

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, October 21, 2024
5:30 PM - City Council Chambers

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

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

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.
2. Public Hearings.
 - A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.
 1. Adjourn the Public Hearing.
 - B. Ordinance No. 2024-3094 approving the voluntary annexation of a tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.
 1. Chairperson asks Clerk to read Ordinance by title.
 2. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.
 3. Final passage of Ordinance No. 2024-3094.
 4. Chairperson declaration after vote and passage, if approved under suspension of the rule.
 - C. Public Hearing - Regarding the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.
 1. Adjourn the Public Hearing.

- D. Approve Resolution No. 2024-28, approving a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.
3. 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 October 7, 2024 regular City Council meeting.
 - B. Approve an Interlocal Cooperation Agreement between the City of McCook and Red Willow County Sheriff's office and authorize the Mayor to sign.
 - C. Approve the McCook Area Chamber of Commerce request to use City facilities for a Christmas Celebration on Saturday, December 7, 2024 including the use of McCook Ben Nelson Regional Airport for the flying in of Santa Claus at 1:00 P.M.; the use of Norris Park (including electricity) beginning at 3:00 P.M. which will include entertainment in the bandshell; the lighting of the park; conducting the Annual Christmas "Light up the Bricks" Parade beginning at 6:00 P.M., including participation by the Fire and Police departments and the closing of East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street for carriage rides; to utilize Norris Avenue sidewalks and streets on December 15th for a small train ride after the showing of the Polar Express movie at the Fox Theatre.
 - D. Forward to the City's insurance carrier for review and appropriate action a property damage claim from Judy Workman.
 - E. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable at East 1st and East "M" Streets.
 - F. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable and one new ground level vault; cable will provide services for new duplexes on Seminole Drive and Cheyenne Road.
 - G. Authorize City of McCook staff to submit a Municipal Infrastructure Aid Program Grant.
 - H. Ratify the Mayor's appointment to the Housing Agency Board, reappointing Terry Peterson, term expires November 2029.
 - I. Receive and file the claims for the month of September 2024, published October 15, 2024.
 - J. Accept the minutes of the October 14, 2024 Planning Commission meeting.
 - K. Authorize city staff to submit a Nuisance Abatement Program Application to West Central Nebraska Development District, Inc.
4. Regular Agenda.

- A. Recognize a McCook Community Foundation Fund grant in the amount of \$29,289.22 that was awarded to the City for the purpose of making the McCook Aquatic Park admission free to the public during its opening summer.
- B. Update regarding the sports complex project.
- C. Discussion regarding the property located at 1107 West 4th Street.
- D. Council Comments.
- 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 pending litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.
 - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
 - 2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 2.A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. 2.B. Approve on first reading, and under suspension of the rules, Ordinance No. 2024-~~3093~~, approving the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. ____ Public Hearing - Regarding the adoption of a redevelopment plan for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. ____ Approve Resolution No. 2024-____, adopting a redevelopment plan for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

BACKGROUND:

On October 2nd, the City of McCook closed on a tract of land that will be developed for residential, commercial, and recreational purposes. One of the next steps will be to conceptualize the best method for developing the property and determining finance sources for infrastructure extensions. Staff is interested in applying for a Municipality Infrastructure Aid Program (MIAP) grant through the Nebraska Department of Economic Development. Eligible projects per the MIAP grant's requirements are street, water, and sewer extensions. Two conditions precedent to meeting the eligibility standards of the MIAP program are to adopt a redevelopment plan for the newly purchased tract and the annexation of the property into McCook's corporate boundary. The MIAP grant application is due November 1st, making it necessary for the City Council to immediately implement the redevelopment plan and approve the voluntary annexation.

Under Nebraska's Community Development Law, a redevelopment plan means a plan showing the boundaries of the redevelopment area, proposed land uses, population densities, land and building intensities within the area after development, a statement of changes effecting zoning, streets and building codes and other ordinances, site plan for the area, and a statement as to the kind and number of public facilities and utilities needed to support the area. Miller & Associates has been contracted by the City of McCook to aid us in developing our redevelopment plan. The redevelopment plan is attached to this report.

With respect to annexation, due to the fact that the City of McCook owns the real property, a voluntary annexation is appropriate. Following annexation, the City will begin the process of subdividing and zoning the land for development. Next, the property will be developed as residential, commercial, and recreational lots.

The Planning Commission unanimously approved two resolutions recommending the approval of the redevelopment plan and voluntary annexation.

EXHIBIT #1

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Craig Bennett and Jason Combs will be present at the City Council meeting Monday evening to explain the redevelopment plan in more detail.

APPROVALS:



Nathan A. Schneider, City Manager

October 16, 2024



Lea Ann Doak, City Clerk

October 16, 2024

**NOTICE OF PUBLIC HEARING
PROPOSED ANNEXATION**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of McCook Planning Commission on October 14, 2024, at 5:15 P.M. and by the McCook City Council on October 21, 2024, at 5:30 P.M. The hearings will be held in the City Council Chambers, 505 West "C" Street, McCook, Nebraska, concerning the annexation of a tract of land located north of West "Q" Street in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less.

All interested parties are invited to attend this public hearing at which time you will have an opportunity to be heard regarding the annexation.

Individuals requiring physical or sensory accommodations including interpreter service, braille, large print, or recorded materials, please contact the City Clerk at 308-345-2022.

-s- Lea Ann Doak, City Clerk
PO Box 1059
McCook, Nebraska 69001-1059

Publish: October 4, 2024.

EXHIBIT #2

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WARRANTY DEED DESCRIPTION

INSTRUMENT NO. 2024-00824
RECORDED JUNE 21, 2024

A tract of land in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less, according to a survey dated March 5, 1982, by Darrell W. Burke, Registered Land Surveyor.

EXHIBIT #3

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McCook Planning Commission
Regular Meeting
October 14, 2024
5:15 P.M.

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

Present: Chair Lyons; Vice Chair Hilker; Commissioners Davidson, Friehe, McDowell, Mockry, Stevens.

Absent: Commissioners Bradley, Vosburg, Currier.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 11, 2024, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

1. Approve the minutes of the September 16, 2024 regular Planning Commission meeting.

Motion to approve the minutes of the September 16, 2024 regular Planning Commission meeting.

This motion, made by Lyons and seconded by McDowell, passed.

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

YEA: 7, NAY: 0, ABSENT: 3

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the voluntary annexation of a tract of land located north in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by Mockry, passed.

Bradley: ABSENT, Currier: ABSENT, Davidson: YEA, Friehe: YEA, Hilker: YEA, Lyons: YEA,

EXHIBIT #4

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McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: ABSENT
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); and Exhibit #3 - Proposed Resolution No. PC2024-02 (2 pages).

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

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Mockry and seconded by Lyons, passed.

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

- 2.B. Approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Friehe and seconded by Davidson, passed.

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

- 2.C. Public Hearing - Regarding the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by McDowell, passed.

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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published

(1 page); Exhibit #3 - Proposed Resolution No. PC2024-03 (1 page); and Exhibit #4 - proposed Redevelopment Plan (69 pages).

Craig Bennett and Jason Combs with Miller & Associates were presented to review the proposed Redevelopment Plan with the Commission.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Lyons and seconded by Stevens, passed.

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

2.D. Approve Planning Commission Resolution No. PC 2024-03, recommending adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-03, recommending the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Lyons and seconded by Friehe, passed.

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

Adjournment.

With no further business, Chair Lyons declared the Planning Commission meeting adjourned at 6:45 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

MCCOOK PLANNING COMMISSION

RESOLUTION NO. PC 2024-02

A RESOLUTION OF THE MCCOOK PLANNING COMMISSION RECOMMENDING APPROVAL OF THE VOLUNTARY ANNEXATION OF A TRACT OF LAND LOCATED IN THE NW ¼ OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 29 WEST OF THE 6TH P.M., RED WILLOW COUNTY, NEBRASKA.

WHEREAS, at their meeting on October 14, 2024, the Planning Commission held a public hearing concerning the annexation of a tract of land located in the NW ¼ of Section 19, Township 3 North, Range 29 West of the 6th P.M. in Red Willow County, Nebraska, legally described in **Exhibit "A"**.

WHEREAS, this commission has reviewed the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE MCCOOK PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the annexation of a tract of land located in the NW ¼ of Section 19, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

PASSED AND APPROVED by the McCook Planning Commission this 14th day of October, 2024.

MCCOOK PLANNING COMMISSION

Chad Lyons, Chair

ATTEST:

Camy Bradley, Secretary

EXHIBIT #5

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WARRANTY DEED DESCRIPTION

INSTRUMENT NO. 2024-00824

RECORDED JUNE 21, 2024

A tract of land in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less, according to a survey dated March 5, 1982, by Darrell W. Burke, Registered Land Surveyor.

EXHIBIT "A"

ORDINANCE NO. 2024-3094

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

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

SECTION 1. The following described real property is contiguous and adjacent to the City of McCook, Nebraska, is urban or suburban in nature, and has been proposed for annexation by the act, authority and acquiescence of the owners thereof:

A tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less.

SECTION 2. The corporate limits of the City of McCook, Nebraska, are hereby extended and increased so as to include and embrace within the corporate limits of the City of McCook, Nebraska, the territory described in SECTION 1 hereof, and such territory is hereby annexed and declared to be a part of the City of McCook, Nebraska.

SECTION 3. The real property hereby included within the corporate limits of the City of McCook and the persons residing thereon shall hereinafter be subject to all of the rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included with the City of McCook, Nebraska.

SECTION 4. The map or plat attached to this Ordinance is an accurate map of the territory annexed, and the same is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof.

SECTION 5. This Ordinance, with the certified copy of the official map attached hereto, shall be recorded in the office of the Clerk and Recorder of Red Willow County, Nebraska.

SECTION 6. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be in effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be separable.

SECTION 7. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law in its entirety or in pamphlet form, as the

EXHIBIT #6

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case may be.

PASSED AND APPROVED this 14th day of October, 2024.

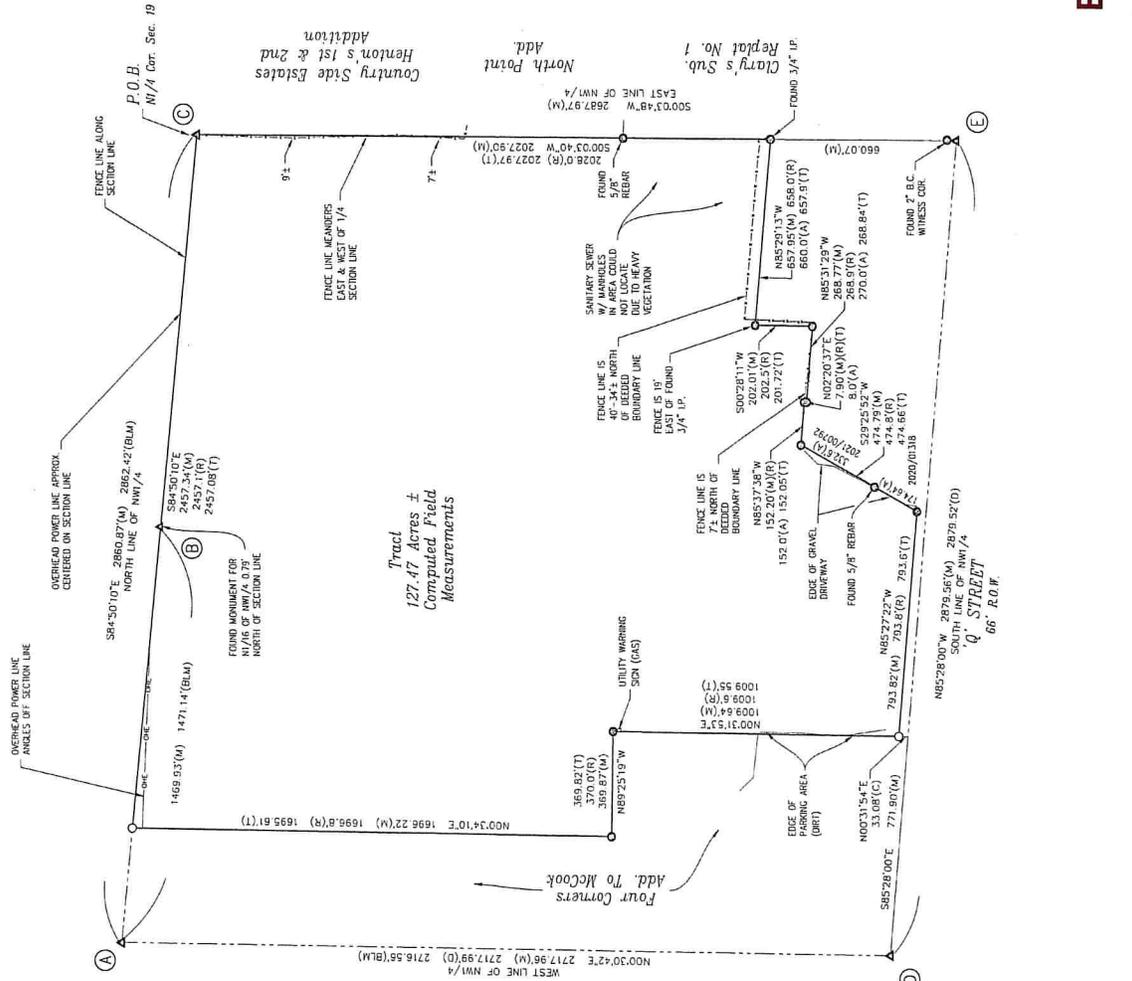
Linda Taylor, Ex-Officio Mayor
and President of the Council

ATTEST:

Lea Ann Doak, City Clerk

Publish:

ANNEXATION PLAT
PART OF SECTION 19, IN T 3 N, R 28 W, 6th P.M.,
RED WILLOW COUNTY, NEBRASKA.



WARRANTY DEED DESCRIPTION
INSTRUMENT NO. 2024-00824
RECORDED JUNE 21, 2024

A tract of land in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 10th P.M., more particularly described as follows:
 Referring to the northern corner of said Section 19 as the true point of beginning, thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 638.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less, according to a survey dated March 5, 1982, by Darrell W. Burke, Registered Land Surveyor.

Tract
127.47 Acres ±
Computed Field
Measurements

SURVEYOR'S CERTIFICATE
 I, Scott S. Clifford, Nebraska Registered Land Surveyor No. LS-647, do hereby state that the survey and the referenced Legal Description herein, was performed under my direct supervision using known and recorded monuments. All information shown on the above plat is accurate and correct to the best of my knowledge and belief.

Date of Survey: September 12, 2024.

- Legend**
- ▲ = FOUND SECTION & 1/4 CORNER AS NOTED
 - = SET 1/2" REBAR & RLS CAP 6" UNLESS NOTED
 - = FOUND 1/2" REBAR UNLESS NOTED
 - R.O.W. = RIGHT OF WAY
 - W.C. = WITNESS CORNER & DISTANCE
 - (B) = BOUNDARY LINE
 - (D) = DISTANCE
 - (A) = ADJACENT'S DEEDED DISTANCE
 - (T) = TAGE LS 223 SURVEY DISTANCE, 4/8/98
 - (R) = RECORDED LEGAL OR PLATTED DISTANCE
 - (X) = UNDEVELOPED DISTANCE
 - (Y) = COMPUTED POINT
 - (C) = COMPUTED DISTANCE
 - = SECTION LINE
 - - - = PARCEL LINE
 - - - = FENCE

PLAT CHECK **EXCISE STAMPING**
 DRAWN BY: _____
 CHECKED BY: _____
 100 EAST 2ND STREET
 MILWAUKEE, WI 53202
 MILLER & ASSOCIATES, INC.
 (414) 381-3130
 www.miller-engineers.com

EXHIBIT #7
PAGE(S) - 1

THIS PLAT OF SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY MILLER & ASSOCIATES, TO BE DEEMED DURESHIP, DOCUMENTS OR RIGHTS OF WAY OF RECORD.

- (A)** NW COR. SEC. 19-3-29
 FOUND 7" W BENT NAIL IN SOUTH
 1. 47.00' W
 2. 10P NUT TH
 3. 53.50' SE
 4. 93.11' E
 5. 63.36' SW
- (B)** NW1/4 COR. OF NW1/4 SEC. 19-3-29
 FOUND 1 1/2" IRON PIPE
 1. 1.8' E
 2. 21.76' WNW
 3. NTP
 4. CUT OFF T. POST
 5. CUT OFF T. POST 15.00' S
- (C)** N 1/4 COR. SEC. 19-3-29
 FOUND 3" BRASS CAP & FENCE CORNER
 1. NTP
 2. 17.52' E
 3. NTP
 4. NTP
 5. 30.50' S
- (D)** W 1/4 COR. SEC. 19-3-29
 FOUND CORIC NAIL & "X" IN LEFT N.
 1. 1' W NW RM
 2. HE BOLA OF LIGHT POLE 64.35' SE
 3. HE COR. CONIC VAULT PAD 104.85' SW
 4. FACE COR. POST AT BASE 102.80' NW
 5. 64.78' W
 6. 4. 2' BC WC
 7. 32.25' NE
 8. 39.25' SE
 9. 31.75' SE
 10. 32.85' N
- (E)** C 1/4 COR. SEC. 19-3-29
 FOUND WORN ILLIGIBLE ALUM. CAP
 1. 1' W NW RM
 2. 1' W NW RM
 3. N & BC IN PP
 4. 2' BC WC
 5. 32.25' NE
 6. 39.25' SE
 7. 31.75' SE
 8. 32.85' N

S E C T I O N C O R N E R S

PLATTED 10/17/2024 4:36 PM
 SHEET 10/17/2024 4:35 PM

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM NO. ___ Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. ___ Approve on first reading, and under suspension of the rules, Ordinance No. 2024-~~3093~~, approving the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. **2.C.** Public Hearing - Regarding the adoption of a redevelopment plan for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

ITEM NO. **2.D.** Approve Resolution No. 2024- 28, adopting a redevelopment plan for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

BACKGROUND:

On October 2nd, the City of McCook closed on a tract of land that will be developed for residential, commercial, and recreational purposes. One of the next steps will be to conceptualize the best method for developing the property and determining finance sources for infrastructure extensions. Staff is interested in applying for a Municipality Infrastructure Aid Program (MIAP) grant through the Nebraska Department of Economic Development. Eligible projects per the MIAP grant's requirements are street, water, and sewer extensions. Two conditions precedent to meeting the eligibility standards of the MIAP program are to adopt a redevelopment plan for the newly purchased tract and the annexation of the property into McCook's corporate boundary. The MIAP grant application is due November 1st, making it necessary for the City Council to immediately implement the redevelopment plan and approve the voluntary annexation.

Under Nebraska's Community Development Law, a redevelopment plan means a plan showing the boundaries of the redevelopment area, proposed land uses, population densities, land and building intensities within the area after development, a statement of changes effecting zoning, streets and building codes and other ordinances, site plan for the area, and a statement as to the kind and number of public facilities and utilities needed to support the area. Miller & Associates has been contracted by the City of McCook to aid us in developing our redevelopment plan. The redevelopment plan is attached to this report.

With respect to annexation, due to the fact that the City of McCook owns the real property, a voluntary annexation is appropriate. Following annexation, the City will begin the process of subdividing and zoning the land for development. Next, the property will be developed as residential, commercial, and recreational lots.

The Planning Commission unanimously approved two resolutions recommending the approval of the redevelopment plan and voluntary annexation.

EXHIBIT #1

Craig Bennett and Jason Combs will be present at the City Council meeting Monday evening to explain the redevelopment plan in more detail.

APPROVALS:



Nathan A. Schneider, City Manager

October 16, 2024



Lea Ann Doak, City Clerk

October 16, 2024

**NOTICE OF PUBLIC HEARING
PROPOSED REDEVELOPMENT PLAN**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of McCook Planning Commission on October 14, 2024, at 5:15 P.M. and by the McCook City Council on October 21, 2024, at 5:30 P.M. The hearings will be held in the City Council Chambers, 505 West "C" Street, McCook, Nebraska, to consider a proposed Redevelopment Plan for property located on a tract of land in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point; thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more or less.

Any and all persons desiring to comment on the proposed Redevelopment Plan may attend said public hearings and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: October 4, 2024.

EXHIBIT #2

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MCCOOK PLANNING COMMISSION

RESOLUTION NO. PC 2024-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA, RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN FOR THE WALTERS MULTI-USE REDEVELOPMENT PROJECT", TO THE MAYOR AND CITY COUNCIL OF THE CITY OF MCCOOK, NEBRASKA.

WHEREAS, pursuant to section 18-2112 of Chapter 18, Article 21, Nebraska Reissue Revised Statutes, as amended, known as the Community Development Law (the "Act"), a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-use Redevelopment Project" (the "Plan"), attached hereto and incorporated herein as Exhibit A, was submitted to the Planning Commission of the City for its review and recommendation; and

WHEREAS, on October 14, 2024, the Planning Commission held a duly noticed public hearing on the Plan; and

WHEREAS, pursuant to the Act, the Planning Commission reviewed the Plan for its conformity to the City's comprehensive plan for land use and development (the "Comprehensive Plan"); and

WHEREAS, after reviewing the Plan and conducting a public hearing, the Planning Commission determined that the Plan is in conformance with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA:

Section 1. Based upon the foregoing and the substantial evidence presented to the Planning Commission at the public hearing, the Planning Commission determines that the Plan conforms to and meets the objectives of the Comprehensive Plan of the City.

Section 2. The Planning Commission recommends approval and adoption of the Plan to the Mayor and City Council of the City.

MCCOOK PLANNING COMMISSION

Chad Lyons, Chair

ATTEST:

Camy Bradley, Secretary

EXHIBIT #3

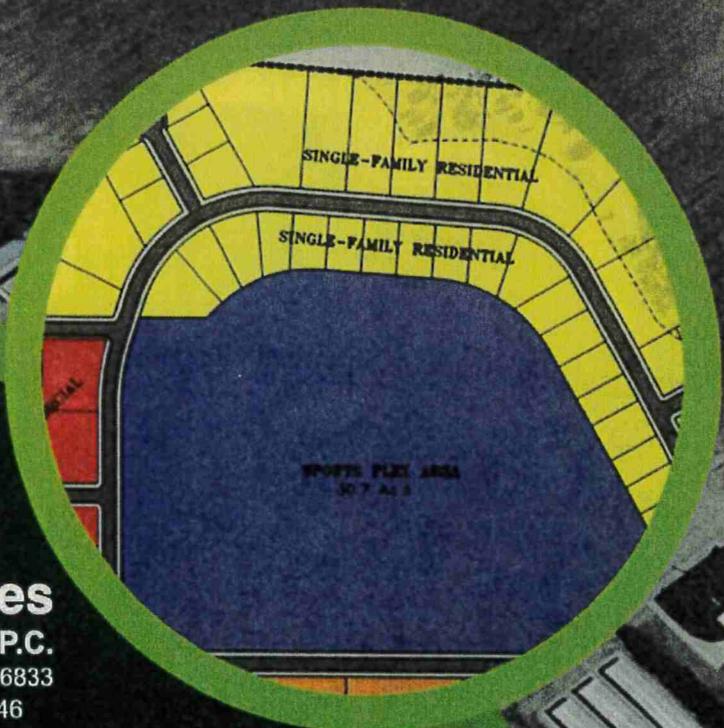
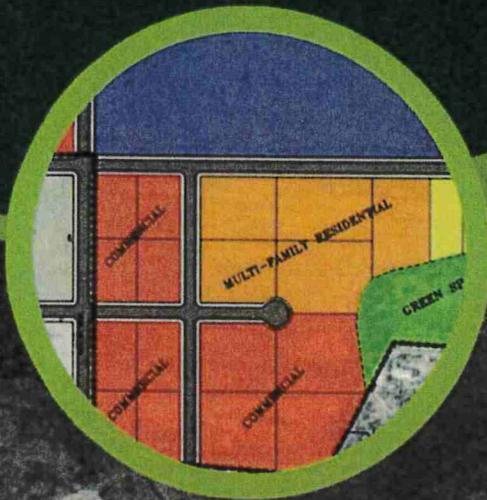
PAGE(S) - 1

DRAFT

200-G1-028

REDEVELOPMENT PLAN for the Walters Multi-Use Redevelopment Project

2024



Miller & Associates

CONSULTING ENGINEERS, P.C.

