received by the commission prior to the issuance of a license, if granted by the commission. The retail licensees, craft brewery licensees, microdistillery licensees, farm winery licensees, holders of manufacturer's licenses issued pursuant to subsection (2) of section 53-123.01, municipal corporations, organizations, and nonprofit corporations enumerated in subsection (1) of this section seeking a special designated license shall file an application on such forms as the commission may prescribe. Such forms shall contain, along with other information as required by the commission, (a) the name of the applicant, (b) the premises for which a special designated license is requested, identified by street and number if practicable and, if not, by some other appropriate description which definitely locates the premises, (c) the name of the owner or lessee of the premises for which the special designated license is requested, (d) sufficient evidence that the holder of the special designated license, if issued, will carry on the activities and business authorized by the license for himself, herself, or itself and not as the agent of any other person, group, organization, or corporation, for profit or not for profit, (e) a statement of the type of activity to be carried on during the time period for which a special designated license is requested, and (f) sufficient evidence that the activity will be supervised by persons or managers who are agents of and directly responsible to the holder of the special designated license.

(4) No special designated license provided for by this section shall be issued by the commission without the approval of the local governing body. The local governing body may establish criteria for approving or denying a special designated license. The local governing body may designate an agent to determine whether a special designated license is to be approved or denied. Such agent shall follow criteria established by the local governing body in making his or her determination. The determination of the agent shall be considered the determination of the local governing body unless otherwise provided by the local governing body. For purposes of this section, the local governing body shall be the city or village within which the premises for which the special designated license is requested are located or, if such premises are not within the corporate limits of a city or village, then the local governing body shall be the county within which the premises for which the special designated license is requested are located.

(5) If the applicant meets the requirements of this section, a special designated license shall be granted and issued by the commission for use by the holder of the special designated license. All statutory provisions and rules and regulations of the commission that apply to a retail licensee shall apply to the holder of a special designated license with the exception of such statutory provisions and rules and

January

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1 December 16, 2022 New Year's Day	2 December 16, 2022 New Year's	3 December 16, 2022	4 December 19, 2022	5 December 20, 2022	6 December 21, 2022	7 December 22, 2022
8 December 22, 2022	9 December 22, 2022	10 December 23, 2022	11 December 27, 2022	12 December 28, 2022	13 December 29, 2022	14 December 30, 2022
15 December 30, 2022	16 December 30, 2022 Martin Luther King	17 December 30, 2022	18 January 3, 2023	19 January 4, 2023	20 January 5, 2023	21 January 6, 2023
22 January 6, 2023	23 January 6, 2023	24 January 9, 2023	25 January 10, 2023	26 January 11, 2023	27 January 12, 2023	28 January 13, 2023
29 January 13, 2023	30 January 13, 2023	31 January 17, 2023				

2023

February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
5 January 23, 2023	6 January 23, 2023	7 January 24, 2023	1 January 18, 2023	2 January 19, 2023	3 January 20, 2023	4 January 23, 2023
12 January 30, 2023	13 January 30, 2023	14 January 31, 2023	8 January 25, 2023	9 January 26, 2023	10 January 27, 2023	11 January 30, 2023
19 February 6, 2023	20 February 6, 2023 President's Day	21 February 6, 2023	15 February 1, 2023	16 February 2, 2023	17 February 3, 2023	18 February 6, 2023
26 February 10, 2023	27 February 10, 2023	28 February 13, 2023	22 February 7, 2023	23 February 8, 2023	24 February 9, 2023	25 February 10, 2023

2023

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
5 February 17, 2023	6 February 17, 2023	7 February 21, 2023	1 February 14, 2023	2 February 15, 2023	3 February 16, 2023	4 February 17, 2023
12 February 27, 2023	13 February 27, 2023	14 February 28, 2023	8 February 22, 2023	9 February 23, 2023	10 February 24, 2023	11 February 27, 2023
19 March 6, 2023	20 March 6, 2023	21 March 7, 2023	15 March 1, 2023	16 March 2, 2023	17 March 3, 2023	18 March 6, 2023
26 March 13, 2023	27 March 13, 2023	28 March 14, 2023	22 March 8, 2023	23 March 9, 2023	24 March 10, 2023	25 March 13, 2023

2023

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
2 March 20, 2023	3 March 20, 2023	4 March 21, 2023	5 March 22, 2023	6 March 23, 2023	7 March 24, 2023	1 March 20, 2023
9 March 27, 2023	10 March 27, 2023	11 March 28, 2023	12 March 29, 2023	13 March 30, 2023	14 March 31, 2023	8 March 27, 2023
16 April 3, 2023	17 April 3, 2023	18 April 4, 2023	19 April 5, 2023	20 April 6, 2023	21 April 7, 2023	15 April 3, 2023
23 April 10, 2023	24 April 10, 2023	25 April 11, 2023	26 April 12, 2023	27 April 13, 2023	28 April 14, 2023 Arbor Day	22 April 10, 2023
30 April 14, 2023						29 April 14, 2023