1111 Central Ave. Kearney, NE 68847-6833

(T) 308-234-6456 (F) 308-234-1146

www.miller-engineers.com

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ACKNOWLEDGMENTS

The City of McCook extends its gratitude to all the residents, property owners, and business owners who actively participated in the development of the Redevelopment Plan for the Walters Multi-use Redevelopment Project. Your support and involvement were instrumental in bringing this plan to fruition. Thank you for your commitment to our community's future.

City Council

Linda Taylor, Mayor
Jerry Calvin, Vice President
Jared Muehlenkamp
Darcy Rambali
Gene Weedin

City Staff

Nate Schneider, City Manager
Lea Ann Doak, City Clerk/Treasurer
Tera Koetter, Assistant City Manager
Tracy Burkey, Deputy City Clerk
Konnie Larson, Administrative Assistant
Lilia Dimas, Human Resource Coordinator
Deborah Thorpe, Public Works Administrative Assistant
Barry Mooney, Building Inspector and Code Compliance Officer

Planning Commission

Ron Friehe	Tammie Hilker
Camy Bradley	Chad Lyons
Matt Davidson	Bruce McDowell
Kurt Vosburg	Dale Dueland <i>Jamie Mockry</i>
Jesse Stevens	Katie Graham (alternate) <i>Mark Currier</i>

Consulting Team

H. Jason Combs, M.S., Ph.D., Craig Bennett, David Blau, P.E.,
Chris Miller, M.S., P.E., and Megan Shada



Miller & Associates

CONSULTING ENGINEERS, P.C.

1111 Central Ave. Kearney, NE 68847-6833

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The Redevelopment Plan for the Walters Multi-Use Redevelopment Project is a toolkit for McCook's future development, providing long-range guidance on how and where the community will invest and change over the next decade. The plan contains goals for the future and addresses topics from residential development to commercial development to economic impacts from sports tourism. It encourages a sustainable and fiscally responsible future by setting the desired direction for future development regulations, policy decisions, and community programs.

Compliance with State & Local Requirements

The governmental functions of McCook, Nebraska are provided and coordinated by the City Council. McCook's City Council is comprised of five members elected at large. McCook's Planning and Zoning Jurisdiction includes an area within ^{two} ~~one~~ miles of the City's corporate limits, pursuant to Nebraska Revised Statute 17-1002. McCook's Planning and Zoning Jurisdiction is governed by Nebraska Revised Statute 17-1004. As McCook continues to grow and annex land, the extraterritorial jurisdiction (ETJ) may extend further into Red Willow, County.

NEBRASKA REVISED STATUTE §18-2138

Public body; cooperate in planning; powers.

In addition to any other provisions governing any public body set forth in the Community Development Law, for the purpose of aiding and cooperating in the planning, undertaking, or carrying out of a redevelopment project located within the area in which it is authorized to act, any public body may, upon such terms, with or without consideration, as it may determine:

- (1) Dedicate, sell, convey, or lease any of its interest in any property, or grant easements, licenses, or any other rights or privileges therein to an authority;*
- (2) cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished in connection with a redevelopment project;*
- (3) furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places, which it is otherwise empowered to undertake;*
- (4) plan or replan, zone or rezone any part of the public body, or make exceptions from building regulations and ordinances if such functions are of the character which the public body is otherwise empowered to perform;*
- (5) cause administrative and other services to be furnished to the authority of the character which the public body is otherwise empowered to undertake or furnish for the same or other purposes;*
- (6) incur the entire expense of any public improvements made by such public body in exercising the powers granted in this section;*
- (7) do any and all things necessary or convenient to aid and cooperate in the planning or carrying out of a redevelopment plan;*
- (8) lend, grant, or contribute funds to an authority;*

(9) employ any funds belonging to or within the control of such public body, including funds derived from the sale or furnishing of property, service, or facilities to an authority, in the purchase of the bonds or other obligations of an authority and, as the holder of such bonds or other obligations, exercise the rights connected therewith; and

(10) enter into agreements, which may extend over any period, notwithstanding any provision or rule of law to the contrary, with an authority respecting action to be taken by such public body pursuant to any of the powers granted by the Community Development Law. If at any time title to, or possession of, any redevelopment project is held by any public body or governmental agency, other than the authority, authorized by law to engage in the undertaking, carrying out or administration of redevelopment projects, including any agency or instrumentality of the United States of America, the provisions of such agreements shall inure to the benefit of and may be enforced by such public body or governmental agency.

NEBRASKA REVISED STATUTE §18-2103

Terms, defined.

For purposes of the Community Development Law, unless the context otherwise requires:

(1) *Area of operation means and includes the area within the corporate limits of the city and such land outside the city as may come within the purview of sections 18-2123 and 18-2123.01;*

(2) *Authority means any community redevelopment authority created pursuant to section 18-2102.01 and any community development agency created pursuant to section 18-2101.01 and does not include a limited community redevelopment authority;*

(3) *Blighted area means an area (a) which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01, any area which is located within a good life district established under the Good Life Transformational Projects Act, and any area declared to be an extremely blighted area under section 18-2101.02 shall not count towards the percentage limitations contained in this subdivision;*

(4) *Bonds means any bonds, including refunding bonds, notes, interim certificates, debentures, or other obligations issued pursuant to the Community Development Law except for bonds issued pursuant to section 18-2142.04;*

(5) *Business means any private business located in an enhanced employment area;*

- (6) City means any city or incorporated village in the state;
- (7) Clerk means the clerk of the city or village;
- (8) Community redevelopment area means a substandard and blighted area which the community redevelopment authority designates as appropriate for a redevelopment project;
- (9) Employee means a person employed at a business as a result of a redevelopment project;
- (10) Employer-provided health benefit means any item paid for by the employer in total or in part that aids in the cost of health care services, including, but not limited to, health insurance, health savings accounts, and employer reimbursement of health care costs;
- (11) Enhanced employment area means an area not exceeding six hundred acres (a) within a community redevelopment area which is designated by an authority as eligible for the imposition of an occupation tax or (b) not within a community redevelopment area as may be designated under section 18-2142.04;
- (12) Equivalent employees means the number of employees computed by (a) dividing the total hours to be paid in a year by (b) the product of forty times the number of weeks in a year;
- (13) Extremely blighted area means a substandard and blighted area in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census or American Community Survey 5-Year Estimate is at least two hundred percent of the average rate of unemployment in the state during the same period; and (b) the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area;
- (14) Federal government means the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America;
- (15) Governing body or local governing body means the city council, board of trustees, or other legislative body charged with governing the municipality;
- (16) Limited community redevelopment authority means a community redevelopment authority created pursuant to section 18-2102.01 having only one single specific limited pilot project authorized;
- (17) Mayor means the mayor of the city or chairperson of the board of trustees of the village;
- (18) New investment means the value of improvements to real estate made in an enhanced employment area by a developer or a business;
- (19) Number of new employees means the number of equivalent employees that are employed at a business as a result of the redevelopment project during a year that are in excess of the number of equivalent employees during the year immediately prior to the year that a redevelopment plan is adopted;

(20) *Obligee* means any bondholder, agent, or trustee for any bondholder, or lessor demising to any authority, established pursuant to section 18-2102.01, property used in connection with a redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with such authority;

(21) *Occupation tax* means a tax imposed under section 18-2142.02;

(22) *Person* means any individual, firm, partnership, limited liability company, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other similar representative thereof;

(23) *Public body* means the state or any municipality, county, township, board, commission, authority, district, or other political subdivision or public body of the state;

(24) *Real property* means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise, and the indebtedness secured by such liens;

(25) *Redeveloper* means any person, partnership, or public or private corporation or agency which enters or proposes to enter into a redevelopment contract;

(26) *Redevelopment contract* means a contract entered into between an authority and a redeveloper for the redevelopment of an area in conformity with a redevelopment plan;

(27) *Redevelopment plan* means a plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project, which (a) conforms to the general plan for the municipality as a whole and (b) is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements;

(28) *Redevelopment project* means any work or undertaking in one or more community redevelopment areas: (a) To acquire substandard and blighted areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such substandard and blighted areas; (b) to clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and to install, construct, or reconstruct streets, utilities, parks, playgrounds, public spaces, public parking facilities, sidewalks or moving sidewalks, convention and civic centers, bus stop shelters, lighting, benches or other similar furniture, trash receptacles, shelters, skywalks and pedestrian and vehicular overpasses and underpasses, enhancements to structures in the redevelopment plan area which exceed minimum building and design standards in the community and prevent the recurrence of substandard and blighted conditions, and any other necessary public improvements essential to the preparation of sites for uses in accordance with a redevelopment plan; (c) to sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or for public use or to retain such land for public use, in accordance with a redevelopment plan; and may also include the preparation of the redevelopment plan, the planning, survey, and other work incident to a redevelopment project and the preparation of all plans and arrangements for carrying out a redevelopment project; (d) to dispose of all real and personal property or any interest in such property, or assets, cash, or other funds held or used in connection with residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or any public use specified in a redevelopment plan or project, except that such disposition shall be at its fair value for uses in accordance with the redevelopment plan; (e) to acquire real property in a community redevelopment area which, under the redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitate the structures, and resell the property; (f) to carry out plans for a program of voluntary or compulsory repair, rehabilitation, or demolition of buildings in accordance with the redevelopment plan; and (g) in a rural community or in an extremely blighted area within a municipality that is not a rural community, to carry out construction of workforce housing;

(29) *Redevelopment project valuation* means the valuation for assessment of the taxable real property in a redevelopment project last certified for the year prior to the effective date of the provision authorized in section 18-2147;

(30) *Rural community* means any municipality in a county with a population of fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census;

(31) Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare; and

(32) Workforce housing means:

(a) Housing that meets the needs of today's working families;

(b) Housing that is attractive to new residents considering relocation to a rural community;

(c) Owner-occupied housing units that cost not more than two hundred seventy-five thousand dollars to construct or rental housing units that cost not more than two hundred thousand dollars per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics;

(d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent of a unit's assessed value; and

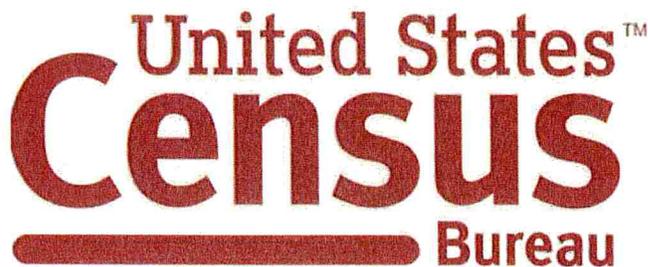
(e) Upper-story housing.

DATA SOURCES

The following paragraphs highlight key data sources utilized in the analysis. A portion of the data was accessed through mySidewalk.com—an online data vendor—which brings together multiple data sources allowing for comparisons and strategic analysis.

Decennial Census

Beginning in 1790, the United States Census has tabulated each resident of the country based on where they reside on April 1 during years ending in zero. The mandatory survey determines the number of congressional seats for each state. Over time, the census has become more robust capturing data well beyond the original intent.



American Community Survey (ACS)

Conducted by the U.S. Census Bureau, the ACS supplements the decennial census. This ongoing survey supplies data about the nation on an annual basis. In contrast to the universal decennial census, the ACS is sent to a sample of addresses—approximately 3.5 million in all fifty states along with the District of Columbia and Puerto Rico.



For the 2020 5-Year Estimates, Nebraska's response rate was 90.6 percent. The ACS attempts to capture topics beyond those included in the decennial census and includes education, employment, internet access, and transportation data.

Environmental Systems Research Institute (ESRI)

ESRI data is similar to census data but allows communities to enter additional information regarding commercial properties, including vacant lots and buildings. This helps communities and the State of Nebraska market and promote economic development opportunities. ESRI data is reported as estimates utilizing the most recent census data and marketing forecasts for the associated year.



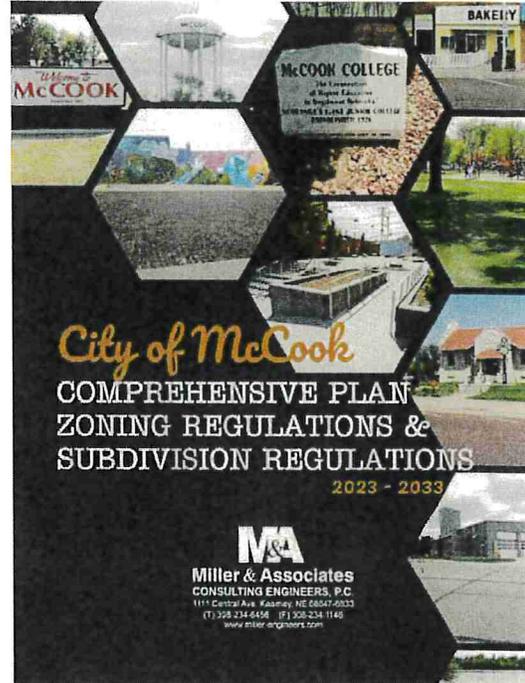
INTRODUCTION

Over the last several years the City of McCook has considered options to develop a sports complex and evaluated multiple potential sites (Silva 2022). The idea of a sports complex has also captured the public’s support (Labay 2024b).

The recent Comprehensive Plan also witnessed public support for additional recreational facilities. Part of the planning process included a SWOT analysis to examine McCook’s strengths, weaknesses, opportunities, and threats. For opportunities, several McCook respondents noted “recreation” as an opportunity for the community—a new ballpark, recreation projects, and trail developments, for example. Beyond recreation, housing is a critical need in McCook.

As highlighted by discussions during Comprehensive Plan meetings, the community survey, and the SWOT analysis, the lack of housing—either to own or rent—is a fundamental issue that impacts all areas of life in McCook.

The Walters property has the potential to create housing options including both single-family and multi-family units. In addition to providing recreation and housing opportunities, the Walters property would also support commercial development. In close proximity to Highway 83 on McCook’s northern edge, development of the Walters property compliments existing commercial properties.



		HELPFUL to positive development	HARMFUL to positive development
INTERNAL ORIGIN characteristics of the community		S Strengths	W Weaknesses
EXTERNAL ORIGIN characteristics of the community		O Opportunities	T Threats

The Walters Property

The site under consideration contains 127.8 acres and is prime development real estate, one that offers commercial, residential, and recreational opportunities with access to Q Street to the south and several connections to Highway 83 on the west (R Street, S Street, and T Street) (Figure 1). The tract also harmonizes with existing sidewalk/street patterns which supports pedestrian activity to other areas in the community (Frumkin et al. 2004). The centerpiece of this proposed project is a sports complex.

This 127.8 acre parcel is not limited to recreational development but lends itself to residential and commercial opportunities as well. The tentative proposal includes residential development along the eastern and northern sides. Both areas have dramatic drop-offs that would allow properties to include or emphasize walkout basements, privacy, and excellent views.

For the commercial segment of this development, note that there are several opportunities. In close proximity to Highway 83 and with numerous access points, access/transportation is a key aspect to consider. Moreover, the former Barnetts Lumberyard comprises two (approximately six acres in total) lots that front Highway 83 and adjoin the proposed annexed area to the east. With platted streets on both the north and south sides and highway frontage, Barnetts Lumberyard would be an excellent site for redevelopment that adjoins the 126 acre property to the east. The Walters Property's Legal Description is as follows:



WARRANTY DEED DESCRIPTION INSTRUMENT NO. 2024-00824

RECORDED JUNE 21, 2024

A tract of land in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3), North, Range Twenty-nine (29), West of the 6th P.M., more particularly described as follows:

Referring to the north quarter corner of said Section 19 as the true point of beginning; thence S 0°12'E, 2,028.0 feet to a point; thence N85°45'W, 658.0 feet to a point; thence S0°13'W, 202.5 feet to a point; thence N85°47'W, 268.9 feet to a point; thence N01°45'E, 7.9 feet to a point; thence N85°45'W, 152.2 feet to a point; thence S29°17'W, 474.8 feet to a point, thence N85°37'W, 793.8 feet to a point; thence N0°21'E, 1,009.6 feet to a point; thence N89°36'W, 370.0 feet to a point; thence N0°24'E, 1,696.8 feet to a point; thence S84°59'E, 2,457.1 feet to the point of beginning, containing 127.8 acres, more of less, according to a survey dated March 5, 1982, by Darrell W. Burke, Registered Land Surveyor.

INFRASTRUCTURE DEVELOPMENT

The site development area comprises a parcel, known as Walters Property, of 127.8 acres +/- with additional lots and blocks abutting the west side. The site is contiguous with the existing subdivided-platted and developed ground, including infrastructure. On the west side, the parcel abuts existing subdivided ground, known as Four Corners Addition, that includes street right-of-way connectivity to Highway 83 with R Street, S Street, T Street, and U Street. These streets have been previously subdivided and include dedicated right-of-way and connectivity to Q Street on the side with 16th Street that abuts the west side of the property. The street extensions in this area have limited infrastructure improvements. Proposed infrastructure development plan will utilize existing infrastructure surrounding this parcel and extend infrastructure into this parcel. Infrastructure extended into the parcel will also be upsized to serve property abutting and outside of this parcel.

There is an existing 10-inch diameter gravity sanitary sewer located along the northern and eastern sides of the property. The infrastructure development plan will utilize the existing 10-inch sanitary sewer and will be extended westerly into this parcel and provide service to this parcel and the previously platted street connecting Highway 83. It will also include an 8-inch sanitary sewer throughout the proposed street right-of-way to serve new lots.

There is an existing 16-inch water main located along the south side of the parcel in Q Street and an 8-inch water main located in Highway 83. This parcel provides a combination of 16-inch and 8-inch water main looping throughout this parcel and abutting street right-of-way connections to Highway 83 and Q Street. The proposed water main infrastructure and looping will be located within the street right-of-way to provide both domestic and fire protection throughout the entire parcel.

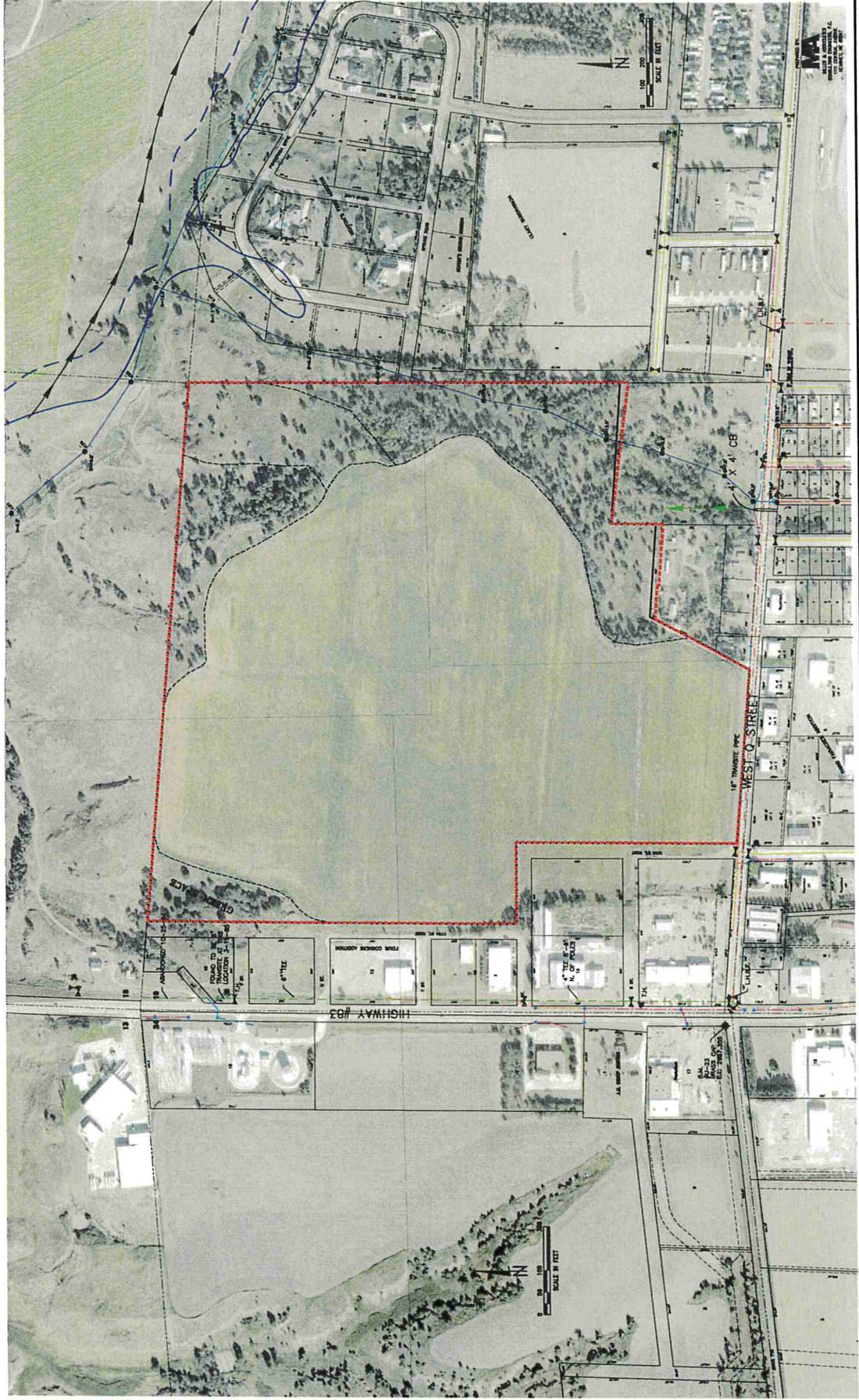
The site parcel consists of agricultural land use and naturally drains northerly and easterly with the primary flow converging in an existing drainage draw located north of the parcel and conveying storm water southeasterly through the community and ultimately connecting the Republican River. The parcel will consist of three regional parcel stormwater detention cells located in the lower northwest, northeast, and southeast corners of the property. These detention cells will be designed to contain the 10-year storm for the increased runoff difference between the existing pre-development condition and a fully developed post-development condition.

Streets within this parcel and the connecting Four Corners Addition are proposed to include 36-foot wide concrete street surfacing with curb and gutter, inlets, and underground stormwater piping. The underground stormwater piping will convey stormwater throughout this parcel to the three proposed regional stormwater detention cells.

Pedestrian connectivity is also shown on the infrastructure development plan. The parcel will require 4-foot sidewalks along all the abutting street right-of-way. Also indicated on this plan is hike and bike trail connectivity. This plan looked at the existing community hike and bike trail system and provided circulation pathways that would utilize some of the existing northerly abutting canyon draw terrain for future extension and connection to the Kelly Creek Trail. This parcel also proposes a hike and bike trail loop within the parcel and would have a primary destination of the 30-acre sport and recreation lot. The trail would loop the exterior sports and recreational lot and provide connectivity to the future northern Kelly Creek Trail on the east and northwest corners of the parcel. Also shown is a southerly connection to this lot from Q Street. There is an existing sidewalk located on the north side of Q Street. The proposed hike and bike trail plan is to provide a community trail system local to this parcel and a plan for future connectivity throughout the community's existing trail system.

Figures #, #, #, and # provides a detailed description and breakout of the proposed costs related to this parcel and abutting infrastructure extensions. Below is a cost summary of the infrastructure.