2023

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 April 14, 2023	2 April 17, 2023	3 April 18, 2023	4 April 19, 2023	5 April 20, 2023	6 April 21, 2023
7 April 21, 2023	8 April 21, 2023	9 April 24, 2023	10 April 25, 2023	11 April 26, 2023	12 April 27, 2023	13 May 1, 2023
14 May 1, 2023	15 May 1, 2023	16 May 2, 2023	17 May 3, 2023	18 May 4, 2023	19 May 5, 2023	20 May 8, 2023
21 May 8, 2023	22 May 8, 2023	23 May 9, 2023	24 May 10, 2023	25 May 11, 2023	26 May 12, 2023	27 May 15, 2023
28 May 15, 2023	29 May 15, 2023 Memorial Day	30 May 15, 2023	31 May 16, 2023			

2023

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
4 May 19, 2023	5 May 19, 2023	6 May 22, 2023	7 May 23, 2023	1 May 17, 2023	2 May 18, 2023	3 May 19, 2023
11 May 26, 2023	12 May 26, 2023	13 May 30, 2023	14 May 31, 2023	8 May 24, 2023	9 May 25, 2023	10 May 26, 2023
18 June 5, 2023	19 June 5, 2023 Juneteenth	20 June 5, 2023	21 June 6, 2023	15 June 1, 2023	16 June 2, 2023	17 June 5, 2023
25 June 9, 2023	26 June 9, 2023	27 June 12, 2023	28 June 13, 2023	22 June 7, 2023	23 June 8, 2023	24 June 9, 2023

2023

July

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
2 June 16, 2023	3 June 16, 2023	4 June 20, 2023 4 TH of July	5 June 20, 2023	6 June 21, 2023	7 June 22, 2023	1 June 16, 2023
9 June 23, 2023	10 June 23, 2023	11 June 26, 2023	12 June 27, 2023	13 June 28, 2023	14 June 29, 2023	8 June 23, 2023
16 June 30, 2023	17 June 30, 2023	18 July 3, 2023	19 July 5, 2023	20 July 6, 2023	21 July 7, 2023	15 June 30, 2023
23 July 10, 2023	24 July 10, 2023	25 July 11, 2023	26 July 12, 2023	27 July 13, 2023	28 July 14, 2023	22 July 10, 2023
30 July 17, 2023	31 July 17, 2023					29 July 17, 2023

2023

August

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1 July 18, 2023	2 July 19, 2023	3 July 20, 2023	4 July 21, 2023	5 July 24, 2023
6 July 24, 2023	7 July 24, 2023	8 July 25, 2023	9 July 26, 2023	10 July 27, 2023	11 July 28, 2023	12 July 31, 2023
13 July 31, 2023	14 July 31, 2023	15 August 1, 2023	16 August 2, 2023	17 August 3, 2023	18 August 4, 2023	19 August 7, 2023
20 August 7, 2023	21 August 7, 2023	22 August 8, 2023	23 August 9, 2023	24 August 10, 2023	25 August 11, 2023	26 August 14, 2023
27 August 14, 2023	28 August 14, 2023	29 August 15, 2023	30 August 16, 2023	31 August 17, 2023		

2023

September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
3 August 21, 2023	4 August 21, 2023 Labor Day	5 August 21, 2023	6 August 22, 2023	7 August 23, 2023	8 August 24, 2023	9 August 25, 2023
10 August 25, 2023	11 August 25, 2023	12 August 28, 2023	13 August 29, 2023	14 August 30, 2023	15 August 31, 2023	16 September 1, 2023
17 September 1, 2023	18 September 1, 2023	19 September 5, 2023	20 September 6, 2023	21 September 7, 2023	22 September 8, 2023	23 September 11, 2023
24 September 11, 2023	25 September 11, 2023	26 September 12, 2023	27 September 13, 2023	28 September 14, 2023	29 September 15, 2023	30 September 18, 2023

2023

October

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1 September 18, 2023	2 September 18, 2023	3 September 19, 2023	4 September 20, 2023	5 September 21, 2023	6 September 22, 2023	7 September 25, 2023
8 September 25, 2023	9 September 25, 2023 Columbus Day	10 September 25, 2023	11 September 26, 2023	12 September 27, 2023	13 September 28, 2023	14 September 29, 2023
15 September 29, 2023	16 September 29, 2023	17 October 2, 2023	18 October 3, 2023	19 October 4, 2023	20 October 5, 2023	21 October 6, 2023
22 October 6, 2023	23 October 6, 2023	24 October 10, 2023	25 October 11, 2023	26 October 12, 2023	27 October 13, 2023	28 October 16, 2023
29 October 16, 2023	30 October 16, 2023	31 October 17, 2023				

2023

November

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
5 October 23, 2023	6 October 23, 2023	7 October 24, 2023	1 October 18, 2023	2 October 19, 2023	3 October 20, 2023	4 October 23, 2023
12 October 27, 2023	13 October 27, 2023	14 October 30, 2023	8 October 25, 2023	9 October 26, 2023	10 October 27, 2023 Veteran's Day	11 October 27, 2023
19 November 3, 2023	20 November 3, 2023	21 November 6, 2023	15 October 31, 2023	16 November 1, 2023	17 November 2, 2023	18 November 3, 2023
26 November 8, 2023	27 November 8, 2023	28 November 9, 2023	22 November 7, 2023	23 November 8, 2023 Thanksgiving	24 November 8, 2023 Thanksgiving	25 November 8, 2023
			29 November 13, 2023	30 November 14, 2023		

2023

December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
3 November 16, 2023	4 November 16, 2023	5 November 17, 2023	6 November 20, 2023	7 November 21, 2023	8 November 22, 2023	9 November 27, 2023
10 November 27, 2023	11 November 27, 2023	12 November 28, 2023	13 November 29, 2023	14 November 30, 2023	15 December 1, 2023	16 December 4, 2023
17 December 4, 2023	18 December 4, 2023	19 December 5, 2023	20 December 6, 2023	21 December 7, 2023	22 December 8, 2023	23 December 11, 2023
24 December 11, 2023 Christmas	25 December 11, 2023 Christmas	26 December 11, 2023	27 December 12, 2023	28 December 13, 2023	29 December 14, 2023	30 December 15, 2023 New Year's Eve

31
December 15, 2023
New Year's Eve

2023

CURRENT RETAIL LIQUOR LICENSES

September 25, 2023

CLASS A BEER ON SALE	GIPH Restaurants LLC - Pizza Hut of McCook
CLASS C BEER WINE DISTILLED SPIRITS ON & OFF SALE	Gary's Super Foods Citta Deli LLC McCook Lodging LLC - Holiday Inn Express Fuller's Family Restaurant Axe House
CLASS CK BEER WINE DISTILLED CATERING	Sehnert's Bakery & Bieroc Café
CLASS D BEER WINE DISTILLED SPIRITS OFF-SALE	Casey's General Store #1954 (East) Casey's General Store #2291 (West) Casey's General Store #2984 (Central) Early Morning Cackle, LLC - The Spirit Shop Early Morning Cackle, LLC - The Bottle Shop Wal-Mart Supercenter 790
CLASS DK BEER WINE DISTILLED SPIRITS OFF-SALE CATERING	JBN Inc. - High Times Liquor Mart 1 Smoker's Outlet #1
CLASS I ALCOHOL LIQUOR ON SALE	El Puerto #3 Knights of Columbus McCook Eagles Club A & N Restaurant, LLC (Coppermill) Tequilas Restaurant, LLC - Tequilas Mexican Grill Loop Brewing Company, LLC - Loop Brewing Company McCook Hotel Group LLC - Cobblestone Hotel & Suites
CLASS IB ALCOHOL LIQUOR ON SALE/BEER OFF SALE	Heritage Hills Golf Inc. Old Sarge's Inc. TJ's Family Fun Center Inc. Lyle Laverack - Outlaws 1882 Saloon
CLASS IK ALCOHOL LIQUOR ON SALE/CATERING	Taste of Texas BBQ Inc.
CLASS LK CRAFT BREWERY CATERING	Loop Brewing Co.

CITY MANAGER'S REPORT
OCTOBER 2, 2023 CITY COUNCIL MEETING

ITEM: 4.G.

RECOMMENDATION:

OFFER A CONTRACT TO BSB CONSTRUCTION, INC. WITH A BID OF \$981,927.00 AS THE LOWEST RESPONSIBLE BIDDER FOR THE SOUTH STREET WATER MAIN REPLACEMENT ON SOUTH STREET AND RAVENSWOOD ROAD FROM THE CITY SHOP TO SOUTH 9TH STREET AND AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY PAPERWORK TO AWARD THE CONTRACT.

BACKGROUND:

Bids were received and opened on September 26, 2023 in the City Council Chambers. There were five bidders who offered bids for the project. The results of the bids are detailed on the Engineer's recommendation letter provided in ATTACHMENT 1. A list of the contractors that advertisements were provided and the bid tabulation are also provided with ATTACHMENT 1.