EXISTING SITE
Walters Multi-Use Redevelopment Project



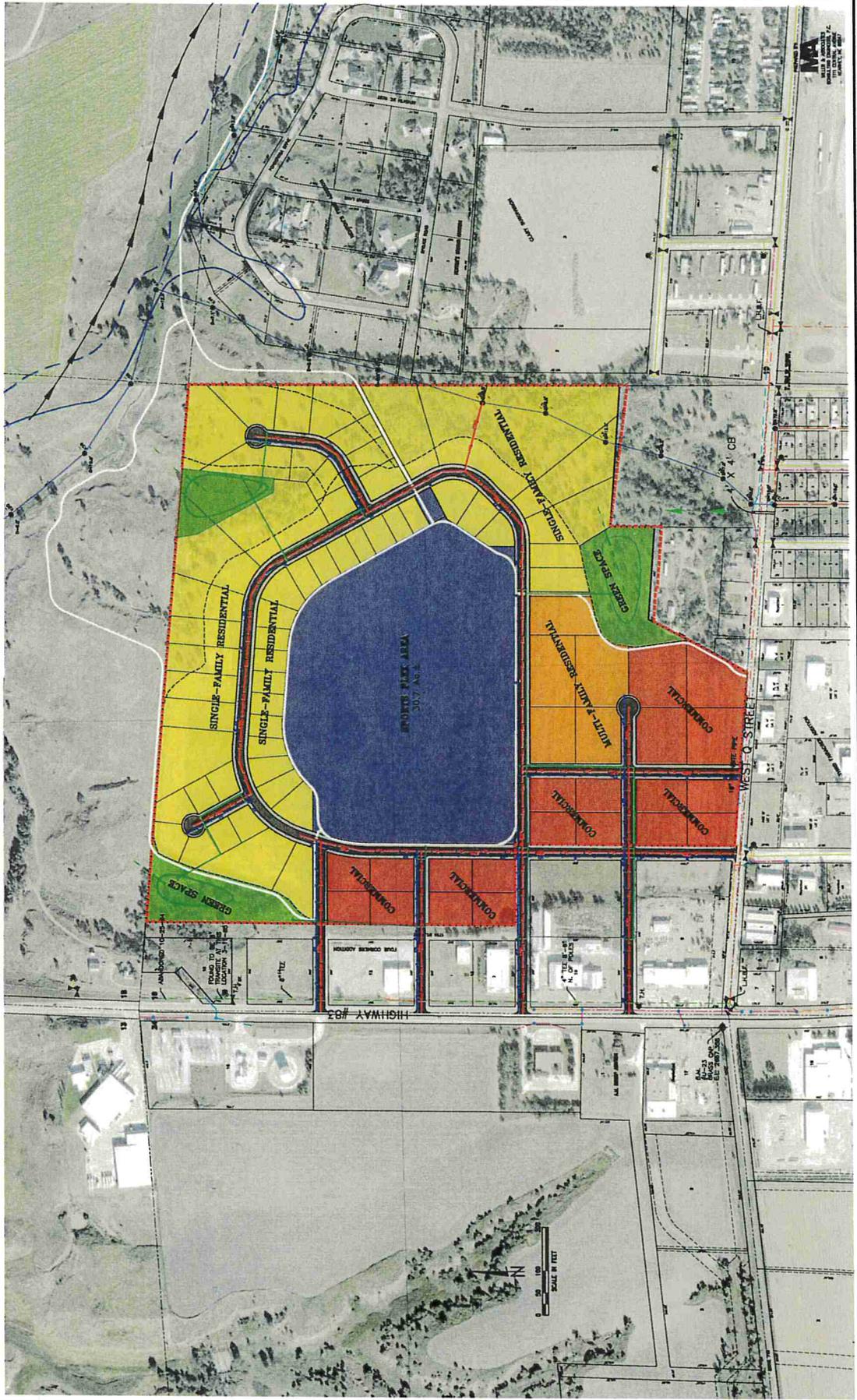
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**FUTURE LAND USE
Walters Multi-Use Redevelopment Project**



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PROPOSED INFRASTRUCTURE DEVELOPMENT
Walters Multi-Use Redevelopment Project



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Cost table

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Cost table

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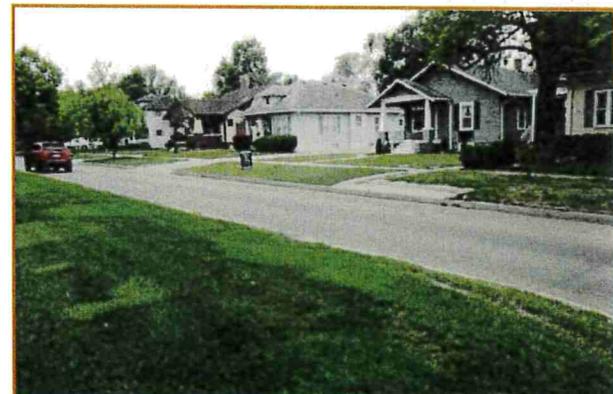
Cost table

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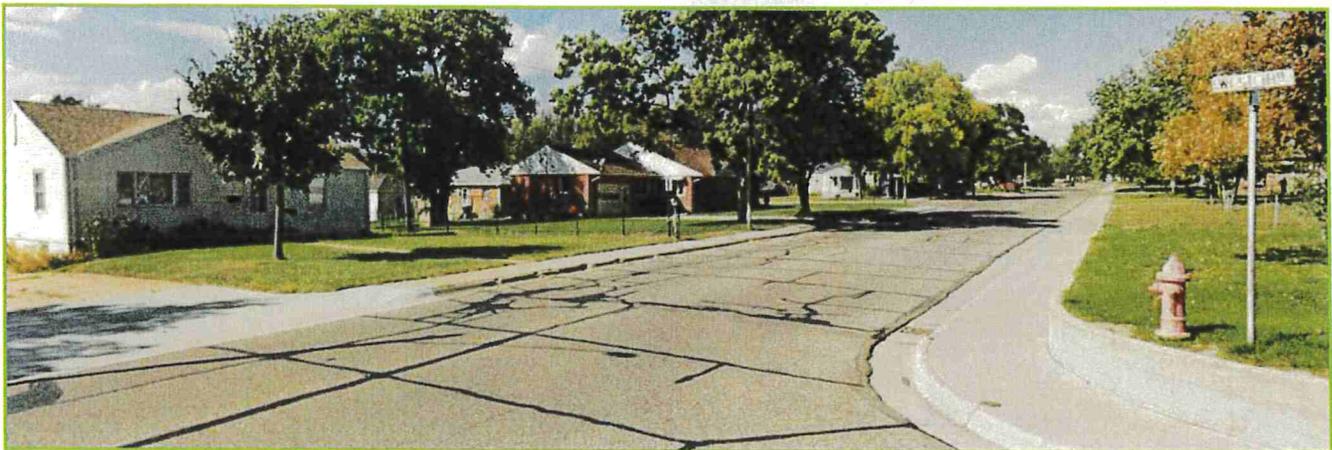
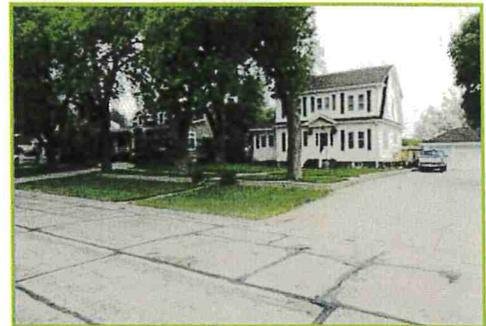
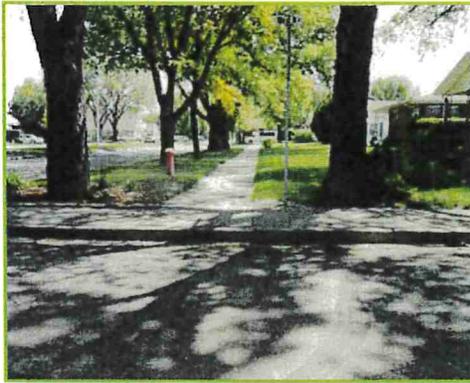
RESIDENTIAL DEVELOPMENT

During public input sessions and community surveys for the comprehensive plan, housing was identified as a critical issue for McCook to address. As indicated by the community survey for the comprehensive plan—available to the public from August 21, 2023 to September 30, 2023—McCook’s housing market appears to be one of the biggest areas of concern. Just 28.8 percent of respondents selected “Satisfied” or “Very Satisfied” while 71.2 percent selected either “Unsatisfied” or “Very Unsatisfied.” Examining the extremes paints a more bleak picture—only 4.4 percent responded “Very Satisfied” to McCook’s housing market while 32.0 percent were in the “Very Unsatisfied” column. Many who are not satisfied pointed to a lack of housing to rent or purchase.

The SWOT analysis conducted during one of the public input meetings for the comprehensive plan also points to housing issues. SWOT evaluates four categories—strengths, weaknesses, opportunities, and threats—for a community. The second category—weakness—witnessed several “housing” responses. “Housing options” and “housing shortage” were noted but several simply replied “housing.” As a weakness, housing often permeates into other areas—employee recruitment, for instance.



Housing shortages are nearly universal across the state. To address this, the obvious answer is to develop more housing. To accomplish this, community leaders, private developers and investors, and the business community must be willing to discuss options and invest. Developing new housing has the potential to attract new residents, creating a chain reaction of positive events. More families and more jobs are often based on affordable housing, the city plays an instrumental role in facilitating housing stock growth in the future. Acquisition and development of the Walters property would seem to address this fundamental issue in McCook. The Walters property offers potential for single-family residential opportunities and multi-family developments, which are both key to McCook's future growth.

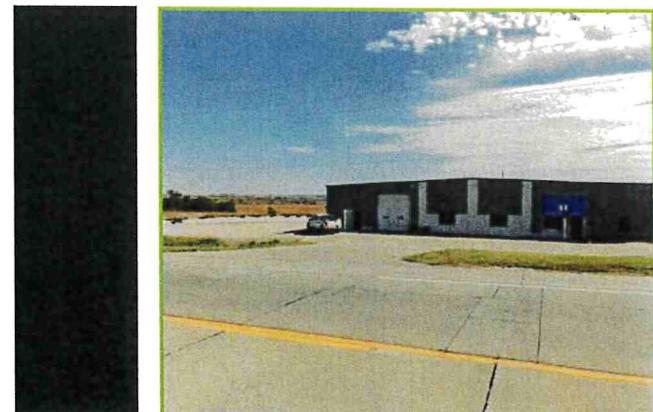
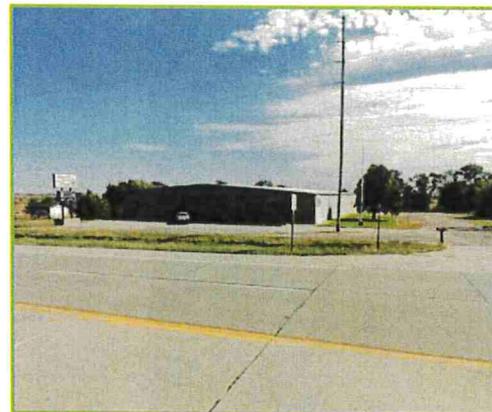
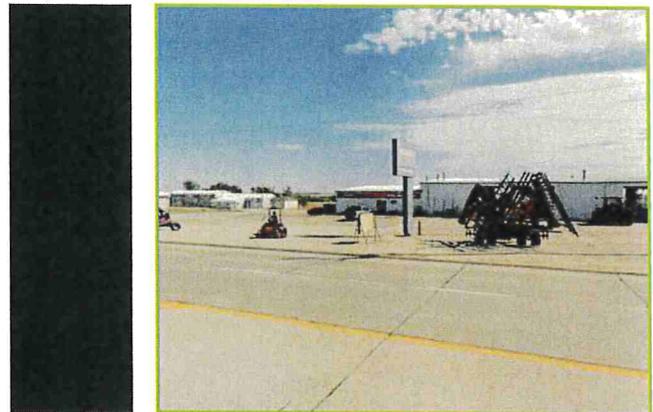
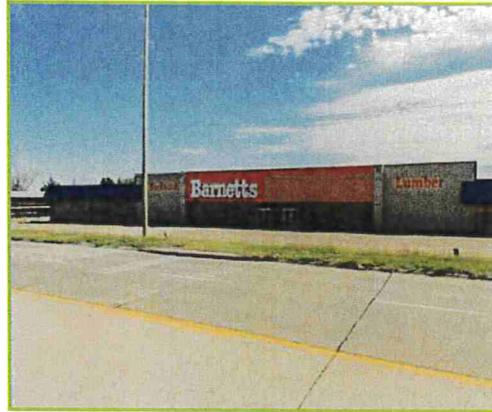


COMMERCIAL DEVELOPMENT

Referring to the comprehensive plan's SWOT analysis, the dominant weakness (or concern) was "economy" with responses that ranged from lack of entertainment options to a lack of retail options, youth retention, and low paying jobs. Threat is the final category in the SWOT analysis and many responses also pointed to "economy," noting a lack of economic diversity and the over-reliance on only a handful of major employers. To help address those concerns, public input sessions for the comprehensive plan offered areas to consider for commercial development—although some areas are limited. At the juncture of Highway 6 and Highway 83, for instance, a large portion of the area is the former McCook landfill which hampers future development. On McCook's eastern edge commercial development is somewhat limited due to the presence of the airport and Karrer Park adjacent to Highways 6/34.

On the other hand, the Walters property appears to be a key area for future commercial, residential, and recreational development.

With a strategic location, development of the Walters Property would not only create new commercial opportunities but enhance existing locations as well. In close proximity to Highway 83 and with numerous access points, access/transportation is a key aspect to consider. Moreover, the former Barnetts Lumberyard comprises two (approximately six acres in total) lots that front Highway 83 and adjoin the proposed annexed area to the east. With platted streets on both the north and south sides and highway frontage, Barnetts Lumberyard would be an excellent site for redevelopment that adjoins the 127.8-acre property to the east.



MCCOOK'S PARK SYSTEM

The National Recreation and Park Association (NRPA) classifies recreation and open spaces, utilizing the following system.

Community Parks	Neighborhood Parks	Mini-Parks
Includes areas of diverse uses and environmental quality. These parks meet the recreational needs of the community and often provide natural open areas. Community parks are typically thirty to fifty acres in size. NRPA standards call for five to eight acres per 1,000 residents.	These are the basic units of a community's park system that provide a recreational and social focus for residential areas. They provide space for both active and passive recreational use. Neighborhood parks are typically between five and ten acres to ensure space for adequate facilities. Their service radius is approximately one-quarter to one-half mile, which is considered an easy walking distance. NRPA standards call for one to two acres per 1,000 residents.	Address specific recreational or open space needs, yet communities often discourage multiple mini-parks because of the high maintenance costs. Their service radius is less than one-quarter mile.

Beyond the Walters property, there are greater connections to the entire community and the existing park system to consider. As communities developed, land set aside for parks, golf courses, and swimming pools became "hives of activity." Not just hives of activity, but true focal points for the entire community (Gratz 1994). The placement of parks is critical. Access and walkability (sidewalks and trails) are essential considerations (Cohen et al. 2010). Gillham (2002) and Hall and Porterfield (2001) contend that parks should be within safe walking distance for all citizens. Some communities strive to have a park—even smaller pocket parks—within six blocks in residential areas. Walker (2009) points out that high traffic volumes, however, tend to limit access for many.

Park placement along with traffic calming techniques (slower speeds, for instance) are key. Duany et al. (2000) go so far as to say that if public space is not accessible, it does not really serve the greater community. Hall and Porterfield (2001, 236) agree and add that "parks, by their location, should encourage spontaneous use by visitors. If people are required to make advanced preparations before going to a park, a great deal of the enjoyment is lost. Parks should be located to maximize interaction with and access to other destinations. District parks can become excellent transition spaces between different land uses, benefitting both."

Parks help to establish a sense of place, a sense of community, a point of pride. Recent research indicates this mindset plays into the greater community. Gillham (2002) contends that parks have proven to be an asset for nearby property owners. A more recent “America At Home” study found similar results. That particular study found that 58 percent of homebuyers and renters value access to nature, 48 percent want large parks, and 43 percent desire walkability to commercial options (Gautieri 2024). The same survey indicated that home buyers see parks as playing an essential role in creating a strong sense of community (Gautieri 2024). Having a park as part of development is valuable, as many look to “wellness developments” that cater to active–outdoor living by working with the landscape rather than against it. Realistically this might not be feasible in all areas of every community yet demand for parks and active living opportunities is clear.

A community should provide places for residents to play, socialize, and relax. McCook does that with several parks and recreational facilities. Regarding ballparks, McCook is home to five lighted ball diamonds and nine practice fields. Felling Field (E. 6th Street and D Street) has two ball fields and the Jaycees Complex (W. 10th Street and M Street) is home to four fields. McCook is also home to six parks—Barnett, Elks, Karrer, Kelley, Norris, and Russell—which cover 127.8 acres.

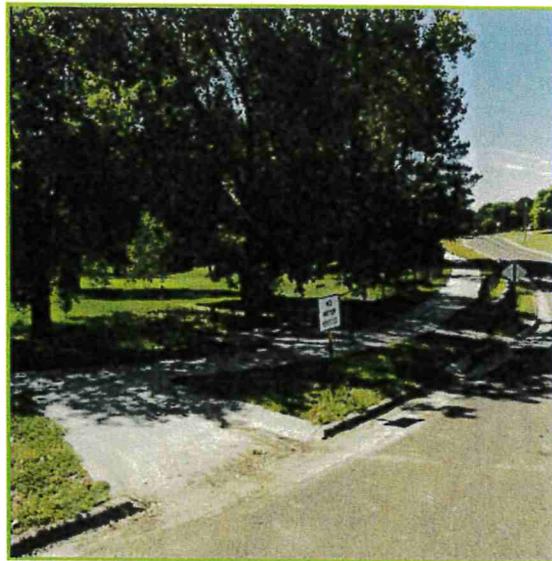
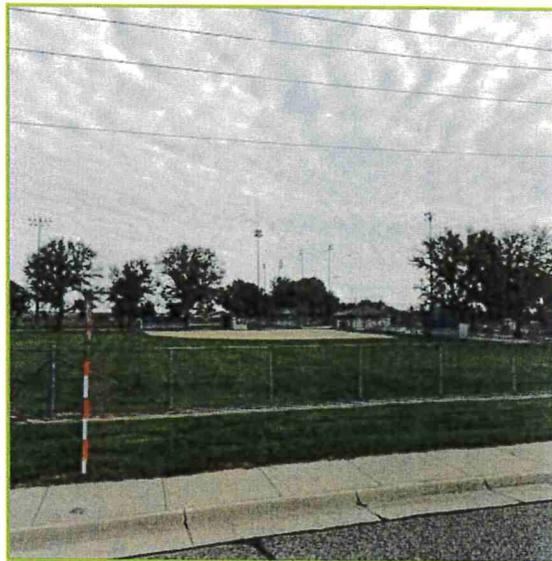
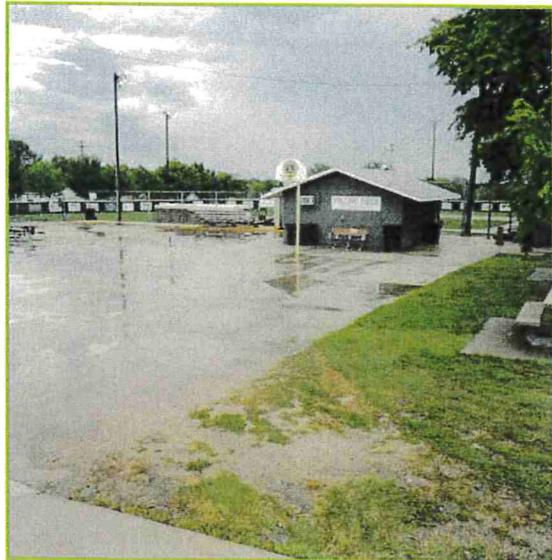
Barnett Park just off Highway 83 on McCook’s south side, possesses forty-five acres that adjoins the Republican River and offers sand volleyball courts, fishing, and open space. Elks Park at West 5th and E Street has playground and tennis courts. Karrer Park is home to the City’s RV and camping facilities and found on McCook’s eastern edge adjacent to Highways 6/34.

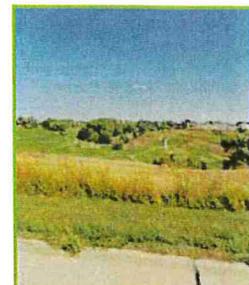
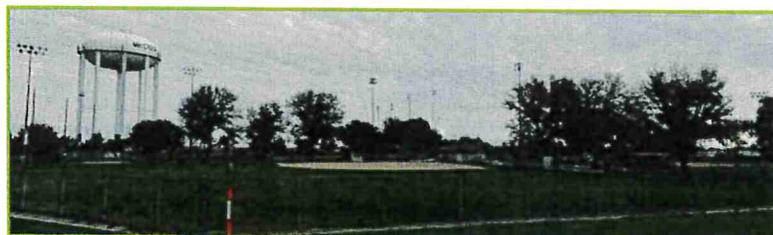
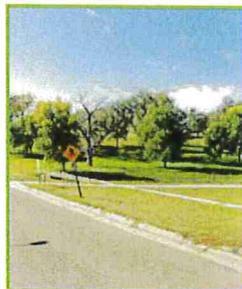
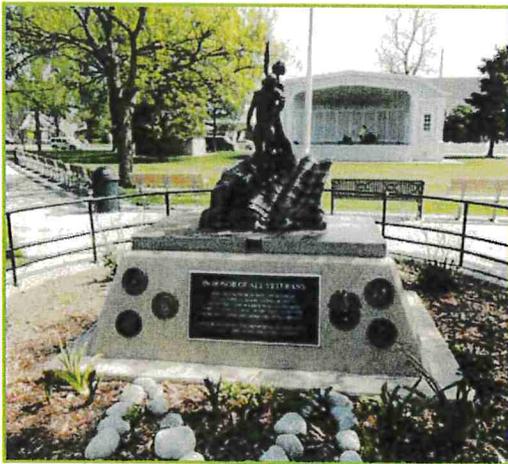
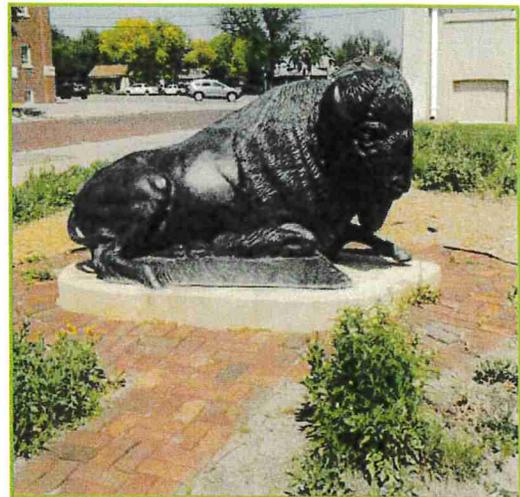
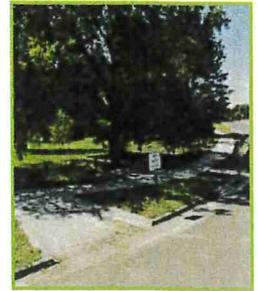
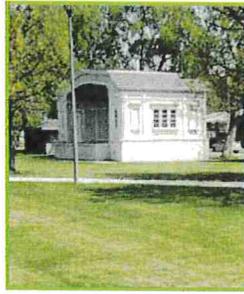
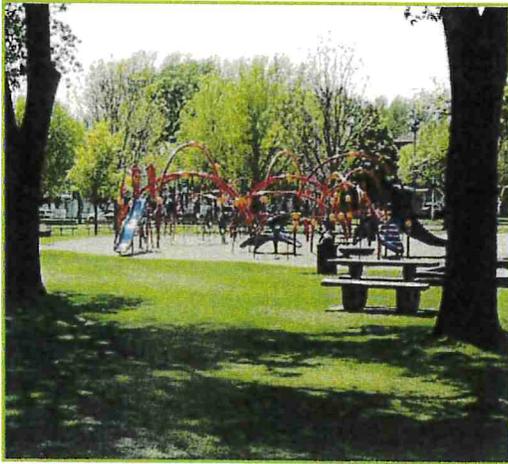
Kelley Park—McCook’s largest City park—at East 3rd and M Street is home to shelter houses, disc golf, playground equipment, and the community’s public swimming pool. Kelley Park also has the Kelley Creek Walking Trail that is 1.5 miles in length and connects to Karrer Park. Next to Mid-Plains Community College and Kelley Park is Bolles Canyon Skatepark that opened in 2015. Catering to bicycle and skateboard enthusiasts, it is a nice example of private–public funding which was also supported by the Tony Hawk Foundation.