This project is the continuation of water main replacement on South Street and Ravenswood Road and will involve horizontal directional drilling (HDD) approximately 3,200 lineal feet of 8-inch water main. Construction utilizing HDD will reduce the amount of street pavement removal and will be less disruptive to traffic and less water outages to customers will be observed. The new main will connect to an existing 12-inch main at the southeast corner of the City Maintenance shop and will continue east to a point of connection on South 9th Street.

New water main will also extend south into Barnett Park to the existing sewer lift station and also north on Karrer Street to provide a water main loop to the water main supplying Parker Hannifin Corp. The project will require a cased bore at the Highway 83 crossing.

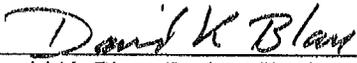
The project has a 90-day construction period, after notice to proceed. BSB provided completion dates of August 30, 2024 for substantial completion and September 30, 2024 for final completion.

FISCAL IMPACT:

Funding for this project is being provided by the Drinking Water State Revolving Fund (DWSRF) This project included three parts. The West 5th 16-inch dedicated main was completed in 2021. The current project just bid on South Street and a third project that will include the replacement or rehabilitation of the 12-inch water main on East 1st Street from South Street to 'A' Street. The South Street project will also include the installation of isolation valves south of BNSF that will be required for completion of the 12-inch water main crossing the BNSF railway on East 1st Street.

2023-2024 Annual Budget, Water Capital Replacement South Street, Water Revenues

APPROVALS:



David K. Blau, Project Engineer

Date: 9/27/2023



Pat Fawyer, Utility Director

Date: 9/27/2023



Nate Schneider, City Manager

Date: 9-27-23

ATTACHMENT 1

September 26, 2023
Kearney, Nebraska



109 East 2nd St. McCook, NE 69001-3719

Tel: 308-345-3710

Fax: 308-345-7370

www.miller-engineers.com

Mayor & City Council
City of McCook
P.O. Box 1059
McCook, NE 69001

Re: South Street Water Main Replacement
McCook, Nebraska
Project No. 200-C1-021

Dear Mayor and Council Members:

On September 26, 2023, at 2:00 PM, five (5) bids were received, publicly opened, and read aloud at the City Clerk's Office in McCook, Nebraska. The bids are summarized below:

<i>Bidder</i>	<i>Total Bid</i>	<i>Substantial Completion</i>	<i>Final Completion</i>
BSB Construction, Inc.	\$981,927.00	8/30/2024	9/30/2024
Midlands Contracting, Inc.	\$1,087,675.00	9/15/2024	9/30/2024
K2 Construction	\$1,247,040.00	4/01/2024	7/01/2024
Myers Construction, Inc.	\$1,254,597.83	12/15/2024	12/31/2024
Van Kirk Bros. Contracting	\$1,257,627.50	8/31/2024	9/30/2024

All proposals have been reviewed and no errors were noted. The Contractors provided their completion dates within their bid, and they are reflected above.

The Engineer's Opinion of Probable Construction Cost was \$921,925. The bid from BSB Construction, Inc. is 6.5% above the Engineer's Opinion of Probable Construction Cost. Attached is a bid tabulation sheet a list of the contractors that advertisements were provided.

If your budget allows, it is recommended the bids be accepted and the contract awarded to BSB Construction, Inc. in the amount of \$981,927.00, contingent upon NDEE-SRF approval, and authorization given to your authorized representative to execute agreements.

Very truly yours,
MILLER & ASSOCIATES
CONSULTING ENGINEERS, P.C.

David K. Blau, P.E.

DKB/jh
Enclosures

Date Opened: September 26, 2023, at 2:00 PM (Local Time)				1		2		3		4		5	
Project Name: South Street Water Main Replacement				BSB Construction Inc.		Midlands Contracting, Inc.		K2 Construction		Myers Construction, Inc.		Van Kirk Bros. Contracting	
Project Location: McCook, Nebraska													
Project Number: 200-C1-021				Total Bid \$981,927.00		Total Bid \$1,087,675.00		Total Bid \$1,247,040.00		Total Bid \$1,254,597.83		Total Bid \$1,257,627.50	
Addendums Issued/Acknowledged: 1				1		1		1		1		1	
Substantial Completion: [Bidder Selects]				August 30, 2024		September 15, 2024		April 1, 2024		December 15, 2024		August 31, 2024	
Final Completion: [Bidder Selects]				September 30, 2024		September 30, 2024		July 1, 2024		December 31, 2024		September 30, 2024	
Bid Guarantee (type and amount)				5% Bid Bond		5% Bid Bond		5% Bid Bond		5% Bid Bond		5% Bid Bond	
No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1	L.S.	\$52,815.00	\$52,815.00	\$55,000.00	\$55,000.00	\$100,000.00	\$100,000.00	\$30,000.00	\$30,000.00	\$82,000.00	\$82,000.00
2	Remove & Salvage												
	a. Valve	5	Each	\$785.00	\$3,925.00	\$175.00	\$875.00	\$500.00	\$2,500.00	\$850.00	\$4,250.00	\$110.00	\$550.00
	b. Fitting	3	Each	\$785.00	\$2,355.00	\$90.00	\$270.00	\$250.00	\$750.00	\$550.00	\$1,650.00	\$100.00	\$300.00
	c. Fire Hydrant	3	Each	\$1,565.00	\$4,695.00	\$750.00	\$2,250.00	\$500.00	\$1,500.00	\$1,500.00	\$4,500.00	\$150.00	\$450.00
3	Abandon Valve In Place	8	Each	\$640.00	\$5,120.00	\$225.00	\$1,800.00	\$500.00	\$4,000.00	\$500.00	\$4,000.00	\$125.00	\$1,000.00
4	Abandon Valve MH/Vault on South Street	1	Each	\$2,715.00	\$2,715.00	\$1,600.00	\$1,600.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$1,200.00	\$1,200.00
5	Furnish & Install Water Main, including Tracer Wire, per Specifications, complete in												
	a. 2" HDPE Service Line	80	L.F.	\$41.00	\$3,280.00	\$60.00	\$4,800.00	\$35.00	\$2,800.00	\$29.00	\$2,320.00	\$28.00	\$2,240.00
	b. 4" C900 DR18	300	L.F.	\$34.00	\$10,200.00	\$50.00	\$15,000.00	\$75.00	\$22,500.00	\$42.79	\$12,837.00	\$42.00	\$12,600.00
	c. 6" C900 DR18	40	L.F.	\$42.50	\$1,700.00	\$63.25	\$2,530.00	\$85.00	\$3,400.00	\$59.15	\$2,366.00	\$51.00	\$2,040.00
	d. 8" C900 DR18	280	L.F.	\$52.40	\$14,672.00	\$92.00	\$25,760.00	\$95.00	\$26,600.00	\$60.81	\$17,026.80	\$64.00	\$17,920.00
	e. 12" C900 DR18	40	L.F.	\$82.00	\$3,280.00	\$122.00	\$4,880.00	\$130.00	\$5,200.00	\$170.44	\$6,817.60	\$100.00	\$4,000.00
6	Furnish & Install Horizontal Directional Drill Water Main w/Tracer Wire, etc., per Specifications, complete in place												
	a. 8" R.J. C900 DR18	3200	L.F.	\$69.00	\$220,800.00	\$95.00	\$304,000.00	\$125.00	\$400,000.00	\$145.84	\$466,688.00	\$142.00	\$454,400.00
7	Furnish & Install Fire Hydrant, complete in place												
	a. 5.5' Bury 3-Way	3	Each	\$4,880.00	\$14,640.00	\$5,525.00	\$16,575.00	\$6,800.00	\$20,400.00	\$6,642.40	\$19,927.20	\$4,750.00	\$14,250.00
	b. 0.5 Ft. Extension	1	Each	\$1,635.00	\$1,635.00	\$800.00	\$800.00	\$1,000.00	\$1,000.00	\$1,100.00	\$1,100.00	\$888.00	\$888.00
	c. 1.0 Ft. Extension	1	Each	\$1,885.00	\$1,885.00	\$900.00	\$900.00	\$1,000.00	\$1,000.00	\$1,510.00	\$1,510.00	\$1,150.00	\$1,150.00
8	Furnish & Install Ductile Iron Pipe Fittings, complete in place												
	a. 4" M.J. Plug	2	Each	\$905.00	\$1,810.00	\$225.00	\$450.00	\$165.00	\$330.00	\$174.90	\$349.80	\$303.00	\$606.00
	b. 4" x 4" Tee	2	Each	\$1,095.00	\$2,190.00	\$580.00	\$1,160.00	\$500.00	\$1,000.00	\$825.00	\$1,650.00	\$525.00	\$1,050.00