The McCook Aquatic Park is located at 500 East M Street, just east of Kelley Park and across the street north from McCook Community College. The McCook Aquatic Park held their grand opening on July 17, 2024. The facility features a lazy river, a zero depth entry pool, diving boards, basketball hoops, a family water slide, a flume slide, and a speed slide. In addition, the facility offers users a lily pad walk, and multiple spray features. Along with the passage of the City’s \$6.7 million bond, the City secured grant funds from the Civic and Community Center Financing Fund (CCCCF) and the Masonic Temple.

Norris Park at Norris Avenue and G Street maintains the community bandshell and playground equipment.

Collectively, McCook’s parks provide a variety of outdoor options, including camping areas, disc golf, playground equipment, tennis courts, and walking trails. McCook is in a fortunate position in regard to parks and recreation. Parks provide public space for residents and visitors to enjoy and enhance the community’s overall appearance.





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Park Map

MAP TITLE
McCook, Nebraska

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MCCOOK'S PROPOSED PARK EXTENSION

The purchase of the property just east of Highway 83 and just north of Q Street in McCook lends itself to the extension of the existing hike bike trail and overall park system. The proposed development includes a sports complex with multiple outdoor fields. Linking this area to the greater park system in McCook would be a tremendous boost for the entire community.

McCook's existing hike bike trail makes a loop at Park Avenue and Kelley Park Drive, with one "leg" extending south to the Peter & Dolores Graff Events Center and the other route following Kelley Creek to the southeast where it links with the sidewalk system just south of East F Street along 11th Street—Karrer Park is just a few more blocks southeast of this location.

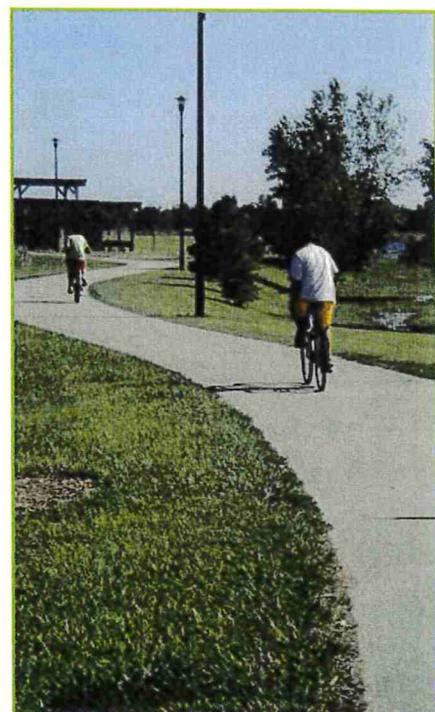
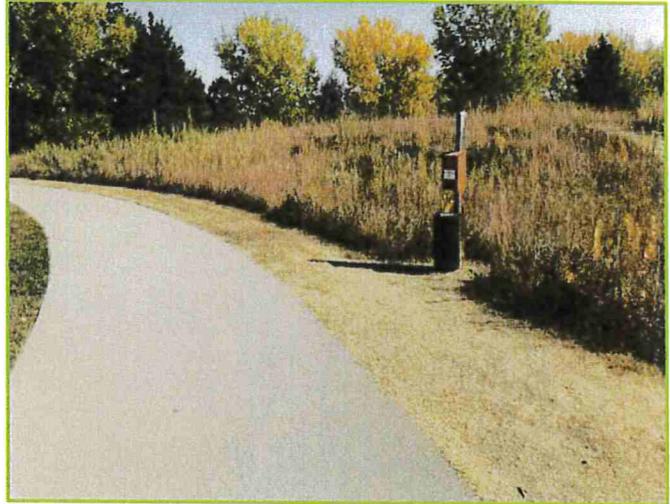
The proposed extension begins at the existing crosswalk just southwest of the intersection of Park Avenue and Kelley Park Drive. Continuing the hike bike trail to the northwest from that location, the extension would run adjacent to Kelley Creek and the Mid-Plains arena. At Norris Avenue the proposed trail continues in a northwesterly fashion following Kelley Creek to West 3rd Street. Once across West 3rd Street the proposed trail meets Kelley Creek West Reservoir, which at first glance appears to be a major hurdle going west. If, however, the trail could run across the retention structure's top then following the topography west to the new sports complex this would be a "game changer" for McCook. Linking neighborhoods from the new sports complex, through the amenities that Kelley Creek Park offers, and on to the southeast toward the Community Hospital and Karrer Park, would benefit the entire community.

HIKE-BIKE TRAILS

One aspect to consider of the overall park and recreation plan is a hike-bike system. Hike-bike systems, often viewed as both utilitarian and recreational, have been and are becoming more popular in communities across the country as they address overall quality of life issues. Gidroz et al. (2013, 35) point out, for example, that “trails designated for bicyclists and pedestrians can dramatically improve the livability of towns and cities” as they often connect different areas in the community—various residential neighborhoods and commercial districts, for instance.

An extensive hike/bike trail system also provides an “active” opportunity for every member of the community to enjoy that improves the “livability of towns and cities” (Gillham 2002; Gindroz et al. 2013, 35; Talen 2010). Levy (2017) points to cyclists, joggers, roller skaters, dog walkers, and hikers as community members who enjoy trails—not just a particular group. Recent survey data also supports this idea. The Rails to Trails Conservancy (2022) conducted a national survey—with a sample size of 1,200 adults—that found hike/bike trails are “critical” infrastructure for both physical and mental health. A majority of respondents indicated that the overall well-being of the community increased as trails were introduced and noted that many enjoy trails for exercise, spending time outdoors, recreation, and managing stress.

When considering a community’s investment in hike-bike trails, it is important to note that simple design standards often lead to healthier lifestyle options (Cohen et al. 2010; Nordh and Ostby 2013; Speck 2012). Recent surveys and studies in nearby Kearney, Nebraska and Lexington, Nebraska found significant health improvements related to biking/walking (Heelan et al. 2008; Heelan et al. 2013). Studies have further noted that design impacts behavior, even in smaller communities. If confronted by a busy thoroughfare, most pedestrians are reluctant to cross (Heelan et al. 2008; Heelan et al. 2013). Beyond traffic concerns, Hall and Porterfield (2001) also point to local weather limitations and note that where possible trees along trails often serve as a natural barrier while providing shade. Hall and Porterfield (2001) also note that trails removed from parking lots and busy streets have obvious advantages but all trails, regardless of where they are in a community, need a destination. Safety concerns are always an issue and Jane Jacobs (1961) refers to a “networking of activities” to multiple destinations and land use types to encourage safe participation.

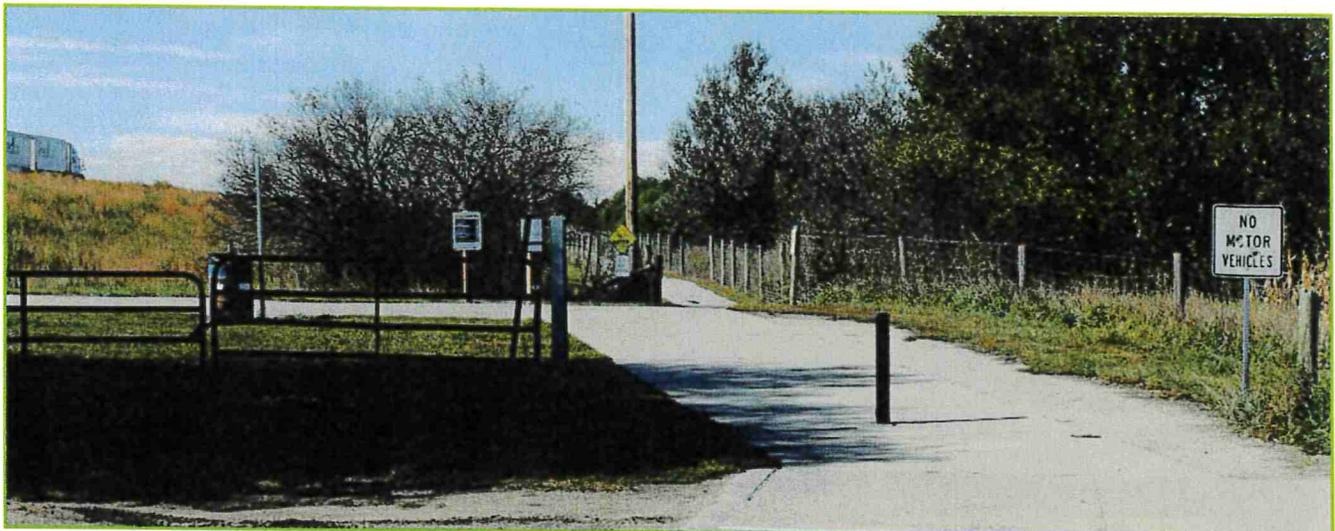
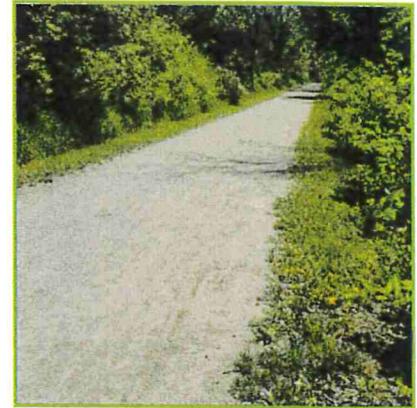
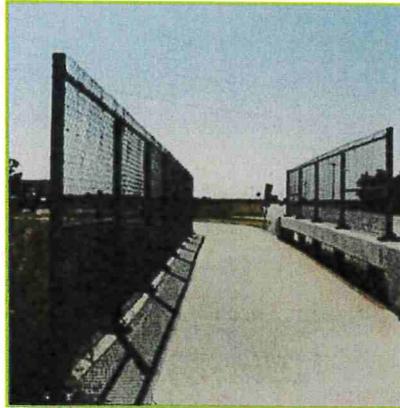
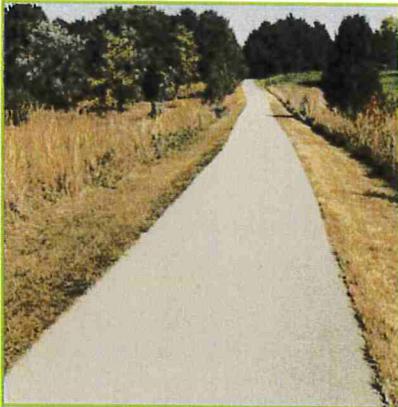
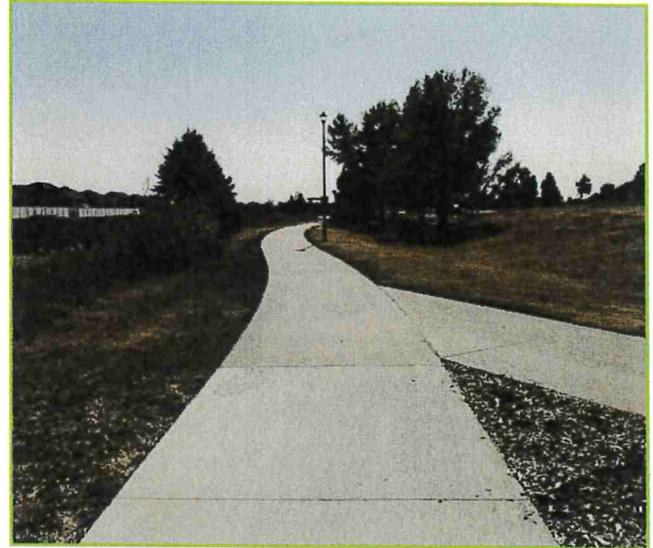


Design Standards

For specific design standards, when space allows it is much better to have a separate path for pedestrians. In developed areas, however, carving out a separate path is not always an option. Having a buffer strip, even if just a few feet, is always beneficial and more safe (Haas 2008).

COMPOSITION AND TRAIL SPECIFICATIONS

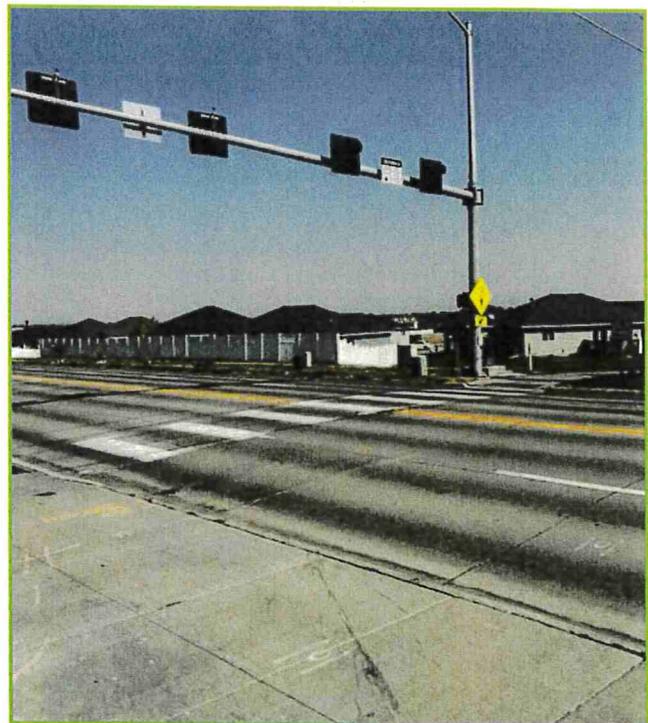
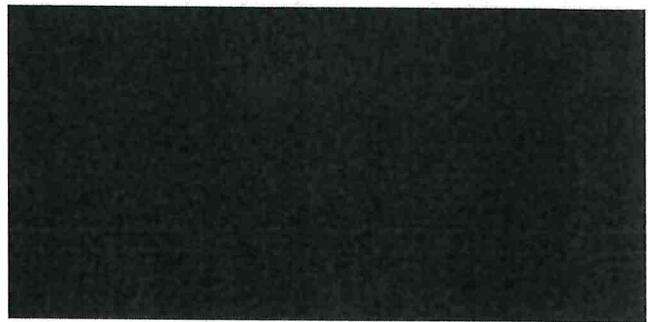
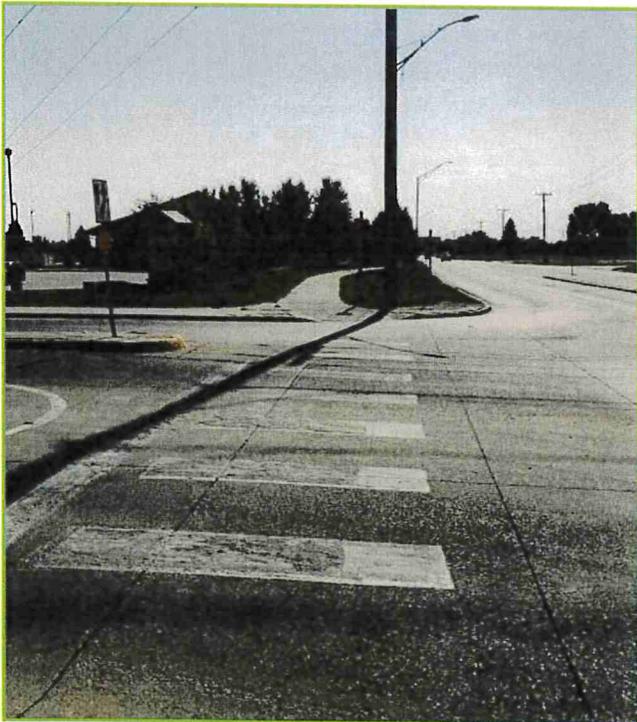
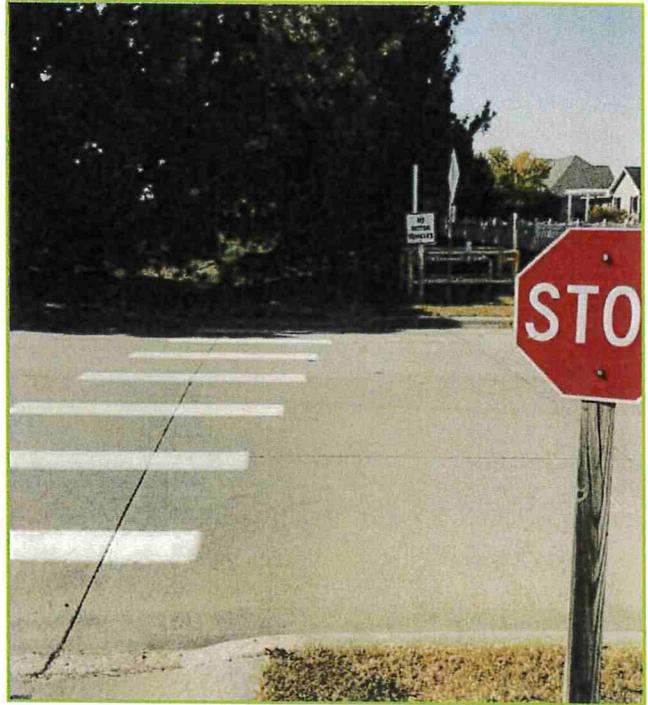
Many hike/bike trails are composed of wood chips or aggregate material (crushed limestone, for example). Aggregate material makes for an easy conversion to paved surfaces once funding is available if upgrades are desired. If logistically possible for the Walters property and connections to McCook's existing trail system, it would be best to have trails eight feet in width—trails greater in width tend to be safer and support a greater number of users at increased speeds. It is important to note that curves maintain a suggested 100-foot radius for appropriate bicycle circulation.



CROSSWALKS

Where appropriate, crosswalks are an essential component for a hike-bike trail system. Proposed crosswalks along with all others—either in existence or proposed—should have stop signs, be handicap accessible, and have color coded “detectable” ramps/strips.

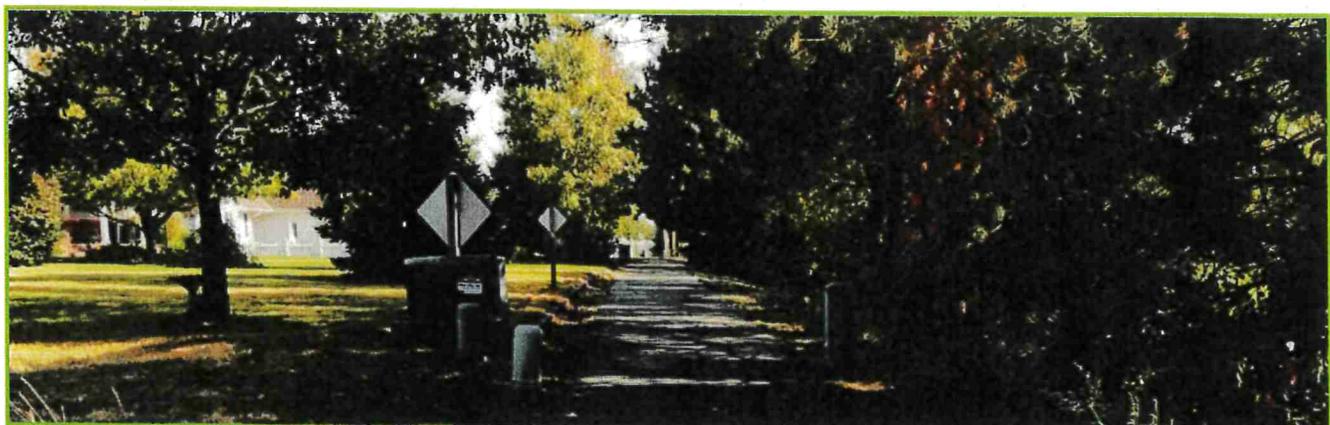
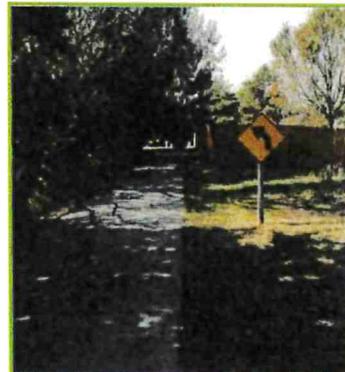
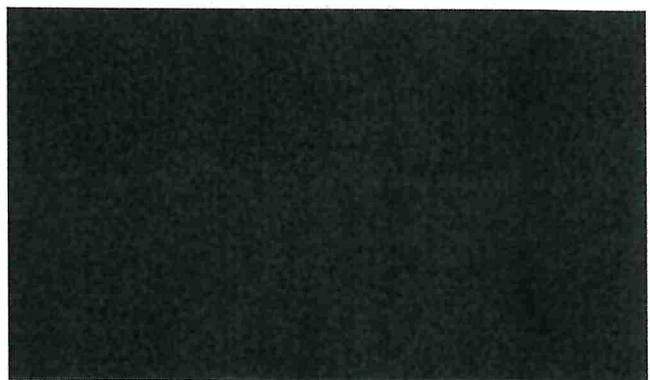
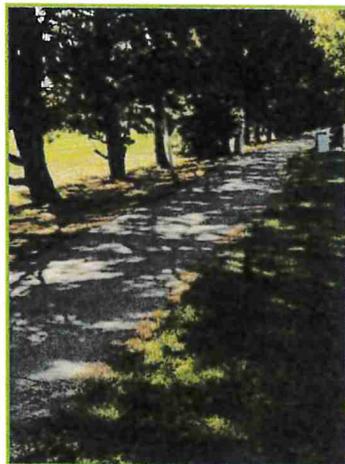
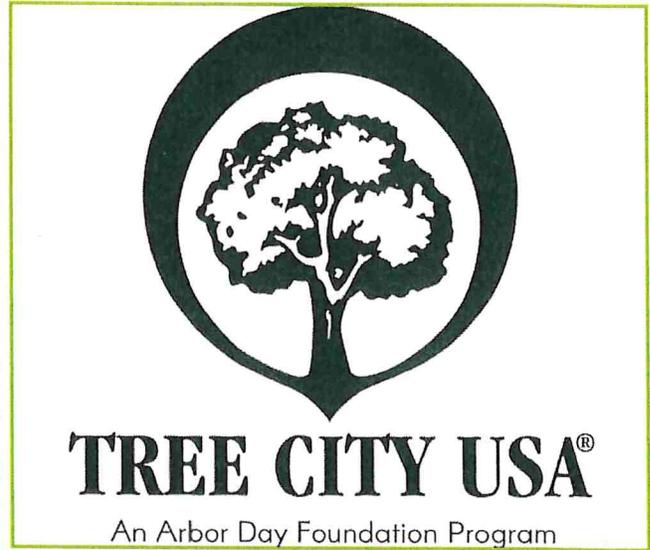
In general, crosswalks are generally at least six feet in width but for a two-lane road the preference is ten feet in width—crosswalk lines themselves are normally six inches in width. With higher traffic counts, pedestrian traffic control lights are an option.



CANOPY HEIGHT

McCook is a "Tree City USA" community and has an opportunity to take advantage of new hike-bike trails and extensions to incorporate additional tree plantings. With that, canopy height is another consideration. Canopy cover is encouraged and invited, trees provide shade, wind protection, and increase the "life expectancy" of paved surfaces.