No.	Description	Qty	Unit	1 BSB Construction Inc.		2 Midlands Contracting, Inc.		3 K2 Construction		4 Myers Construction, Inc.		5 Van Kirk Bros. Contracting	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	c. 4" 45 Degree Bend	2	Each	\$995.00	\$1,990.00	\$400.00	\$800.00	\$325.00	\$650.00	\$534.00	\$1,068.00	\$415.00	\$830.00
	d. 6" x 4" Reducer	1	Each	\$1,015.00	\$1,015.00	\$360.00	\$360.00	\$340.00	\$340.00	\$600.00	\$600.00	\$365.00	\$365.00
	e. 6" 45 Degree Bend	4	Each	\$1,060.00	\$4,240.00	\$470.00	\$1,880.00	\$320.00	\$1,280.00	\$750.00	\$3,000.00	\$515.00	\$2,060.00
	f. 6" M.J. Plug	1	Each	\$940.00	\$940.00	\$265.00	\$265.00	\$210.00	\$210.00	\$267.00	\$267.00	\$380.00	\$380.00
	g. 6" x 6" Tee	1	Each	\$1,220.00	\$1,220.00	\$715.00	\$715.00	\$525.00	\$525.00	\$1,212.00	\$1,212.00	\$697.00	\$697.00
	h. 8" x 4" Tee	1	Each	\$1,275.00	\$1,275.00	\$775.00	\$775.00	\$640.00	\$640.00	\$1,461.00	\$1,461.00	\$785.00	\$785.00
	i. 8"x6" Tee	4	Each	\$1,300.00	\$5,200.00	\$800.00	\$3,200.00	\$650.00	\$2,600.00	\$1,500.00	\$6,000.00	\$810.00	\$3,240.00
	j. 8" 45 Degree Bend	5	Each	\$1,150.00	\$5,750.00	\$600.00	\$3,000.00	\$400.00	\$2,000.00	\$1,029.00	\$5,145.00	\$620.00	\$3,100.00
	k. 8" x 8" Tee	2	Each	\$1,365.00	\$2,730.00	\$925.00	\$1,850.00	\$750.00	\$1,500.00	\$1,713.00	\$3,426.00	\$905.00	\$1,810.00
	l. 8" x 8" Cross	1	Each	\$1,800.00	\$1,800.00	\$1,225.00	\$1,225.00	\$1,000.00	\$1,000.00	\$2,424.00	\$2,424.00	\$1,110.00	\$1,110.00
	m. 8" x 6" Reducer	1	Each	\$1,050.00	\$1,050.00	\$450.00	\$450.00	\$435.00	\$435.00	\$870.00	\$870.00	\$470.00	\$470.00
	n. 8" x 4" Reducer	1	Each	\$1,035.00	\$1,035.00	\$425.00	\$425.00	\$415.00	\$415.00	\$801.00	\$801.00	\$452.00	\$452.00
	o. 8" M.J. Plug	2	Each	\$1,985.00	\$3,970.00	\$375.00	\$750.00	\$265.00	\$530.00	\$375.00	\$750.00	\$450.00	\$900.00
	p. 8" 90 Degree Bend	1	Each	\$1,200.00	\$1,200.00	\$650.00	\$650.00	\$550.00	\$550.00	\$1,155.00	\$1,155.00	\$685.00	\$685.00
	q. 8" 11 1/4 Degree Bend	1	Each	\$1,115.00	\$1,115.00	\$550.00	\$550.00	\$450.00	\$450.00	\$975.00	\$975.00	\$567.00	\$567.00
	r. 8" 22 1/2 Degree Bend	2	Each	\$1,135.00	\$2,270.00	\$600.00	\$1,200.00	\$475.00	\$950.00	\$1,020.00	\$2,040.00	\$618.00	\$1,236.00
	s. 12" M.J. Plug	3	Each	\$1,165.00	\$3,495.00	\$650.00	\$1,950.00	\$465.00	\$1,395.00	\$260.00	\$780.00	\$671.00	\$2,013.00
	t. 12" x 8" Tee	1	Each	\$1,865.00	\$1,865.00	\$1,400.00	\$1,400.00	\$1,000.00	\$1,000.00	\$2,505.00	\$2,505.00	\$1,313.00	\$1,313.00
	u. 12" x 8" Reducer	1	Each	\$1,475.00	\$1,475.00	\$775.00	\$775.00	\$765.00	\$765.00	\$1,503.00	\$1,503.00	\$770.00	\$770.00
	v. 12" x 4" Tee	1	Each	\$1,760.00	\$1,760.00	\$1,250.00	\$1,250.00	\$950.00	\$950.00	\$2,160.96	\$2,160.96	\$1,158.00	\$1,158.00
9	Furnish & Install Valves and Boxes, complete in place												
	a. 4" Valve	3	Each	\$2,465.00	\$7,395.00	\$2,150.00	\$6,450.00	\$2,000.00	\$6,000.00	\$2,453.00	\$7,359.00	\$1,892.00	\$5,676.00
	b. 6" Valve	5	Each	\$2,725.00	\$13,625.00	\$2,375.00	\$11,875.00	\$2,300.00	\$11,500.00	\$2,943.60	\$14,718.00	\$2,177.00	\$10,885.00
	c. 8" Valve	12	Each	\$3,400.00	\$40,800.00	\$3,000.00	\$36,000.00	\$3,000.00	\$36,000.00	\$4,173.40	\$50,080.80	\$2,875.00	\$34,500.00
	d. 16" Valve	1	Each	\$11,100.00	\$11,100.00	\$10,350.00	\$10,350.00	\$10,000.00	\$10,000.00	\$15,521.00	\$15,521.00	\$15,780.00	\$15,780.00
	e. 18" Valve	1	Each	\$12,570.00	\$12,570.00	\$12,650.00	\$12,650.00	\$11,500.00	\$11,500.00	\$17,641.80	\$17,641.80	\$19,355.00	\$19,355.00
10	Furnish & Install Line Stop, complete in place												
	a. 4" Diameter	1	Each	\$10,650.00	\$10,650.00	\$5,500.00	\$5,500.00	\$15,000.00	\$15,000.00	\$10,425.00	\$10,425.00	\$6,995.00	\$6,995.00
	b. 6" Diameter	1	Each	\$10,650.00	\$10,650.00	\$6,500.00	\$6,500.00	\$15,000.00	\$15,000.00	\$10,425.00	\$10,425.00	\$8,565.00	\$8,565.00
	c. 8" Diameter	1	Each	\$10,650.00	\$10,650.00	\$8,000.00	\$8,000.00	\$15,000.00	\$15,000.00	\$10,425.00	\$10,425.00	\$10,888.00	\$10,888.00
	d. 16" Diameter	1	Each	\$20,785.00	\$20,785.00	\$29,000.00	\$29,000.00	\$35,000.00	\$35,000.00	\$30,750.00	\$30,750.00	\$34,565.00	\$34,565.00
	e. 18" Diameter	1	Each	\$20,785.00	\$20,785.00	\$31,000.00	\$31,000.00	\$35,000.00	\$35,000.00	\$30,750.00	\$30,750.00	\$36,633.00	\$36,633.00

				1		2		3		4		5	
				BSB Construction Inc.		Midlands Contracting, Inc.		K2 Construction		Myers Construction, Inc.		Van Kirk Bros. Contracting	
no.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
11	Furnish & Install 10" x 8" Tapping Tee with 8" Valve, complete in place	1	Each	\$8,840.00	\$8,840.00	\$7,000.00	\$7,000.00	\$10,000.00	\$10,000.00	\$7,537.20	\$7,537.20	\$6,735.00	\$6,735.00
12	Furnish & Install Inserta Valve, complete in place a. 12" Diameter	3	Each	\$41,570.00	\$124,710.00	\$34,000.00	\$102,000.00	\$40,000.00	\$120,000.00	\$45,322.50	\$135,967.50	\$46,715.00	\$140,145.00
13	Furnish & Install Connections, complete in place a. 2" Connection	1	Each	\$1,210.00	\$1,210.00	\$800.00	\$800.00	\$1,000.00	\$1,000.00	\$760.00	\$760.00	\$621.00	\$621.00
	b. 4" Connection	1	Each	\$1,340.00	\$1,340.00	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00	\$900.00	\$900.00	\$1,695.00	\$1,695.00
	c. 6" Connection	2	Each	\$1,225.00	\$2,450.00	\$1,400.00	\$2,800.00	\$1,000.00	\$2,000.00	\$1,245.00	\$2,490.00	\$2,445.00	\$4,890.00
	d. 8" Connection	1	Each	\$1,285.00	\$1,285.00	\$1,800.00	\$1,800.00	\$1,100.00	\$1,100.00	\$1,630.00	\$1,630.00	\$2,646.00	\$2,646.00
	e. 12" Connection	1	Each	\$1,535.00	\$1,535.00	\$7,500.00	\$7,500.00	\$1,500.00	\$1,500.00	\$2,250.00	\$2,250.00	\$3,150.00	\$3,150.00
14	Service Reconnection Including New Service Line and Meter Pit a. 1" Diameter	19	Each	\$4,730.00	\$89,870.00	\$5,000.00	\$95,000.00	\$4,800.00	\$91,200.00	\$5,432.65	\$103,220.35	\$4,847.00	\$92,093.00
15	Service Reconnection Including New Service Line without Meter Pit a. 1" Diameter	1	Each	\$2,905.00	\$2,905.00	\$3,800.00	\$3,800.00	\$1,200.00	\$1,200.00	\$2,883.93	\$2,883.93	\$2,565.00	\$2,565.00
16	Furnish & Install Temporary Flushing Assembly & Sampling Tap, complete in place a. 4" x 4" Tee and 4" Diameter Assembly	1	Each	\$2,400.00	\$2,400.00	\$2,300.00	\$2,300.00	\$4,000.00	\$4,000.00	\$1,812.00	\$1,812.00	\$1,997.00	\$1,997.00
	b. 12" x 8" Tee and 8 " Diameter Assembly	1	Each	\$3,295.00	\$3,295.00	\$3,500.00	\$3,500.00	\$4,800.00	\$4,800.00	\$2,591.60	\$2,591.60	\$4,077.00	\$4,077.00
17	Furnish & Install Temporary Sampling Tap, complete in place	3	Each	\$1,275.00	\$3,825.00	\$1,250.00	\$3,750.00	\$450.00	\$1,350.00	\$1,012.00	\$3,036.00	\$567.00	\$1,701.00
18	Furnish & Install 8" x 2" Saddle	1	Each	\$500.00	\$500.00	\$750.00	\$750.00	\$350.00	\$350.00	\$775.00	\$775.00	\$303.00	\$303.00
19	Furnish & Install 2" Curb Stop & Box	1	Each	\$1,885.00	\$1,885.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$2,104.86	\$2,104.86	\$1,335.00	\$1,335.00
20	Furnish & Install 2" Corporation Stop	1	Each	\$2,095.00	\$2,095.00	\$800.00	\$800.00	\$1,075.00	\$1,075.00	\$2,138.43	\$2,138.43	\$705.00	\$705.00
21	Remove & Replace a. 4" Thick Concrete Sidewalk	40	S.F.	\$53.00	\$2,120.00	\$22.00	\$880.00	\$20.00	\$800.00	\$37.50	\$1,500.00	\$12.50	\$500.00
	b. 6" Concrete Pavement	300	S.Y.	\$112.00	\$33,600.00	\$155.00	\$46,500.00	\$100.00	\$30,000.00	\$90.00	\$27,000.00	\$90.00	\$27,000.00
	c. 8" Concrete Pavement	240	S.Y.	\$120.00	\$28,800.00	\$180.00	\$43,200.00	\$100.00	\$24,000.00	\$105.00	\$25,200.00	\$102.00	\$24,480.00
22	Furnish & Apply Gravel Surfacing	10	Tons	\$30.00	\$300.00	\$55.00	\$550.00	\$100.00	\$1,000.00	\$108.00	\$1,080.00	\$46.00	\$460.00