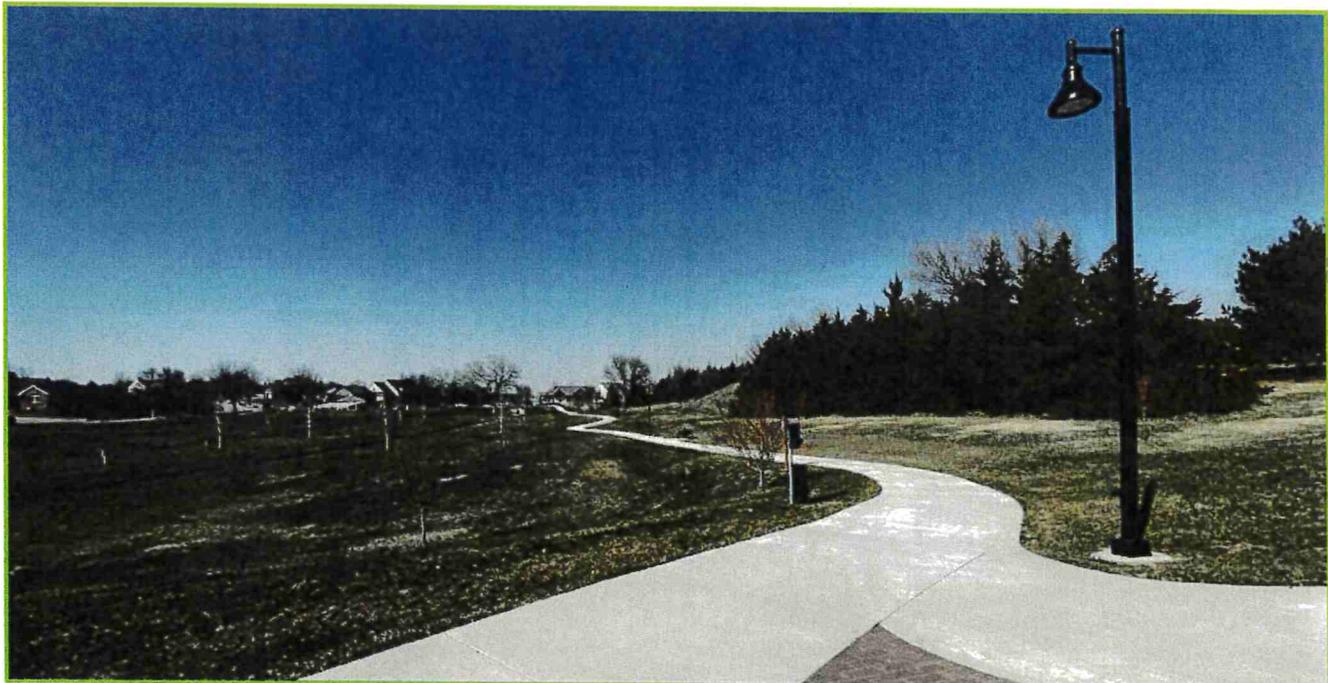
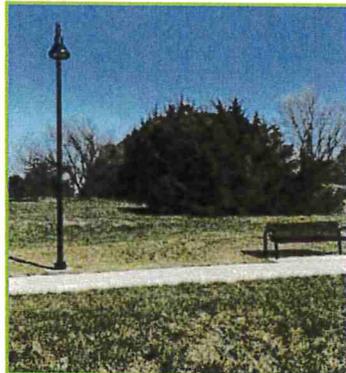
The U.S. Forest Service and American Trails both suggest that canopy cover should be at least eight feet six inches in height and ten feet if possible (www.americantrails.org; www.fs.usda.gov). Adequate canopy cover height allows for proper lines of sight for pedestrians on the trail and motorists adjacent to the trail.



TRAILHEADS

The Rails to Trails Conservancy offers a simple checklist of suggestions for each trailhead. They include parking, signage, restrooms, drinking fountains, bike racks, seating, public art, landscaping, and trash receptacles (www.railstotrails.org 2024). The conservancy also recommends one bench for every 3.5 miles of trail.

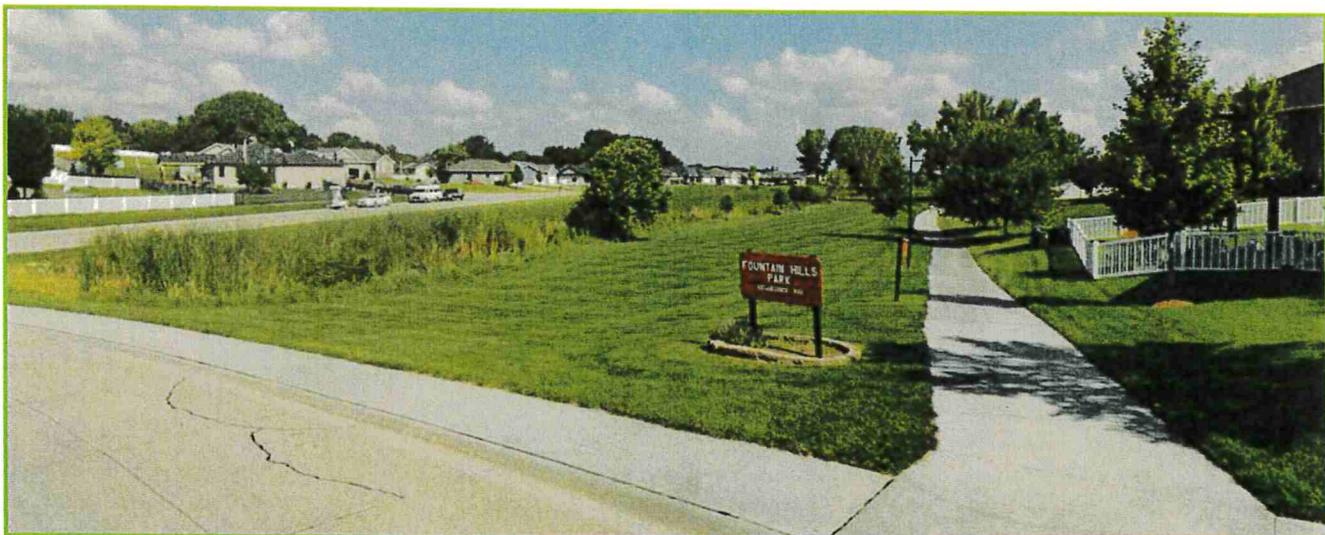
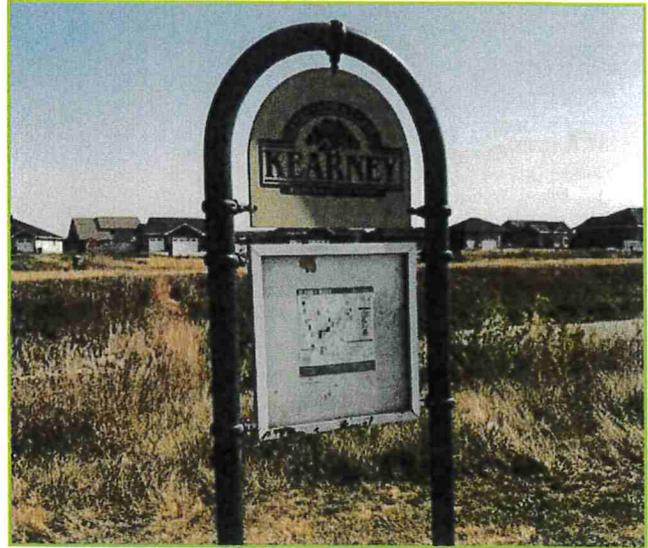
With that, one would assume that a trash receptacle would accompany each bench. Karrer Park on McCook's southeast corner could act as a trailhead on that end of the community and the new sports complex could be an anchor for McCook's northwest corner. In between, Kelley Park serves as a mid-point trailhead with access to surrounding amenities—Bolles Canyon Skatepark, the new McCook Aquatic Center, along with playground equipment, disc golf, tennis courts, and walking trails.



SIGNAGE

Trail signage is another consideration. McCook's community leaders have a "branding" opportunity with a new extension for the hike-bike trail system and development of the Walters property. Former Nebraska Governor Frank Morrison, who was from McCook, suggested in 2002 that the community be known as the "Heritage Center of America's Great Plains" (Morris 2002). A few years later, the previous slogan—"McCook: An American Experience"—was replaced in 2005. A contest to determine the new slogan was held and McCook: Nebraska's Hot Spot was the winning submission (Discoe 2005).

A more recent suggestion is "McCook, Nebraska's Hot Spot." Graff (2023) argues that McCook does not just have warm temperatures in the summer but that the community is a "hot spot" for "having people with a passion to get things done and doing projects which get people excited." A hot spot or not, McCook can take advantage of new development and an extended trail system to "brand" the community. Hike-bike trail signs that provide directions and distances in addition to an overall system map can incorporate McCook's brand to enhance a greater sense of place.



ECONOMIC IMPACT

Tourism plays an important role in Nebraska's overall economy and is a tremendous revenue source for communities across the state (Kriesel and Cantrell ND). The Nebraska Visitors Development Act was established in 1980 and with that came a lodging tax to support tourism. All counties have an option to enact an additional tax of 1.0 to 4.0 percent to support the County Visitors Promotion Fund (it is important to note that Nebraska's cost of lodging is one of the lowest in the nation). Nebraska travel expenditures are often analyzed by category. Meaning, for instance, that 29.5 percent of the tourism dollars are spent on transportation/fuel, 25.5 percent on food services, 19.1 percent on lodging, 12.4 percent on retail sales, 7.3 percent on arts and recreation, 5.4 percent at food stores, and less than 1.0 on air transportation (Kriesel and Cantrell ND). Tourism is often overlooked and impacts a variety of economic sectors, direct and indirect.

Examining economic data for Red Willow County/McCook would seem to support the benefit of a sports complex related to tourism. Data was collected for McCook along with seven peer communities in Nebraska. Correlation is a statistical test to measure a relationship between two or more variables (values range from -1.0 to +1.0) (Kachigan 1991). In this case, the first correlation demonstrates that there is a near perfect association between accommodations and food services (hotels/motels and restaurants) and sales tax which is no surprise (+.93) (Table 1).

Table 2 presents another correlation, this one between arts, entertainment, and recreation and sales tax. This relationship is also positive (+.51). The third correlation, this one between accommodations and food services to arts, entertainment, and recreation, found an extremely high correlation (+.90) that demonstrates a strong connection between entertainment and recreation (sports) and hotels and restaurants.

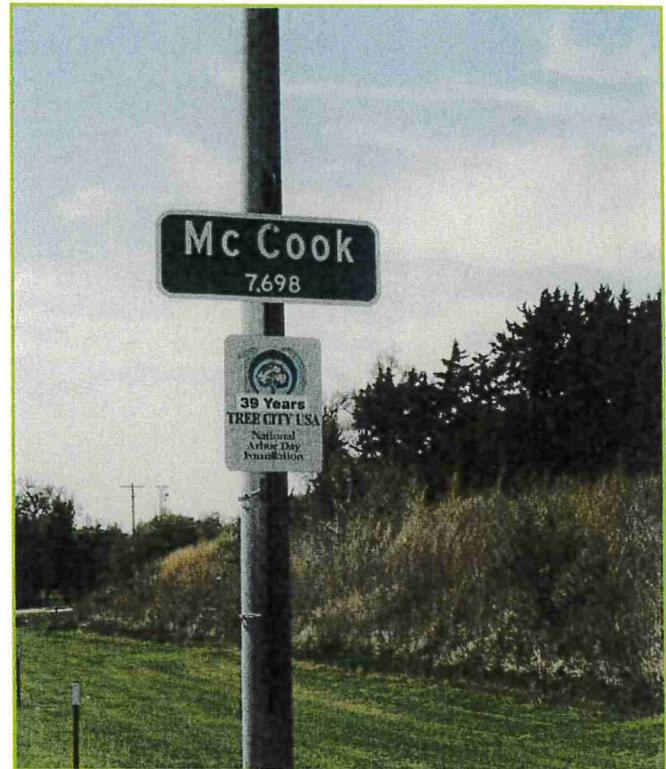
Additional travel/tourism data was gathered from www.travelstats.com, including travel spending, direct employment, direct earnings, and tax receipts. The correlation between direct travel spending and employment for McCook along with seven other peer communities is +.72 and for direct travel spending and direct earnings it is +.77. Collectively these numbers point to the positive association between entertainment and recreation—in this case a sports complex—and job creation and direct spending.

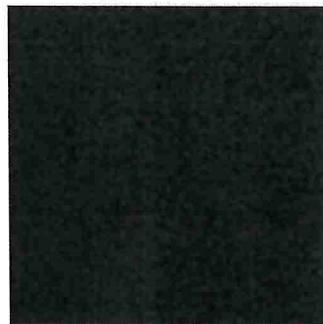
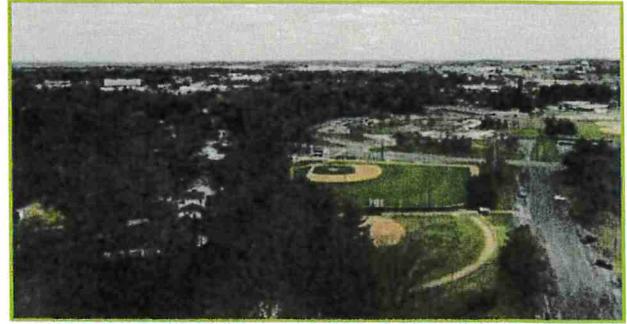
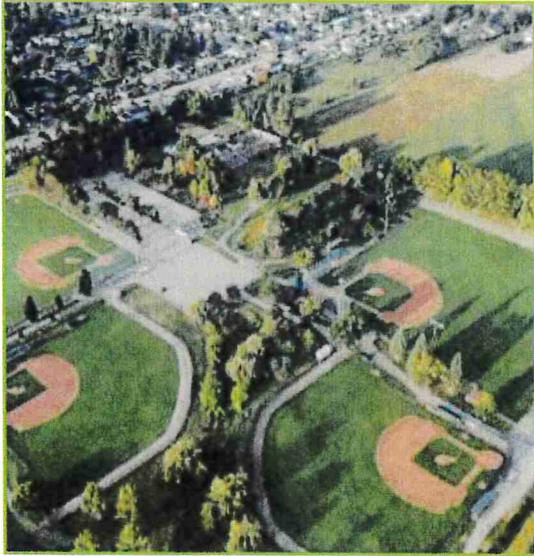
Another recent study used an Input-Output model to predict spending related to a new sports complex in McCook (Trueblood 2023). In 2023, it was estimated that a proposed sports complex would annually bring 4,356 participants and spectators to McCook. Using an estimate that 80 percent of annual participants and visitors would be more than fifty miles from McCook, expenditures were based on how far visitors travel, how long they stay in Red Willow County, and, if overnight, where they stayed. Including both direct and secondary effects, visitor spending patterns include lodging, restaurants, groceries, gas and oil, entertainment, and sporting goods. Using the estimate provided, up to ninety-nine teams would utilize the complex and bring 1,089 participants to McCook (Trueblood 2023). An additional 3,267 spectators would likely attend games as well. As a result, increased visitor spending would yield eleven “new” local jobs, up to \$792,000 in local sales, up to \$215,000 of local employee compensation, and up to \$87,000 of local sales and property taxes (Trueblood 2023).

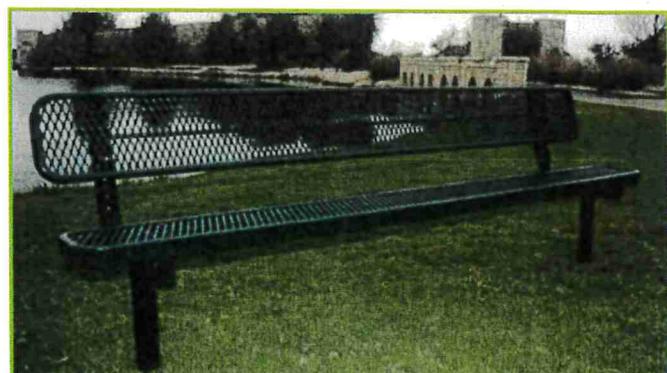
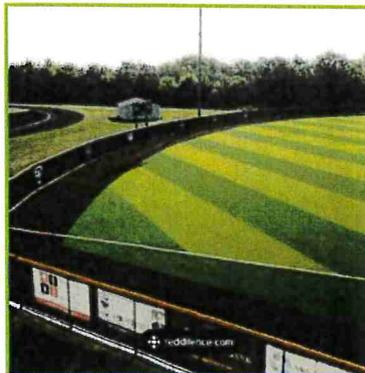
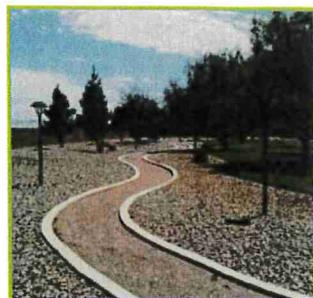
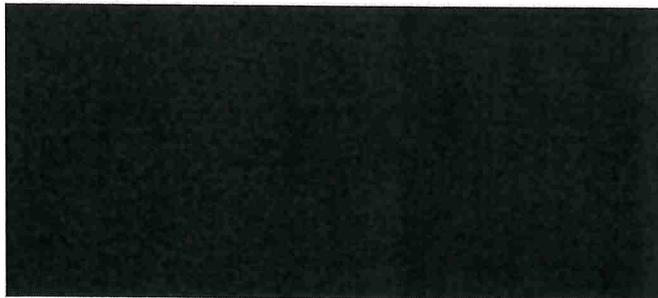
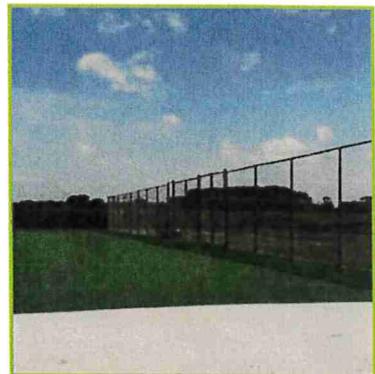
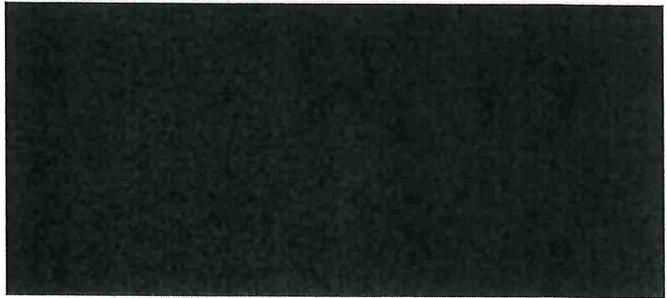
Sports Tourism

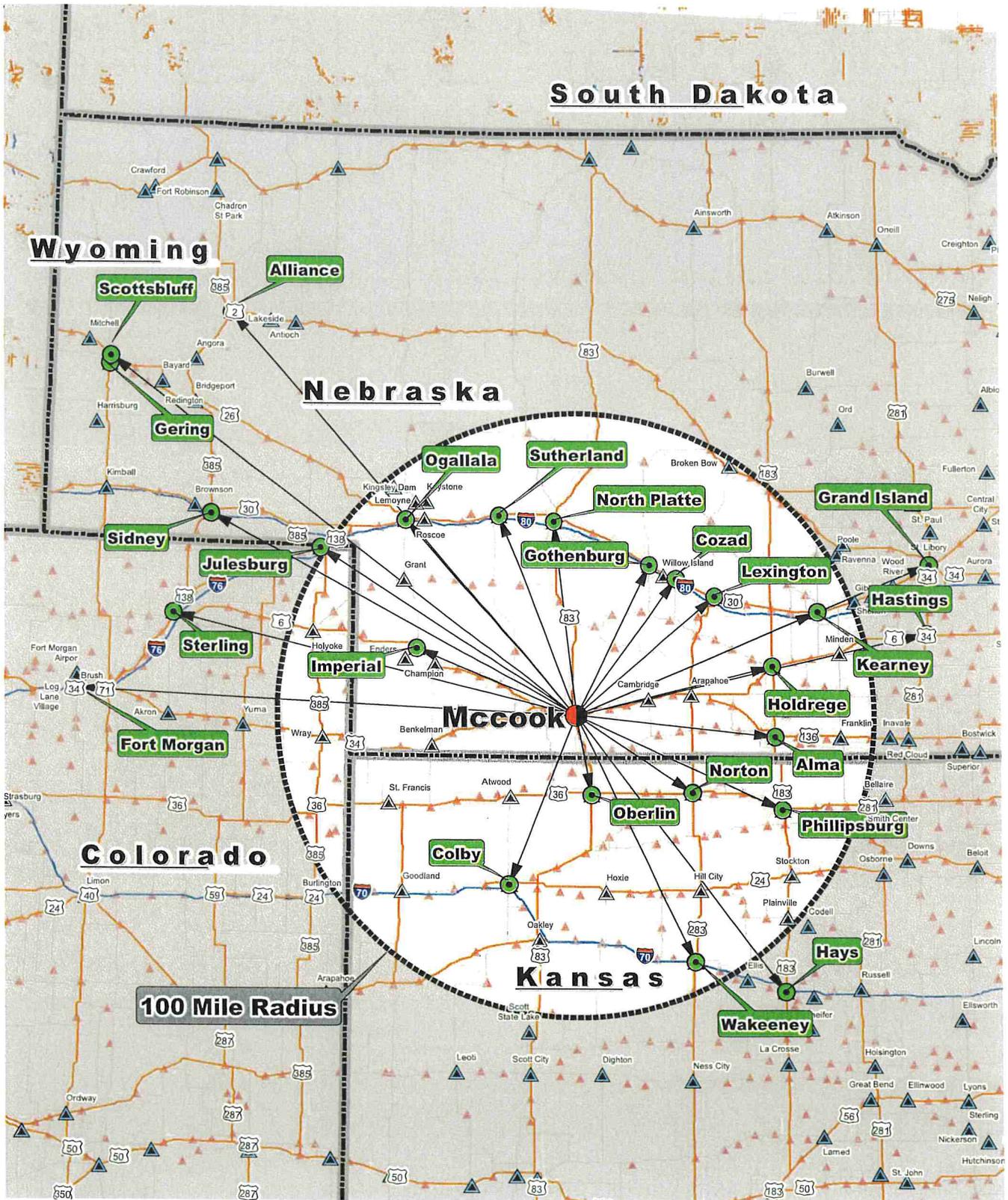
The City of McCook has considered investing in a sports complex and recent literature indicates that there is tremendous financial incentive for communities to tap into “sports tourism” by hosting games and tournaments. A development option that often has a much wider impact on the community (hotel/motel, convenience store, and restaurant sales and taxes, for instance) (Chapin 2004; Davies 2016; Kim 2021; Rosentraub et al. 1994; Siegfried and Zimbalist 2000; Silva 2022). There is a clear opportunity for McCook to develop a complex and capitalize on hosting events, but it is key to promote events that bring in teams (travel sports) from other communities. Walo et al. (1996) describe this as an essential “injection” of funds from outside the area. To accomplish this, McCook would seem to have a distinct geospatial advantage regarding the possibility of attracting teams to support a new sports complex.

McCook’s location and the existing highway network would allow communities not only in southwest Nebraska but surrounding states to easily visit and compete in events held in McCook (Figure ***). Not all inclusive but consider the following potential Nebraska communities to target for sports tourism—Alliance, Alma, Cozad, Gering, Gothenburg, Grand Island, Hastings, Holdrege, Imperial, Kearney, Lexington, North Platte, Ogallala, Scottsbluff, Sidney, and Sutherland (Figure ***). In Kansas, communities that would most likely contribute teams are Colby, Hays, Norton, Oberlin, Phillipsburg, and WaKeeney and to the west potential Colorado communities include Fort Morgan, Julesburg, and Sterling. These communities are within McCook’s “participation realm” and most already possess several “travel” teams. In McCook’s case, relying on a facility that caters to multiple sports only enhances opportunities.









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Prepared By:

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Miller & Associates
CONSULTING ENGINEERS, P.C.
Kearney, NE - (308) 234-6456



LEGEND

▲ Cities greater than 1,000 pop.

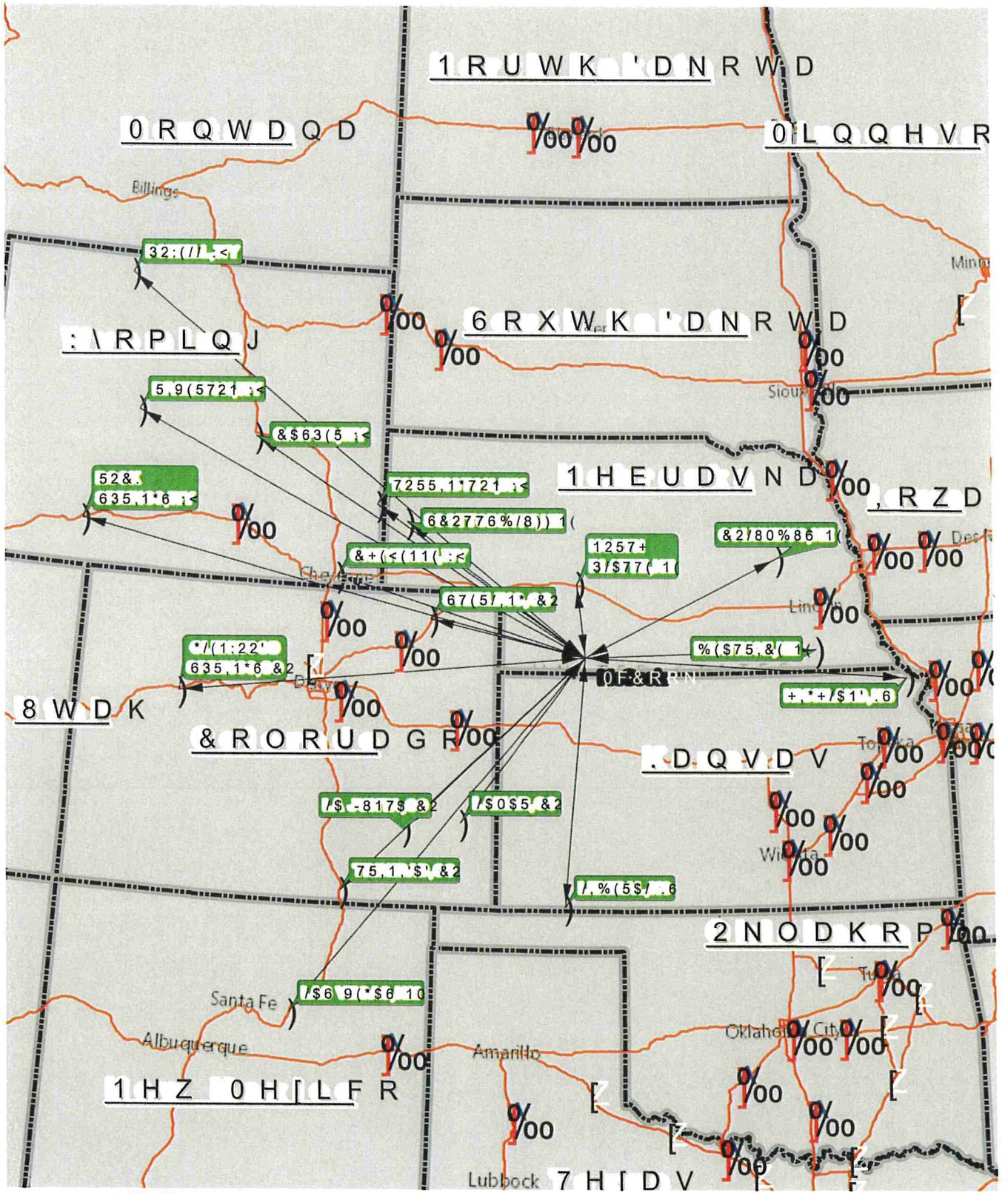
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McCook, Nebraska

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In addition to regional high school teams, consider colleges competing in Region 9 that would potentially utilize the proposed sports complex with "championship" fields (Figure ***). McCook Community College is a member of Region 9 that includes colleges from several states. The region includes

- Laramie County Community College (Cheyenne, Wyoming),
- Casper College (Casper, Wyoming),
- Highland Community College (Highland, Kansas),
- Seward Community College (Liberal, Kansas),
- Central Community College (Columbus, Nebraska),
- Central Wyoming College (Riverton, Wyoming),
- Colorado Mountain College (Glenwood Springs, Colorado),
- Eastern Wyoming College (Torrington, Wyoming),
- Lamar Community College (Lamar, Colorado),
- Luna Community College (Las Vegas, New Mexico),
- North Platte Community College (North Platte, Nebraska),
- Northeastern Junior College (Sterling, Colorado),
- Northwest College (Powell, Wyoming),
- Otero College (La Junta, Colorado),
- Southeast Community College (Beatrice, Nebraska),
- Trinidad State College (Trinidad, Colorado),
- Western Nebraska Community College (Scottsbluff, Nebraska), and
- Western Wyoming Community College (Rock Springs, Wyoming).

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PLANNING AND IMPLEMENTATION

Goals for McCook's "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" require a focused effort on planning and implementation. This involves several crucial steps, including fundraising, securing grant funds, assessing project feasibility, and completing site surveys and engineering designs.

To proceed with the proposed improvements, they must be integrated into the overall budget and program needs of the City of McCook. This entails careful consideration and prioritization of projects within the City's financial constraints and long-term strategic objectives. By engaging with relevant stakeholders and funding partners, the City can enhance its ability to successfully implement the proposed improvements and achieve its desired outcomes.

In summary, a comprehensive approach to planning and implementation, combined with effective collaboration and resource mobilization, is essential for realizing the goals outlined in the City of McCook's redevelopment plan.

Funding Options

Potential funding sources include annual appropriations, grants, partnerships, and long-term public financing. Pairing different funding sources together may be necessary to meet the City's goals. Fundraising or private grants may also be paired with other federal, state, and local grants. Creatively pairing funding sources may help the City of McCook fund additional improvement projects and achieve goals outlined in this study.

NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Nebraska Community Development Block Grant (CDBG) program has the primary objective to strengthen and grow Nebraska communities through community betterment programs and services to provide a stable platform for community and economic development. The Nebraska Department of Economic Development (DED) administers the CDBG program.

The following funding opportunities are made available through the CDBG Program for Program Year 2024 (July 1, 2024 – June 30, 2025).

Opportunity	National Obj.	Minimum		Maximum		
		Match	CDBG Project Activity ¹	CDBG Project Activity ¹	General Admin. ²	Const. Mgmt.
Downtown Revitalization	S/B, LMI	25%	\$250,000	\$400,000	10% or \$25,000	\$10,000
Economic Development	LMI	100%	\$125,000	\$1,000,000	\$10,000	\$5,000
Planning	LMI	10% for Villages	\$20,000	Single, \$50,000 Joint, \$70,000	10% or \$3,000	N/A
		20% for Second ³ Class Cities				
		25% for Counties				
		30% for First ⁴ Class Cities				
Multi-Jurisdictional: based on the entities participating.						
Public Works - Infrastructure	LMI	10% for Villages	\$250,000	\$450,000	10% or \$25,000	\$5,000
		20% for Second Class Cities				
		25% for Counties				
		30% for First Class Cities				
Public Works - Facilities	LMI	10% for Villages	\$250,000	\$450,000	10% or \$25,000	\$5,000
		20% for Second Class Cities				
		25% for Counties				
		30% for First Class Cities				
Tourism Development	S/B, LMI	25%	\$250,000	\$450,000	10% or \$25,000	\$5,000

The primary national CDBG objective is development of viable communities by providing decent housing, suitable living environments, and expanded economic opportunities, principally for low- and moderate-income (LMI) persons. Under these guidelines, this is accomplished by funding projects that meet at least one national objective. Further guidance about CDBG National Objectives is available in the CDBG Administration Manual.

- Funding priority will be provided to the applicant meeting the national objective benefitting low- and moderate-income persons.
- On a form or manner provided by DED, applicants are required to identify and document the national objective selected.

Based on the amended 1974 HCD Act and HUD guidance, the national objectives are defined and clarified by DED as follows:

1. Benefit to low- and moderate-income persons: LMI persons are defined as a member of a family having an income equal to or less than the income limits established by HUD for their resident county. Income limits as published by HUD at <https://www.hudexchange.info/programs/home/homeincome-limits/> are determined for each Nebraska County on the higher of either: 80% of the median income of the county, or 80% of the median income of the entire non-metropolitan area of the state.
2. Aid in prevention or elimination of slums and blight (S/B): "Slums" has the meaning as substandard areas as defined in Section 18-2103 (31) Neb. R.R.S. "Blight" has the same meaning as blighted areas as defined in Section 18-2103 (3) Neb. R.R.S. The focus of activities under the Prevention/Elimination of Slums and Blight (SB) National Objective is a change in the physical environment of a deteriorating area or spot. This contrasts with the LMI benefit national objective where the goal is to ensure that funded activities benefit LMI persons.
3. Urgent Need: To comply with the national objective of meeting community development needs having a particular urgency, an activity must be designed to alleviate existing conditions which the local government certifies, and state determines:
 - Pose a serious and immediate threat to the health or welfare of the community,
 - Are of recent origin or recently became urgent. A condition will generally be considered of recent origin if it is developed or became critical within 18 months preceding the subrecipient's certification.
 - The local unit of government is unable to finance the activity on its own, and other sources of funding are not available to carry out the activity, as certified by both the State and the subrecipient.

For more information on the Community Development Block Grant Program, please visit <https://opportunity.nebraska.gov/programs/community/cdbg/>.

LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund is a federal assistance program administered by the National Park Service (NPS). Nebraska Game and Parks Commission (Game and Parks) administers the fund at the state level through its Planning and Programming Division. By State Statute, 60 percent of the funds are passed through to local sponsors in the form of 50 percent reimbursement grants for the acquisition, development, and/or renovation of public outdoor recreation sites and facilities.

On September 3, 1964, Congress passed and signed into law the Land and Water Conservation Fund Act (LWCF) of 1965 (Public Law 88-578, 78 Stat 897). This was enacted,

...to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations...such quality and quantity of outdoor recreation resources as may be available as necessary and desirable for individual active participation...

The goals of the LWCF Program (state and local government matching grants) are to:

1. Meet state and locally identified public outdoor recreation resource needs to strengthen the health and vitality of the American People.
2. Increase the number of protected state and local outdoor recreation resources and to ensure their availability for public use in perpetuity.
3. Encourage sound planning and long-term partnerships to expand the quantity and to ensure the quality of needed state and local outdoor recreation resources.

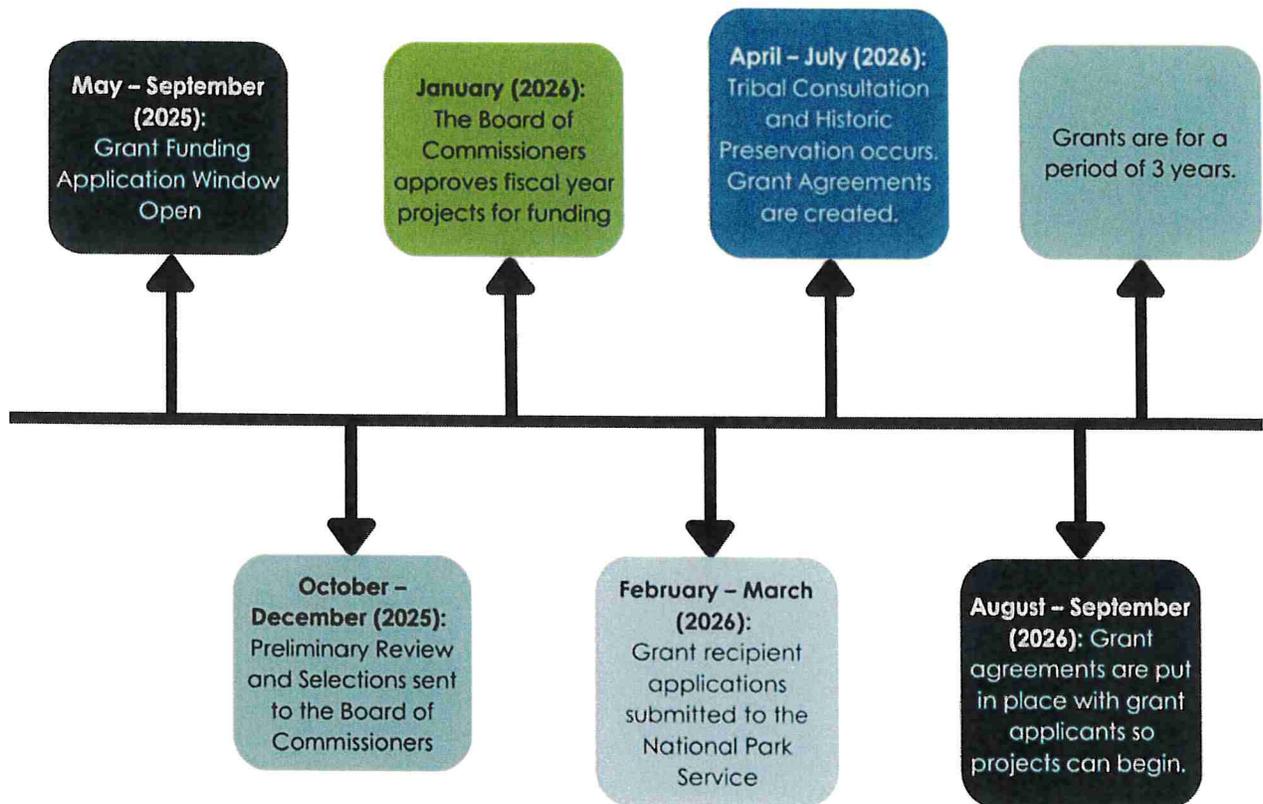
Fund assistance is restricted to public outdoor recreation facilities located on land owned or controlled by the project sponsor, a Nebraska municipality. The LWCF is a reimbursable grant, meaning the project sponsor must finance 100 percent of project costs as they are incurred. The sponsor may then request reimbursement for up to half of all eligible expenses of the approved grant up to the maximum amount. It is highly recommended that projects have funds on hand to expedite the process. The project sponsor's 50 percent share may be derived from cash, private donations, taxes, bequests, or from other political subdivisions.

Requested Floor (minimum) and Ceiling (maximum)

Floor: \$75,000 (this means the total project must be \$150,000 or more)

Ceiling: \$600,000 (this means the total project can be \$1,200,000 or more)





Matching Share Financial Obligations

The project sponsor is required to provide documentation proving the required match is on hand and allocated to the proposed project. If the match will be derived from organizations or foundations, sponsor must provide evidence these funds are readily available and will be donated to the project. Projects to be funded with bond issue proceeds will not be considered prior to the passage of the bond issue. In-kind or donated contributions may be used as all or part of the project sponsor’s share of the project cost. The method of valuation for volunteer services, material, real property, and equipment must be documented and approved by Game and Parks to be considered as part of the sponsor’s matching share.

Public Participation

Project sponsors are required to hold one or more public meetings, as well as other actions deemed appropriate, to obtain input from interested and affected public on the recreational needs of the community. An applicant is required to make any proposed project available to the public for review and comment prior to submission for funding. Applications shall include a description of this process as well as the official records and minutes of public meetings and/or formal public comment periods. For projects involving floodplains and wetlands, the public meetings and notices of the meetings must specifically indicate the project is proposed for a floodplain or wetland. The City will be required to:

- Hold one or more public meetings, to obtain input from interested and affected public on the community's recreational needs. The proposed project must be available for the public to review and comment on before funding submission.
- Pass a resolution at a public meeting to participate in the LWCF program, complete an application form, and supply all requested supplemental information as required by staff.

State Comprehensive Outdoor Recreation Plan (SCORP)

All applications must meet at least one of the Outdoor Recreation Goals as outlined in Chapter 5 of the State Comprehensive Outdoor Recreation Plan (SCORP). The SCORP is available on the Nebraska Game & Parks Land and Water Conservation Fund website.

Visit the Nebraska Game & Parks Land and Water Conservation Fund website for more information regarding the grant program (<https://outdoornebraska.gov/about/community-resources/grants/land-and-water-conservation-fund/>).

RECREATIONAL TRAILS PROGRAM FUND

The Recreational Trails Program (RTP) provides funds to states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. This program is through the Federal Highway Administration (FHWA) Moving Ahead for Progress in the 21st Century Act (MAP-2). The program continues to be a 30-30-40 split, where 30% of funds go to motorized projects, 30% of funds go to non-motorized projects and the remaining 40% go to diversified projects, either motorized or non-motorized.



Matching Share Financial Obligations

This is an 80/20 grant, where the federal share is 80% of the total allowable cost and the local matching share is 20%. The match may be derived from one or a combination of state, local, and sometimes federal or private funds. Cash, design engineering, environmental costs, and/or forced labor of political subdivisions are allowed as part of the local matching share. Project sponsors will be required to document the costs prior to obtaining reimbursement. At a minimum, 5% of the match must be in cash. Volunteer labor does not count as part of the local match. Grant funds will only be awarded to sponsors who have the local match on hand at the application due date so the project can be completed in a timely manner.

FHWA has changed RTP regulations to allow local political subdivisions the ability to use design engineering, environmental costs such as wetland mitigation, cultural surveys, and appraisals as part of the local match. A sponsor may only use costs incurred 18 months or less out from the date of authorization from FHWA.

Project Eligibility

Permissible uses Projects must fall under the following categories to be eligible for funding:

- Maintenance and restoration of existing trails
- Development and rehabilitation of trailside and trailhead facilities and trail linkages
- Purchase and lease of trail construction and maintenance equipment.
- Construction of new trails (with restriction for new trails on federal lands)
- Acquisition of easements or property for trails
- Assessment of trail conditions for accessibility and maintenance

Minimum/Maximum Grant Levels

The RTP Committee has set a limit on the amount of funding a political subdivision can receive. The minimum grant requirement is \$50,000 and the maximum grant amount that can be requested is \$250,000 for projects. The minimum or maximum grant amount request can be waived for applications if requested via letter, which includes justification as to why they are requesting the waiver. The Committee will determine if the waiver request is justifiable.

Design, Construction, Signage, and Accessibility Criteria

Preliminary engineering costs for initial project planning proposals can and should be used as match for the project (as long as included in the cost estimate). Design and construction standards should meet the American Association of State Highway and Transportation Officials (AASHTO) trail standards as published in the Guide for the Development of Bicycle Facilities as a development guide for non-motorized trails. The guide can be purchased from: AASHTO, 444 North Capitol St, NW, Suite 225, Washington, D.C. 20001. Specific disability accessibility technical standards have been finalized for recreational trails by the U.S. Architectural and Transportation Barriers Compliance Board (the Access Board), sponsors have statutory responsibilities to provide opportunities for people with disabilities. Project elements, where possible, should be provided in accord with current standards that are contained in the Americans with Disabilities Act Accessibility Guidelines (ADAAG) or in the Uniform Federal Access Standards (UFAS).

Signs and other traffic control devices must conform with the Manual on Uniform Traffic Control Devices (MUTCD) and Standard Highway Signs (these standards allow some smaller dimensions for signs on trails). These documents are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. Signage for Motorized Trails will conform to the United States Forest Service's December 2005 EM 7100-15, Sign and Poster Guide for the US Forest Service (Chapters 5, 7, 9, 10, 11 & 12). Motorized trail design should follow the recommendations of "Park Guidelines for OHVs" by George Fogg, "Management Guidelines for OHV Recreation" by Tom M. Crimmins, and/or the "Trail Planning, Design & Development Guidelines" by the Minnesota Department of Natural Resources and/or federal agency design guidelines. Contact NGPC for more information on these guidelines.

For more information visit the Nebraska Game and Parks Recreational Trails Program (<https://outdoornebraska.gov/about/community-resources/grants/recreational-trails-program/>).

CIVIC AND COMMUNITY CENTER FINANCING FUND (CCCFF)

The Civic and Community Center Financing Fund (CCCFF) is awarded to municipalities and administered by the Nebraska Department of Economic Development (NDED).

The competitive CCCFF grants are awarded annually to help communities improve the quality of life for residents they serve. Applicable projects must be available to the public and located within the official boundaries of the community. Community facilities including libraries, recreation and wellness centers, aquatic facilities, gathering spaces, convention centers, town squares, and cultural centers may be constructed or improved with CCCFF funds.

Nebraska municipalities must own at least 50 percent of the facility and may apply for one of two grant types in a single program year – Planning or Construction. CCCFF grant funds cannot account for more than fifty percent of the total project costs. Minimum local cost-share is 1:1.

The **Planning Grant** is available for \$3,000 to \$15,000. The planning process includes data gathering and analysis, a building evaluation, citizen participation, concept development, and short- and long-term goals to help the municipality determine how the funds will be spent.

The **Construction Grant** is available for a minimum of \$15,000 and a maximum as defined by the table below. NDED will announce which schedule applies at the beginning of each funding cycle.

A municipality may only receive one of each grant type (planning or construction) in a two-year period. Given the competitive nature of the CCCFF program, a municipality can apply for the Construction grant more than once for a single project but may not be awarded both times. Construction projects are scored by five criteria listed below:

1. Retention Impact
2. New Resident Impact
3. Visitor Impact
4. Readiness and Local Public Support
5. Project Planning

Visit the Civic and Community Center Financing Fund on the Nebraska Department of Economic Development's website for more information regarding the grant program (<https://opportunity.nebraska.gov/programs/community/cccff/>).

FOUNDATION RESOURCE DIRECTORY

The Foundation Resource Directory serves as a starting point for individuals, communities, and organizations researching different fundraising sources. This directory provides information on numerous foundations located both in and outside of Nebraska. Contact information, brief summaries, fields of interest, limitations, and application information are provided in the directory to help locate potential funding sources.

Visit the 2023 Foundation Resource Directory for more information on available grants (https://www.nebraskachildren.org/file_download/inline/626e5555-bb98-458d-b460-fa10cec64f17).

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McCook Planning Commission
Regular Meeting
October 14, 2024
5:15 P.M.

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

Present: Chair Lyons; Vice Chair Hilker; Commissioners Davidson, Friehe, McDowell, Mockry, Stevens.

Absent: Commissioners Bradley, Vosburg, Currier.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 11, 2024, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

1. Approve the minutes of the September 16, 2024 regular Planning Commission meeting.

Motion to approve the minutes of the September 16, 2024 regular Planning Commission meeting. This motion, made by Lyons and seconded by McDowell, passed.

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

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the voluntary annexation of a tract of land located north in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by Mockry, passed.

Bradley: ABSENT, Currier: ABSENT, Davidson: YEA, Friehe: YEA, Hilker: YEA, Lyons: YEA,

EXHIBIT #5

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McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: ABSENT
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); and Exhibit #3 - Proposed Resolution No. PC2024-02 (2 pages).

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

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Mockry and seconded by Lyons, passed.

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

2.B. Approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Friehe and seconded by Davidson, passed.

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

2.C. Public Hearing - Regarding the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by McDowell, passed.

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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published

(1 page); Exhibit #3 - Proposed Resolution No. PC2024-03 (1 page); and Exhibit #4 - proposed Redevelopment Plan (69 pages).

Craig Bennett and Jason Combs with Miller & Associates were presented to review the proposed Redevelopment Plan with the Commission.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Lyons and seconded by Stevens, passed.