				1 BSB Construction Inc.		2 Midlands Contracting, Inc.		3 K2 Construction		4 Myers Construction, Inc.		5 Van Kirk Bros. Contracting	
No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
23	Furnish & Apply Seeding, Mulch, and Fertilizer, complete in place [Type B]	0.25	Acres	\$6,960.00	\$1,740.00	\$10,000.00	\$2,500.00	\$20,000.00	\$5,000.00	\$6,400.00	\$1,600.00	\$2,650.00	\$662.50
24	Hwy 83 Undercrossing Sta 20+15 to Sta 21+35 - Jack & Bore 120 L.F. of 18" Diameter, 0.5" Thick Steel Casing & R.J. Encasement Pipe, complete in place	1	L.S.	\$103,100.00	\$103,100.00	\$115,000.00	\$115,000.00	\$130,000.00	\$130,000.00	\$96,390.00	\$96,390.00	\$120,440.00	\$120,440.00
25	Traffic Control for Hwy 83 Undercrossing	1	L.S.	\$12,000.00	\$12,000.00	\$25,000.00	\$25,000.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
Total Bid					\$981,927.00		\$1,087,675.00		\$1,247,040.00		\$1,254,597.83		\$1,257,627.50

ADVERTISEMENTS FOR BIDS	
Project No.	200-C1-021-19
Project Name:	SOUTH STREET WATER MAIN REPLACEMENT, McCOOK, NEBRASKA
Date Mailed:	9/6/23

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

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

General Excavating, LLC
6701 Cornhusker Highway
Lincoln, NE 68507-3113

HD Supply Waterworks
10707 South 149th Street
Omaha, NE 68138

Horizontal Boring & Tunneling
505 South River
Exeter, NE 68351

Judds Bros. Construction Co.
P.O. Box 29229
Lincoln, NE 68529

K2 Construction
7701 Cornhusker Highway
Lincoln, NE 68507

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

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

Municipal Service & Supply
13709 B Street
Omaha, NE 68144

Myers Construction Company
79849 Hwy. 2
Broken Bow, NE 68822

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

Underground Solutions, Inc.
74797 Road 425
Elwood, NE 68937

Van Kirk Bros. Contracting
P.O. Box 585
1200 West Ash
Sutton, NE 68979

**CITY MANAGER'S REPORT
OCTOBER 2, 2023 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 5.A Update regarding the swimming pool and ballpark projects.

BACKGROUND:

Staff would like to keep this item as a place keeper on the McCook City Council agendas while we work through the construction process for both the swimming pool and the ballpark.

APPROVALS:



Nathan A. Schneider, City Manager

September 26, 2023



Lea Ann Doak, City Clerk

September 26, 2023



Tera Koetter, Assistant City Manager

September 26, 2023