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

YEA: 7, NAY: 0, ABSENT: 3

2.D. Approve Planning Commission Resolution No. PC 2024-03, recommending adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-03, recommending the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Lyons and seconded by Friehe, passed.

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

YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Lyons declared the Planning Commission meeting adjourned at 6:45 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

MCCOOK CITY COUNCIL

RESOLUTION NO. 2024-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCCOOK, NEBRASKA, APPROVING A REDEVELOPMENT PLAN, AS A PART OF THE CITY OF MCCOOK COMPREHENSIVE PLAN, ENTITLED "REDEVELOPMENT PLAN FOR THE WALTERS MULTI-USE REDEVELOPMENT PROJECT".

WHEREAS, the City of McCook has approved and adopted the McCook, Nebraska Comprehensive Plan; and

WHEREAS, an amendment to such plan is proposed for a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project", attached hereto and incorporated herein as Exhibit A; and

WHEREAS, such amendment was reviewed by the McCook Planning Commission on October 14, 2024, and a recommendation was forwarded to the McCook City Council; and

WHEREAS, a public hearing was held on October 21, 2024 for the purpose of discussing such amendment to the Comprehensive Plan; and

WHEREAS, the City Council of the City of McCook finds that it is in the best interests of the citizens and residents to amend the McCook, Nebraska Comprehensive Plan, incorporating a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project".

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA, that the City of McCook hereby approves and adopts an amendment to the Comprehensive Plan, incorporating the redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project".

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

EXHIBIT #6

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**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 3.A.

Approve the minutes of the October 7, 2024 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

October 17, 2024

McCook City Council
October 7, 2024
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, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Utilities Director Fawver, Fire Chief Harpham, Police Chief Hodgson, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 3, 2024, 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. Invocation was provided by Jeremy Labrie, Memorial Methodist Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

1. Announcements & Recognitions.

Mayor Taylor read a note from McCook Chamber of Commerce Director Sarah Schneider extending a heartfelt thanks to all city staff for their dedication and support in making McCook and Norris Park welcoming and beautiful for Heritage Days. She has heard nothing but great things about the community and the event.

City Manager Schneider informed the Council that a Board of Zoning Adjustment meeting is scheduled for October 9, 2024 at noon.

2. Proclamations.

- 2.A. Approve the proclamation designating October 6 - 12, 2024 as "Fire Prevention Week" and authorize the Mayor to sign.

Fire Chief Harpham addressed the request. This year they started Fire Prevention Week hosting a

fire training school through their Mutual Aid Association. About 40 firefighters attended from thirteen different communities; adding, it was good to see firefighters from far distances away come to our conference.

Motion to approve the proclamation designating October 6 - 12, 2024 as "Fire Prevention Week" and authorize the Mayor to sign. This motion, made by Weedon and seconded by Calvin, passed.

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

YEA: 5, NAY: 0

3. Consent Agenda.

Councilmember Calvin requested that Item 3.G. be removed from the Consent Agenda and placed on the Regular Agenda.

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

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

YEA: 5, NAY: 0

- 3.A. Approve the minutes of the September 16, 2024 regular City Council meeting and the September 4, 2024 and October 1, 2024 special City Council meetings.
- 3.B. Ratify the Mayor's appointments to the Airport Advisory Commission - appoint Austin Lambing - term expires November 2025; and to the Planning Commission - reappoint Chad Lyons and Jamie Mockry - terms expire September 2027; and appoint Mark Currier, alternate - term expires March 2027.
- 3.C. Ratify the appointment of Lance Gillen, Karen Bortner, Dan Sattler, Staci Blomstedt, Tacie Fawver, Steve Miller, Danny Gullion, Craig Dickes, Darcy Rambali, Jared Muehlenkamp, John Walters, Deborah Walters, Christian Conroy, and Jessica Bedore to the City of McCook's Sports Complex committee.
- 3.D. Update regarding the property located at 1107 West 4th Street.
- 3.E. Approve an easement from Performance Plus in favor of the City of McCook allowing for the City to maintain a utility easement for property located in the SW 1/4 of Section 28, Township 3 North, Range 29 West of the 6th P.M., Red Willow County, Nebraska.
- 3.F. Approve a Memorandum of Understanding with the McCook Economic Development Corporation.
- 3.H. Adopt Resolution No. 2024-27 setting the property tax request for FY 2024/2025.
- 3.I. Accept the minutes of the July 10, 2024 Library Advisory Board meeting and the September 16, 2024 Planning Commission meeting.

- 3.J. Approve a Promissory Note between the City of McCook and Dustin and Amanda Trew.
- 3.K. Approve the request from Community Hospital to utilize the south one half of the city-owned parking lot located on the east side of the 400 block of West First Street as well as a portion of the on street parking on the east side of West First Street for the purpose of the construction of an apartment complex and the staging of equipment.

4. Regular Agenda.

- 3.G. Approve an Interlocal Cooperation Agreement between the City of McCook and Red Willow County Sheriff's office and authorize the Mayor to sign.

Motion to move consideration of this item to the October 21, 2024, City Council meeting. This motion, made by Calvin and seconded by Weedon, passed.

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

- 4.A. Consider request and authorize the use of Community Betterment Funds to cover the rental fees for the "Share the Heat" fundraising event to be held at the Heritage Senior Center on October 27, 2024.

Araceli Santos-Ayala, Community Service Coordinator for Community Action Partnership of Mid Nebraska, was joined by her predecessor, Barb Ostrum, to make their request for funds from the City Council to cover the rental fees of the Heritage Senior Center for the "Share the Heat" fundraising event that will take place Oct. 27.

Motion to approve the request and authorize the use of Community Betterment Funds to cover the rental fees for the "Share the Heat" fundraising event to be held at the Heritage Senior Center on October 27, 2024. This motion, made by Muehlenkamp and seconded by Taylor, passed.

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

- 4.B. Update regarding the sports complex project.

City Manager Schneider informed the Council that on October 2, the city closed on the property for the sports complex, housing, and commercial development. The Sports Complex Committee has been appointed to oversee the details of the sports complex. A meeting of the committee and Miller and Associates has been scheduled. Miller and Associates will assist with conceptual designs and the subdivision process and will prepare a Request for Qualifications to select a firm to design the complex.

- 4.C. Ordinance No. 2024-3087 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. 2024-3087 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. 2023-3072 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. 2024-3087 has been read by title and I move to approve upon its third and final reading. This motion, made by Calvin and seconded by Weedin, passed.

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

Mayor Taylor stated for the record that Ordinance No. 2024-3087 is declared lawfully passed and adopted upon publication as required by law.

4.D. Ordinance No. 2024-3088 providing for the amendment of Chapter 38: Appendix E, Water Department Rates and Fees.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3088 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 38: FEE SCHEDULE - APPENDIX E , WATER DEPARTMENT RATES AND FEES; OF THE CITY OF MCCOOK CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR WATER BY THE MCCOOK WATER DEPARTMENT; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2024-3076 AND ANY AND ALL 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. 2024-3088 has been read by title and I move to approve upon its third and final reading. This motion, made by Rambali and seconded by Muehlenkamp, passed.

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

Mayor Taylor stated for the record that Ordinance No. 2024-3088 is declared lawfully passed and adopted upon publication as required by law.

4.E. Ordinance No. 2024-3089 providing for the amendment of Chapter 38: Appendix D, Sewer Department Rates and Fees.

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3089 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 38: FEE SCHEDULE - APPENDIX D, SEWER DEPARTMENT RATES AND FEES, OF THE CITY OF MCCOOK CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2024-3077 AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME

AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2024-3089 has been read by title and I move to approve upon its third and final reading. This motion, made by Weedin and seconded by Calvin, passed.

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

Mayor Taylor stated for the record that Ordinance No. 2024-3089 is declared lawfully passed and adopted upon publication as required by law.

4.F. Council Comments.

There were no council comments.

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 5:56 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM 3.B. Approve an Interlocal Cooperation Agreement between the City of McCook and Red Willow County Sheriff's Office.

BACKGROUND:

The Red Willow County Sheriff's Office has asked the City of McCook to enter into an Interlocal Cooperation Agreement which will permit the City of McCook to assist the Red Willow County Sheriff's Office with emergency response calls for service in Red Willow County. At the October 7th City Council meeting, a motion was passed to move this matter to the October 21st meeting. A couple of matters were addressed to assure all terms of the agreement were adequately addressed.

A copy of the Interlocal Cooperation Agreement is attached to this report, with the terms of said Agreement contained within.

APPROVALS:



Lea Ann Doak, City Clerk

October 16, 2024



Nate Schneider, City Manager

October 16, 2024

INTERLOCAL COOPERATION AGREEMENT

This INTERLOCAL AGREEMENT (“AGREEMENT”) is entered into by and between the Red Willow County Sheriff’s Office herein referred to as “COUNTY”, and the City of McCook Police Department herein referred to as “CITY”. Collectively the COUNTY and CITY may be referred to as “PARTIES”, and individually each may be referred to as “PARTY”.

WHEREAS, the parties are public agencies for the purpose of the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 through §13-827;

WHEREAS, the Interlocal Cooperation Act permits any two or more public agencies to enter into agreements with one another for joint or cooperative action;

WHEREAS, COUNTY desires to enlist the services of the CITY at times and by necessity, having inadequate staffing would;

1. Request assistance and authorize the CITY to respond to instances where the safety of the public or the law enforcement officer would be at risk,
2. Acknowledge the CITY will respond only during emergency staffing situations,
3. The CITY will respond to control the scene until an agency with jurisdictional authority arrives at which point the scene will be turned over to that agency whether it be the COUNTY or another agency with jurisdictional authority.

WHEREAS, the COUNTY acknowledges that the primary responsibility of the CITY is to the citizens of the City of McCook.

WHEREAS, the COUNTY acknowledges that the CITY will not be made available to cover for routine staffing such as coverage for leave time or in lieu of the COUNTY responding to calls for service. Or, will the CITY respond to calls for service of a less serious nature such as crimes involving property only. The CITY shall have jurisdiction to utilize whatever means necessary to stabilize and render safe the situation. The COUNTY would be responsible for any follow-up.

WHEREAS, the COUNTY acknowledges that when the CITY is at minimum staffing, which is determined to be two officers per shift, the CITY will not be made available for calls outside of the City of McCook unless the situation is of dire consequences where the potential for loss of life exists. CITY will respond by authorization of the Chief of Police or his designee. In the event of a dire need where loss of life is a potential, CITY will attempt to call in additional personnel to provide police services.

WHEREAS, both the COUNTY and the CITY shall be responsible for their respective agencies reporting and evidence collection. The Sheriff will make arrangements for the transfer of custody of any evidence collected by the CITY, if any.

WHEREAS, the COUNTY agrees to pay the actual cost per additional personnel to cover the costs of wages, fuel, and mileage.

WHEREAS, the CITY would have discretion as the type of response whether it be singularly or through a collective effort based on the availability of personnel who are called in.

WHEREAS, this agreement will be inclusive of Agreements entered into by the COUNTY with other entities, to wit: other Counties or Cities having entered into similar agreements with the COUNTY that may be able to render assistance or response in a timelier manner than could the City.

WHEREAS, this agreement is meant to ensure the safety of all the residents of Red Willow County and will be used as the exception and not habitually by the County. The COUNTY in kind will respond at the request of the CITY rendering aid during times of extreme need or emergency already having jurisdiction within the county.

WHEREAS, the term of this agreement shall be for one (1) year from the date of completion of acceptance. It may be renewed annually for (1) one-year periods on such terms as the PARTIES agree upon.

WHEREAS, no separate legal or administrative entity is created by this agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed between the parties as follows:

1. Emergency: For purposes of this Agreement “Emergency” shall mean a serious, unexpected, and often dangerous situation requiring immediate action.
2. Term and Termination: This Agreement shall commence on the date of its execution. Either PARTY may immediately terminate this agreement with written notice to the other PARTY.
3. Responding Law Enforcement Agency: The COUNTY shall serve as the primary responding agency. In the event of an “Emergency” the CITY, at the direction of the Chief of Police or his designee, will respond by providing services to render the situation safe. Once the situation is safe the COUNTY will be responsible for any follow-up.
4. Duties of the CITY at an “Emergency”: In the event of an “Emergency”, the CITY shall:
 - a. Respond accordingly to the situation at hand.

- b. Take necessary enforcement action to render safe the situation
 - c. Hold the scene until the COUNTY or another agency with jurisdictional authority can arrive.
5. Extent of CITY's Response: The CITY may provide such equipment and personnel as may be necessary for the proper and adequate response to an "Emergency". The CITY shall have the sole discretion in the determination of available resources, equipment, and personnel that can safely be provided to the COUNTY. The CITY may recall to its jurisdiction such resources, equipment, and personnel necessary to meet the needs of its own jurisdiction. Further, the CITY may recall to its jurisdiction such resources, equipment, and personnel if the CITY in its sole discretion determines it is unsafe or inappropriate to remain on scene.
6. Requests for Service: Requests for services for an "Emergency" shall be made through the CITY's E911 Dispatch Center. The dispatch center handles radio communications for the COUNTY and in the event of an "Emergency" would relay information to the on-duty deputies or on-duty Sheriff.
7. Coordination of Emergency Services: The responding CITY officer shall have command authority until the scene is turned over to the COUNTY or other law enforcement agency with jurisdictional authority.
8. Initial Response Location: In the event of an "Emergency" and the CITY under its sole discretion determines the need to call in off-duty personnel, said off-duty personnel shall respond to the CITY's police department where said personnel will receive further instructions.
9. Records and Reports from an "Emergency": Each PARTY shall have the right to request from the other all records and reports relating to the "Emergency" requiring the CITY's response.
10. Costs and Expenses: The COUNTY shall be responsible for all CITY personnel at actual cost. Such hourly rate shall include but not be limited to wages, fuel, and mileage.
11. Insurance Requirements: To the extent allowed by law, the COUNTY shall ensure that the CITY is named as an additional insured on its insurance policy covering the COUNTY. This insurance policy shall act as primary insurance for any occurrence during the course of the CITY responding to an "Emergency". Furthermore, the COUNTY's insurance policy shall expressly waive any right of subrogation against the CITY's insurer.
12. Indemnification: The COUNTY agrees to indemnify, defend, and hold harmless the CITY, its officers, agents, and employees, from and against any and all claims, damages, liabilities, losses, and expenses, including but not limited to attorney fees and court costs, arising out of or resulting from the response to the "Emergency".
13. Amendment: This Agreement may be amended or modified only by a written instrument executed by both PARTIES.
14. Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska.

IN WITNESS WHEREOF, the PARTIES hereto have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

The CITY

COUNTY:

Date: _____

Date: _____

Mayor Linda Taylor

Commissioner Ted Gans – Chairman

Date: _____

Date: _____

Chief Kevin A. Hodgson

Sheriff Kevin Darling

Attest:

City Clerk Lea Ann Doak

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: **3.C.**

RECOMMENDATION:

Approve the McCook Area Chamber of Commerce request to use City facilities for a Christmas Celebration on Saturday December 7, 2024 including the use of McCook Ben Nelson Regional Airport for the flying in of Santa Claus at 1:00 P.M.; the use of Norris Park (including electricity) beginning at 3:00 P.M. which will include entertainment in the bandshell; the lighting of the park; conducting the Annual Christmas "Light up the Bricks" Parade beginning at 6:00 P.M., including participation by the Fire and Police departments and the closing of East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street for carriage rides; to utilize Norris Avenue sidewalks and streets on December 15th for a small train ride after the showing of the Polar Express movie at the Fox Theatre.

BACKGROUND:

The Chamber of Commerce is requesting the use of the following City facilities for their annual Christmas celebration to be held on Saturday December 2, 2023:

The use of McCook Ben Nelson Regional Airport for the flying in of Santa Claus at 1:00 p.m. on Saturday December 2, 2023.

Request the assistance of Police and Fire Department staff and equipment to conduct the annual Christmas "Light up the Bricks" Parade activities beginning at 6:00 p.m. This request includes lining up parade entries along the 100 block of West "H" Street and going south along West 1st Street and conducting the parade from Norris Park down Norris Avenue to "C" Street and then west to West 5th street, where the parade will disband.

In addition to the flying in of Santa and the light parade, the Chamber is also requesting the use of Norris Park on December 2, 2023 from 3:00 p.m. to 7:30 p.m. for their annual "Noel on Norris", including electricity and the use of the bandshell.

They are also requesting the closure of the following streets for carriage rides:

East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from the northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street

The Chamber is also planning on placing lights in some of the trees as well as on the bandshell in Norris Park, to provide a more festive feel. This is scheduled to take place on or around November 11th. They plan to take down the lights sometime in January, weather permitting.

The Chamber of Commerce is also requesting permission to utilize the Norris Avenue sidewalks/street on December 16th for a small train ride after the showing of the "Polar Express" movie that will be showing at the Fox Theatre.

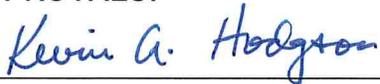
The McCook Police and Fire Departments will have personnel and equipment available to assist the McCook Chamber of Commerce in their proposed activities. The McCook Street Department will provide cones for the closing of the streets. This annual event presents no significant issues for City staff.

In lieu of flashing lights, the City Street Department will be providing reflective traffic cones.

FISCAL

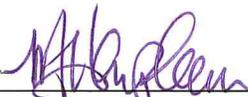
IMPACT: None.

APPROVALS:



Kevin Hodgson, ~~Interim~~ Chief of Police

October 9, 2024



Marc Harpham, Fire Chief

October 9, 2024



Kyle Potthoff, Public Works Director

October 9, 2024



Nate Schneider, City Manager

October 9, 2024

From: Sarah Schneider <director@mccookchamber.org>
Sent: Monday, October 7, 2024 5:12 PM
To: Nate Schneider (nschneider@cityofmccook.com); potthoff@cityofmccook.com; Clerk Lea Ann Doak
Subject: Request for Park and Street Closures

Good afternoon,

Please consider this a formal request to be added to the October 21st, McCook City Council agenda for approval of the following request from the McCook Chamber of Commerce in regard to the annual Christmas Parade and Noel on Norris event.

1. Permission to use the McCook Ben Nelson Regional Airport for the flying in of Santa Clause to the airport. We are anticipating Santa's arrival at 1:00 pm. We are working with Red Willow Aviation.

2. Permission to hold the annual Christmas Light Parade hosted by High Plains Radio. The parade will begin at 6:00 pm. The route will be the same as in 2023 and begins at East "H" Street, proceeds south on Norris Avenue to East "C" Street, and then turns west toward West 5th Street. The parade will fall out and disband when they arrive at West 5th Street. Parade entries will be lined up from West "H" Street going west and then moving south onto West 1st Street. We are asking that the fire truck be a part of the parade as the children love the big engine safety vehicles. We will not line up in any particular order, as the floats will line up as they arrive. Santa will ride in the fire truck as it leads the parade. As in the past, we would appreciate police support before, during, and after the event.

3. Permission to use Norris Park for our annual Noel on Norris (Carriage Rides and Park Entertainment) on Saturday, December 7th from 3 pm-8:30 pm, which includes electricity and the bandshell.
 - a. Road closures for safety reasons include East G St. from northbound Norris Ave. to East 2nd St., East 1st St. from East F St. to East I St., East H St. from East 2nd St. to northbound Norris Ave.; northbound Norris Ave. from East G St. to East H St. With these road closures, because it will be dusk into the dark, we request flashing lights rather than cones to stop traffic.
 - b. Permission to hang lights on trees and the bandshell prior to the event (on/around November 11). Lights will be taken down in January.
 - c. Permission to hang lights down Norris Avenue in the center island.

4. Permission to use the Norris Avenue sidewalks/street on December 15th for a small train ride after the showing of the Polar Express movie at the Fox Theatre.

Please let me know if you have any questions.

Sarah Schneider

Director

McCook Chamber of Commerce

402 Norris Avenue | Suite 316

McCook, NE 69001

308.345.3200

director@mccookchamber.org



**MCCOOK CHAMBER
OF COMMERCE**

Involvement | Education | Advocacy | Marketing

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 3.D.

Forward to the City's insurance carrier for review and appropriate action a property damage claim from Judy Workman.

BACKGROUND:

Staff received the property damage claim from Judy Workman. The governing body is required to forward the claim to the City's insurance carrier for review and appropriate action.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

October 16, 2024



Nathan A. Schneider, City Manager

October 16, 2024

CITY MANAGER'S REPORT
October 21, 2024 CITY COUNCIL MEETING

ITEM: **3.E.**

RECOMMENDATION:

Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable @ East 1st Street & East M Street

BACKGROUND:

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City utility right-of-way to install fiber optic conduit and cable.

The construction will begin @ the power pole on the South side of East 1st Street 190' East of East 1st Street & East M Street. From this power pole the cable will continue North under East M Street for 140' to the Existing power pole.

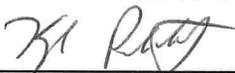
FISCAL IMPACT:(None)

APPROVALS:



Pat Fawver Utilities Dir.

October 21, 2024



Kyle Potthoff, Public Works Dir.

October 21, 2024



Nate Schneider, City Manager

October 21, 2024



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

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great plains Communications DATE: 10-3-24
ADDRESS: 1009 West B St PHONE: 402-533-8608
FAX: _____ START DATE: OCT 15-24 FINISH DATE: DEC 15-24

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

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

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

Location:
Beginning 190' East of East 1st St @ East M St
Bore 1"4 Fiber to the North for app. 140'

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: \$2,500.00 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.

Ray Lambert
Applicant's Signature

Director of Utilities Approval

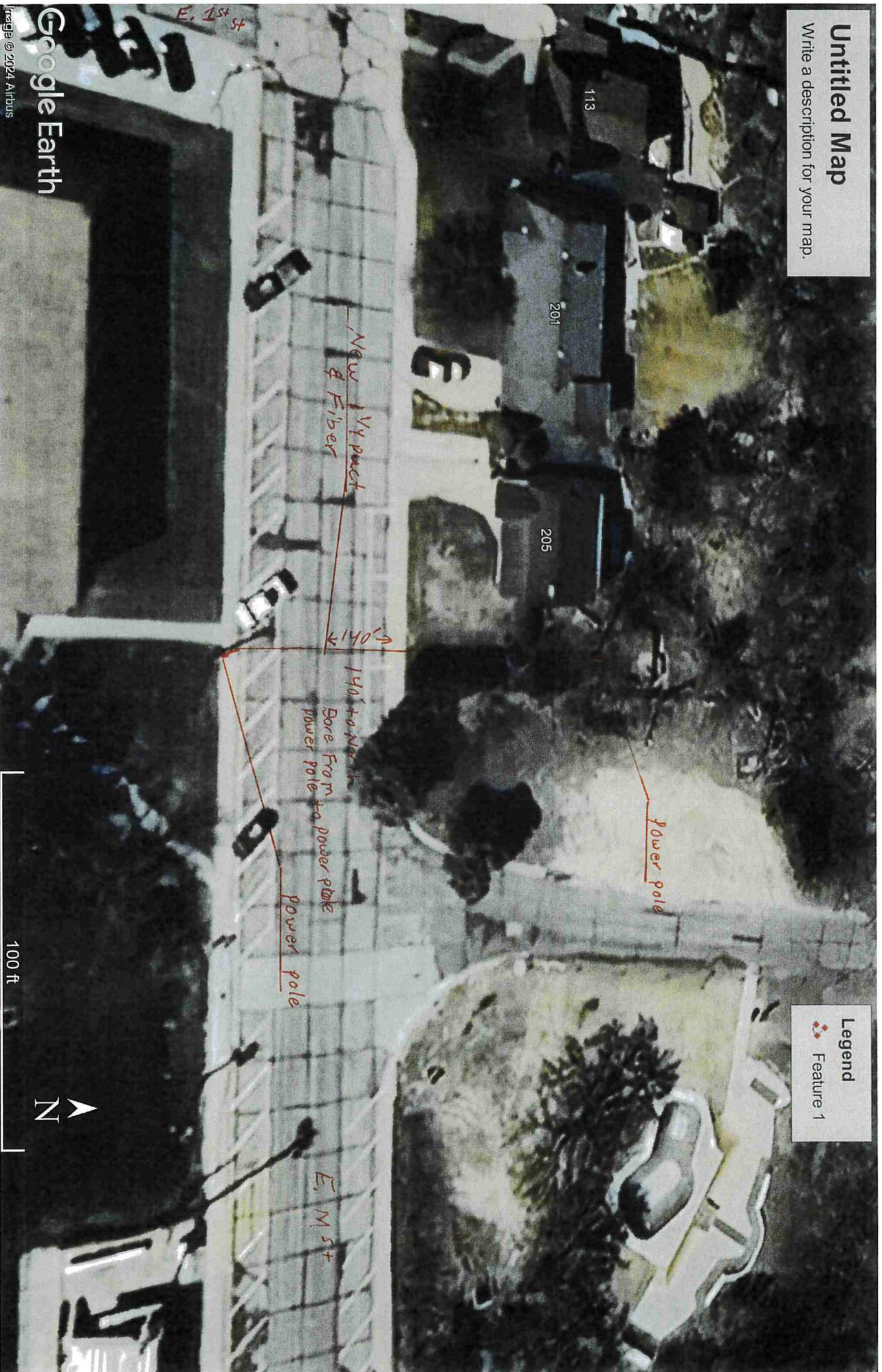
Recommended By Mayor

Date

Director of Public Works Approval

Untitled Map

Write a description for your map.



Legend
Feature 1



CITY MANAGER'S REPORT
October 21, 2024 CITY COUNCIL MEETING

ITEM: **3.F.**

RECOMMENDATION:

Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable and one new ground level vault. Cable will provide services for new duplexes on Seminole Dr. and Cheyenne Rd.

BACKGROUND:

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City utility right-of-way to install fiber optic conduit and cable and one new ground level vault.

The construction will begin 166' East of the intersection of Pawnee Dr. and Cheyenne Rd in line with the alley way, Heading South under Cheyenne Rd. for 170' to its end point with the installation of one new ground level vault.

FISCAL IMPACT:(None)

APPROVALS:



Pat Fawver Utilities Dir.

October 21, 2024



Kyle Potthoff, Public Works Dir.

October 21, 2024



Nate Schneider, City Manager

October 21, 2024



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

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great plains communications DATE: 10-3-24
ADDRESS: 1009 West 8th PHONE: 402-537-8608
FAX: _____ START DATE: Oct 15-24 FINISH DATE: Dec. 15-24

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

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

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

Location:
Beginning 166' East of Intersection Pawnee Dr. & Cheyenne Rd
Bores to the south for 170' with 1 1/4 Duct & Fiber & set a New
Vault

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: \$2,500.00 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.

Ray Wright
Applicant's Signature

Director of Utilities Approval

Recommended By Mayor

Date

Director of Public Works Approval



Untitled Map
Write a description for your map.

Legend
Feature 1

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 3.G. Authorize City of McCook staff to submit a Municipal Infrastructure Aid Program grant.

BACKGROUND:

As mentioned in the preceding agenda items, City of McCook staff would like to submit a MIAP grant application to NDED to assist with infrastructure development at the recently acquired mixed-use property. Staff would like authorization from the City Council to move forward with the grant submission.

APPROVALS:



Nathan A. Schneider, City Manager

October 16, 2024



Lea Ann Doak, City Clerk

October 16, 2024



BUSINESS

PROGRAMS

GOOD LIFE

NEWS

unicipality Infrastructure Aid

Municipality Infrastructure Aid Program (MIAP)

The goal of the Municipality Infrastructure Aid Program (MIAP) is to facilitate approved redevelopment plans under the Community Development Law, attract and support new business or business expansion, create additional high-quality jobs, increase business investment, and revitalize rural or other distressed areas of the state.

Eligibility Information

Who is Eligible to Apply?

To be eligible, a proposed infrastructure improvement project must be part of an approved redevelopment plan under the Community Development Law. Infrastructure improvement projects include water systems, sewer systems, roads, bridges, and other site development activities. The application proposing the infrastructure improvement project must demonstrate:

- An infrastructure improvement project (e.g. water systems, sewer systems, roads, bridges, and other site development activities) that are part of an approved redevelopment plan under the Community Development Law.
- Eligible Grantee will contribute matching funds of at least twenty-five percent (25%) of the amount of the grant award requested.
- A cost-benefit analysis of the redevelopment plan that is approved under the Community Development Law.
- A project that:
 - Attracts and supports new business or business expansion.
 - Provides sufficient infrastructure for the new business or business expansion.
 - Creates additional jobs in or near the Eligible Grantee.
 - Creates high-quality jobs in or near the Eligible Grantee.

- Increases business investment in or near the Eligible Grantee.
- Revitalizes a rural or distressed area of the state.

Application Information

Municipality Infrastructure Aid Program

Application Period:

Open Date – 7/9/2024 9:00 AM

Close Date – 11/1/2024 5:00 PM

Apply Now

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 3.H.

RECOMMENDATION:

Ratify the Mayor's appointment to the Housing Agency Board, reappointing Terry Peterson, term expires November 2029

BACKGROUND:

Mr. Peterson has been contacted and is willing to serve on this board for another term.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

October 16, 2024

HOUSING AGENCY BOARD

BARB OSTRUM 737-8047 (C)
106 S 9th
Appointed - September 2013
Reappointed - October 2023
Term Expires - November 2028

TERRY PETERSON 345-7573 (H)
512 Elizabeth Lane
Appointed - March 21 1994
Reappointed - October 2024
Term Expires - November 2029

RAYMOND LONG
(Resident)
502 Missouri Avenue Circle
Appointed - May 2015 (replaced Judy Dow)
Reappointed - October 2020
Term Expires - November 2025

SHANE FAGOT 345-1555 (O)
1506 Centennial 345-3932 (H)
Appointed - November 1996
Reappointed - February 2022
Term Expires - November 2026

AMANDA ENGELL
1410 Centennial
Appointed - January 2023 (replaced Kristin Stagemeyer)
Term Expires - November 2027

*Denotes Chairperson
5 yr. terms

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 3.I.

Receive and file the claims for the month of September 2024, published October 15, 2024.

BACKGROUND:

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

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

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

October 16, 2024

CITY OF MCCOOK
CLAIMS FOR SEPT 2024

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

20/20 TECHS-SC 10755.12; 911 CUSTOM-S 141.00; ACE-S 5732.86; ACME PRINTING-S 94.40; AKRS-S 8648.41; ALMQUIST, MALTZAHN, GALLOWAY-SC 385.00; AMERICAN AG LAB-SC 2213.32; AMERICAN ELECTRIC-S 311.85; AMERICAN FENCE-S 302.48; AMERICAN LEGAL PUBLISHING-SC 525.00; AMERICAN NATIONAL BANK-SC 40889.30; AMERITAS-CLAIMS-SC 246.60; AMERITAS-DENTAL-SC 1259.14; APPLIED CONNECTIVE TECH-SC 75.00; ARROW CAR WASH-S 15.75; AT&T-SC 445.96; AURORA COOP-S 10872.23; BARCO MUNICIPAL PRODUCTS-S 1385.80; BLACK HILLS ENERGY-SC 1505.72; BLACKBURN MFG-S 209.16; BLACKWOOD ENTERPRISES-SC 5695.00; BLUE VALLEY PUB SAFETY-SC 6230.00; BOMGAARS-S 530.15; BOOKS BY THE BUSHEL-S 294.56; J. BORTNER-SC 825.00; BSB CONSTRUCTION-CO 236812.67; BW TELECOM-SC 144.14; C&K-S 2044.91; J. CALVIN-SC 420.22; CAMBRIDGE TELEPHONE-SC 234.12; CARDIO PARTNERS-SC 2317.79; CARQUEST-S 3736.89; CARROTHERS CONST.-CO 131119.00; CASH WA-S 18221.57; CDW-G-SC 1026.95; CENTRAL NE BOBCAT-S 36.34; CENTURY LINK-SC 897.51; CITY OF MCCOOK-PS 420049.34; CITY SELF INS-BT 193205.35; SALES TAX-BT 45666.97; TIF-SC 3898.09; TRANSFER STATION-S 3168.11; UTILITIES-SC 27669.95; CLINE WILLIAMS, WRIGHT JOHNSON-SC 267.00; COMMON SCENTS-S 1930.87; CORNHUSKER CLEANING SUPPLY-S 200.78; CRAWFORD SUPPLY-S 42.28; CREATIVE PRODUCT SOL-S 411.15; J. CROCKER-SC 119.41; CTS SOFTWARE-SC 3390.00; CULLIGAN-S 126.50; D&S HARDWARE-S 1453.39, SC 395.11; DANKO-S 14.00; DAS ACCT-SC 382.00, S 66.00; DEVENYS-S 225.00, SC 70.20; DIAMOND VOGEL-S 860.70; L. DIMAS-SC 138.02; DYNAMIC DISCS-CO 7390.00; EAKES-S 5300.40; ENVIRONMENTAL ANALYSIS-SC 772.63; FAIRFIELD INN-SC 249.90; FASTENAL-S 15.13; FICA-PS 21197.06; FLOTEC-S 6249.69; FRENCHMAN VALLEY MUTUAL AID-SC 180.00; FRENCHMAN VALLEY COOP-S 3829.69; FRONTIER COMMUNICATIONS-SC 34.19; GALLS-S 805.49; GARRISONS-S 1425.00; GARVER-SC 23278.15; GERIH CONCRETE-CO 64755.80, SC 80475.07; GOOGLE SVCS-SC 534.00; GRAHAM TIRE-S 1926.35; GREAT PLAINS COMM-SC 3534.80; GWORKS-SC 22280.00; HANCOCK LUMBER & SUPPLY-S 270.32; D HARTWELL-SC 130.75; HAUXWELL PUMP & SUPPLY-S 4543.96; HEADS UP SPRINKLERS-S 8873.64; HENNING BROS-SC 59.00; HGTV MAGAZINE-S 49.97; K. HODGSON-SC 188.00; HOMETOWN LEASING-SC 17357.83; HORIZON BANK-SC 23146.79; HYDROVAC SUPPLY-CO 583.70; IDEAL LINEN-S 256.36; IFIT, INC-SC 4000.00, S 7492.00; IHYDRANT-SC 724.29; IND PROCESS TECH-CO 11792.00, SC 1360.00; IOWA PUMP WORKS-S

7467.00; SC 372.60; ISLAND SPRINKLERS-S 11509.42; J BAR J LANDFILL-SC 51380.17; JASPER ENGINEERING & EQ-SC 1328.25; JERRY'S TRANSMISSION-S 229.85; JOHNSON SERVICE-S 2063.00; K&C GRAIN-S 46492.16; K-C MOTOR & ELEC-CO 7184.40; KANN MFG-S 412.65; T. KOETTER-SC 420.22; KOHL'S-S 935.87; KOHLER TRAILER-SC 4736.00; K. MORGAN-S 48.00; LEWIS MOTOR SPORTS-S 50.26; LIBERTY CUSTOM SRVS-S 800.00; LIFE-ASSIST-S 1792.05; LIMING TURF FARM-S 15000.00; LOCALITY MEDIA, INC-SC 3038.76; MACQUEEN EQ-CO 1261.07, S 2795.37; MALLECK OIL-S 673.75; MARIS GEN CONST-S 856.32; MC CHAMBER-SC 2910.00; MC EDC-SC 3484.51; MC GAZETTE-SC 1685.14; MC HUMANE SOCIETY-S 4597.30; MCCOOK PROFESSIONAL FIREFIGHTER-SC 350.00; MPPD-SC 1382.34; MPS-SC 615.00; MCNET SC 105.90; MCKESSON MEDICAL-S 321.54; MEAD LUMBER-S 863.27; MEDICARE-PS 5884.52; MENARDS-CO 753.65; R. METCALF-SC 95.00; MICROMARKETING-S 5823.55; MIDAMERICAN BOOKS-S 164.67; MIDWEST CONNECT-S 647.34, SC 4414.87; MIDWEST LABORATORIES-SC 125.50; MILLER & ASSOC.-SC 4460.00, CO 48301.61; MNB BANK-CO 15.00; MOUNTAIN TRUCK & EQ-SC 84950.00; MOUSEL, BROOKS, SCHNEIDER, MUSTION, SCHIFFLET-SC 12771.52; MOTION PICTURE LICENSING-S 330.98; J. MUEHLENKAMP-SC 420.22; MUNICIPAL SUPPLY-S 14228.67; MUTUAL OF OMAHA-SC 995.19; N-STANT-SC 2178.77; NDEE-SC 500.00; NE DEPT OF REV SALES TAX-SC 11510.94; NE DEPT REV WASTE REDUCTION-SC 25.00; NE PUBLIC HEALTH ENV-SC 1612.50; NE STATE FIRE MARSHALL-S 108.00; NEBRASKA LIBRARY ASSOC-SC 70.00; NEBRASKA MEMORIALS-SC 750.00; NE TRUCK CENTER-S 10645.63; NEBRASKALAND TIRE-S 10206.50; NICK'S DIST-S 2738.80; NPPD-SC 41116.23, CO 17309.98; O'REILLY AUTO-S 268.15; ODEY'S-S 1379.55; ODISS ENT-S 2800.00; ONE BILLING SOLUTIONS-SC 7452.07; ONE CALL-SC 208.04; OWENS ORDNANCE-S 933.33; PAPER TIGER SHREDDING-S 100.00; PAULSEN-S 1170.14; PETROTEK ENG-SC 3505.39; PINPOINT COMM-SC 69.99; PLATTE VALLEY COMM-S 310.00; PRAIRIE STATES COMMUNICATIONS-CO 3084.49, SC 387.00; PRAISE WINDOWS-S 2290.00; PROTEX CENTRAL-S 48.25; PSYCHOLOGICAL RESOURCES-S 150.00; QUADIENT FINANCE-S 95.75, SC 904.25; QUALITY URGENT CARE-SC 375.00; QUILL CORP-S 69.99; D. RAMBALI-SC 420.22; RAMKOTA HOTEL-SC 368.00; J RANDOLPH-SC 222.72; RAVENSWOOD ELECTRIC-S 1717.70; RWCO HEALTH DEPT-SC 3545.00; RWCO TREAS-SC 75.00; RJ THOMAS MFG-S 1909.00; RUGGLES TRAILER-S 628.54; S & S TIRE, LLC-1038.00; N SCHNEIDER-SC 108.00; M SCHOENEMANN-SC 95.00; SECRET PENGUIN-SC 19966.00; SHELCO CONST-CO 320783.40, S 8190.00; B SIEGFRIED-SC 560.94; SINNER'S PAINT & BODY-SC 32430.00; SWNACA-S 20.00; SOUTHWEST FARM & AUTO-S 3882.96; ST PATRICKS CHURCH/SCHOOL-S 491.96; TASTE OF HOME-S 214.90; L. TAYLOR-SC 447.57; TIRADO, LLC-CO 5130.00; TITAN- MACHINERY-S 2355.60; TK ELEVATOR-S 392.04; TOTAL TURF-S 88.00; M.

TOWERY-SC 180.37; TRAVELERS-SC 181.00; TREE REBATE-S 465.73; TROJAN TECH-S 3966.65, SC 235.00; UMR-SC 171485.88; UNION BANK & TRUST-CO 292612.00, SC 1374.00; UNIVERSITY OF NE-S 25.00; UNRUTH FIRE-SC 2999.88; US FOODS-S 912.08; USA BLUE BOOK-S 53.64; UTILITY REFUNDS-1567.57; VAN DIEST-S 20612.78; N VARGAS-SC 252.57; VERIZON-SC 3917.26; VOLZ-S 5543.09; W DESIGN-SC 129.64; WAGNER FORD-SC 869.78, S 1331.91; WALMART-S 3176.08; WEATHERCRAFT-SC 73664.25 G WEEDIN-SC 420.22; WCNDD-SC 5447.00; WESTSIDE WELDING-CO 104.45.

-s-Lea Ann Doak, City Clerk

PUBLISH: OCTOBER 15, 2024

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 3.J.

RECOMMENDATION:

Accept the minutes of the October 14, 2024 Planning Commission meeting.

BACKGROUND:

Accept minutes from various board and commission meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

October 17, 2024

McCook Planning Commission
Regular Meeting
October 14, 2024
5:15 P.M.

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

Present: Chair Lyons; Vice Chair Hilker; Commissioners Davidson, Friehe, McDowell, Mockry, Stevens.

Absent: Commissioners Bradley, Vosburg, Currier.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 11, 2024, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

1. Approve the minutes of the September 16, 2024 regular Planning Commission meeting.

Motion to approve the minutes of the September 16, 2024 regular Planning Commission meeting. This motion, made by Lyons and seconded by McDowell, passed.

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

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Regarding the voluntary annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the voluntary annexation of a tract of land located north in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by Mockry, passed.

Bradley: ABSENT, Currier: ABSENT, Davidson: YEA, Friehe: YEA, Hilker: YEA, Lyons: YEA,

McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: ABSENT
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); and Exhibit #3 - Proposed Resolution No. PC2024-02 (2 pages).

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

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Mockry and seconded by Lyons, passed.

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

2.B. Approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-02, recommending approval of the annexation of a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Friehe and seconded by Davidson, passed.

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

2.C. Public Hearing - Regarding the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by McDowell, passed.

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

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published

(1 page); Exhibit #3 - Proposed Resolution No. PC2024-03 (1 page); and Exhibit #4 - proposed Redevelopment Plan (69 pages).

Craig Bennett and Jason Combs with Miller & Associates were presented to review the proposed Redevelopment Plan with the Commission.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Lyons and seconded by Stevens, passed.

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

YEA: 7, NAY: 0, ABSENT: 3

2.D. Approve Planning Commission Resolution No. PC 2024-03, recommending adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska.

Motion to approve Planning Commission Resolution No. PC 2024-03, recommending the adoption of a redevelopment plan entitled "Redevelopment Plan for the Walters Multi-Use Redevelopment Project" for a tract of land located in the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Three (3) North, Range Twenty-nine (29) West of the 6th P.M., Red Willow County, Nebraska. This motion, made by Lyons and seconded by Friehe, passed.

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

YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Lyons declared the Planning Commission meeting adjourned at 6:45 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 3.K. Authorize city staff to submit a Nuisance Abatement Program Application to West Central Nebraska Development District, Inc.

BACKGROUND:

Historically, the City of McCook has operated its own nuisance abatement program. Over the past few years, city staff has been inundated with more and more nuisance complaints. In 2024, the City of McCook contracted with West Central Nebraska Development District to assist McCook with addressing nuisance properties. In order to participate in WCNDD's nuisance abatement program again in 2025, an application must be submitted detailing McCook's ability to participate.

A copy of the application is attached to this report.

APPROVALS:



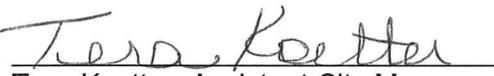
Nathan A. Schneider, City Manager

October 10, 2024



Lea Ann Doak, City Clerk

October 10, 2024



Tera Koetter, Assistant City Manager

October 10, 2024

Nuisance Abatement Program Application

WCNDD is proud to have established the most accomplished nuisance abatement program in the state of Nebraska, and arguably in the nation. As our dues paying members know, WCNDD is more than just nuisance abatement and we are committed to providing high quality, innovative community and economic development initiatives to the region.

In order to best serve our communities, nuisance abatement services must be streamlined as well as simple for the communities to navigate. The amount of time, dedication, and resources that go into a successful nuisance abatement program are immense and WCNDD has developed an efficient and effective program.

WCNDD would be happy to attend your Board/Council meeting to discuss the programs and answer any questions that arise. As part of this process, WCNDD asks that the governing body vote on moving forward with the nuisance program application, which is documented in response to question 1 below.

This application does not replace a professional service agreement.

Community Name:

Community Contact for Nuisance:

1. During a board/council meeting, what was the vote of the elected officials to pursue the nuisance program? Are all council members in favor of the community adopting the program if selected?

2. Has your community previously used WCNDD as the Nuisance Officer?
Yes / No
3. Is there a nuisance ordinance in place?
Yes / No
4. Are there community groups that may be interested in assisting property owners in need?
Yes / No



5. Does the community provide public dumpsters/ dumpster days, etc?
Yes / No

If yes, please elaborate: _____

6. Does the community have a fee schedule in place addressing nuisance abatement services such as vehicle storage, staff time, equipment, etc?
Yes / No

7. Where will the community store vehicles that are towed/impounded as a result of abatement actions?
-

8. Is the community financially prepared to incur abatement costs at the end of this year's program?
Yes / No

9. Is local law enforcement willing to provide security to staff and abatement crews during the abatements?
Yes / No

10. If no, is the community prepared to hire security and ensure safety during the abatements?
Yes / No

11. For abatements, will the community use city/village staff to perform abatements, or, abatement contractors?
Staff / Contractors

12. Does the community have an attorney that actively participates in meetings?
Yes / No

Application must be submitted by November 27, 2024 to be considered. Communities selected for the program will be notified by January 1, 2025.

Please attach the following:

- Copy of Meeting Minutes outlining vote to move forward with the application
- Copy of Nuisance Ordinance (ONLY required for communities not in the program in 2024)
- Copy of any fee schedules in place pertaining to nuisance
- Proof of financial preparation of abatement costs (budget, bank account, meeting minutes, etc.)

Applications can be submitted via email to akuskie@west-central-nebraska.com, or by mail to:

WCNDD
PO BOX 599
Ogallala, NE 69153

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 CITY COUNCIL MEETING**

ITEM: 4.A. Recognize a McCook Community Foundation Fund grant in the amount of \$29,289.22 that was awarded to the City for the purpose of making the McCook Aquatic Park admission free to the public during its opening summer.

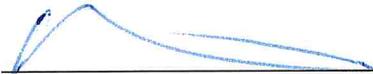
BACKGROUND:

The McCook Community Foundation graciously authorized a grant in the amount of \$29,289.22 to offset admission fees at the McCook Aquatic Park during its inaugural year. The generous grant from MCFF served to assure all pool users were able to swim for free this past summer. The City of McCook is extremely appreciative of MCFF's gift as it served to generate tremendous excitement around the opening of McCook's Aquatic Park.



Lea Ann Doak, City Clerk

October 16, 2024



Nathan A. Schneider, City Manager

October 16, 2024

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM NO. **4.B** Update regarding the sports complex project.

BACKGROUND:

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

APPROVALS:



Nathan A. Schneider, City Manager

October 16, 2024



Lea Ann Doak, City Clerk

October 16, 2024

**CITY MANAGER'S REPORT
OCTOBER 21, 2024 MCCOOK CITY COUNCIL MEETING**

4.C.
ITEM NO. Discussion regarding the property located at 1107 West 4th Street.

BACKGROUND:

A few years ago, the City Council authorized the demolition of an unsafe property located at 1107 West 4th Street. The property was damaged beyond repair by a fire. The City Council authorized the use of ACE funds to remove the structure. A special assessment was levied against the property in the amount of \$15,326.50 for costs incurred by the City associated with the removal of the structure.

On May 20, 2022, a sheriff's sale was held regarding the property. The City of McCook exercised its right to purchase the property for the amount it expended in costs.

As required, the City of McCook allowed the property owner two years to redeem the property by paying the special assessment cost to the City. Neither the property owner nor any other individuals claiming a right in the property redeemed the demolition costs, giving the City authority to seek an order directing the sheriff to execute a deed to the City of McCook.

The City would like to discuss this matter with the City Council to receive directions.

APPROVALS:



Nathan A. Schneider, City Manager

October 7, 2024



Lea Ann Doak, City Clerk

October 7, 2024