

# MCCOOK CITY COUNCIL

## REGULAR MEETING

**Monday, February 3, 2025**  
**5:30 PM - City Council Chambers**

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Jeff Kelley, Memorial Methodist Church.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.

2. 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 January 20, 2025 regular City Council meeting.

B. Schedule the 4th meeting of the Comprehensive Plan Steering Committee for February 27, 2025 at 6:00 P.M.

C. Accept the minutes of the October 22, 2024 Senior Center Advisory Board meeting.

D. Ratify the Mayor's appointment to the Senior Center Advisory Board, appointing Ron Jacobs, term expires September 2028.

3. Regular Agenda.

A. Update regarding the sports complex project.

B. Update and discussion on the sports complex project regarding Mid-Plains Community College.

C. Establish the user fees for the McCook Aquatic park for the Summer of 2025.

D. Discuss proposed LB 354, which would eliminate state equalization funding for Cities of the First Class.

E. Ordinance No. 2025-3095 amending the City of McCook Code of Ordinances, Title IX, Chapter 91 - "Fire Prevention; Fireworks; Poisonous or Flammable Gas; Explosives", Section 91.37 - Prerequisites and Qualifications for Issuance of Sales Permit and Section 91.43 - Discharge of Fireworks Generally.

1. Chairperson asks Clerk to read Ordinance by title.

2. Consider approval of Ordinance No. 2025-3095 upon its second of three readings.

F. Council Comments.

Adjournment.

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 CITY COUNCIL MEETING**

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**ITEM:**        2.A.

Approve the minutes of the January 20, 2025 regular Council meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

January 30, 2025

McCook City Council  
January 20, 2025  
5:30 P.M. Central

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

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

Absent: Councilmember Rambali.

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

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

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on January 16, 2025, 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 Jamie Mockry. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

**1. Announcements & Recognitions.**

There were no announcements or recognitions.

**2. Presentation.**

- 2.A. Accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2024 prepared by AMGL CPAs and Advisors.

Via Zoom, Marcy Luth of AMGL presented the Financial Statements to the Council for the Fiscal Year ending September 30, 2024 and answered questions from the Council. Ms. Luth noted that it

is an unqualified report in their opinion, the financial statements of the City present fairly in all material aspects, the respective financial of the City.

Motion to accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2024 prepared by AMGL CPAs and Advisors. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

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

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

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

- 3.A. Approve the minutes of the January 6, 2025 regular City Council meeting.
- 3.B. Receive and file the claims for the month of December 2024, published January 10, 2025.
- 3.C. Receive and file the 2025/2026 Council Radio Show Schedule.
- 3.D. Ratify the appointment of Jon Olsen and Mike Mendenhall to the City of McCook's Sports Complex Committee.
- 3.E. Approve drawings and specifications for Water Distribution Improvements Revised Project #2 and set date to receive bids for February 11, 2025 at 2:00 P.M.
- 3.F. Approve the specifications for the 2025 Crack Sealing Project and set the time and date of bid at 2:30 P.M. on February 11, 2025.
- 3.G. Ratify Amendment #4 to Project No. 200-C1-021, an Agreement dated March 4, 2019, between Miller & Associates and the City of McCook.
- 3.H. Ratify Amendment #1 to Project No. 200-C1-024, an Agreement dated May 29, 2024, between Miller & Associates and the City of McCook.
- 3.I. Approve and enter into a Nuisance Abatement Agreement with West Central Nebraska Development district, Inc. (WCNDD)
- 3.J. Adopt Resolution No. 2025-02 approving the appointment of West Central Nebraska Development District, Inc. (WCNDD) to act as Nuisance Officer for the City of McCook.
- 3.K. Authorize City of McCook staff to complete an application for a Civic and Community Center Financing Fund (CCCFF) grant.

**4. Regular Agenda.**

- 4.A. Discussion regarding a potential conveyance by the City of McCook to the McCook Economic Development Corporation to develop workforce housing on property identified as Parcel ID #000894200, at the intersection of East "C" Street and East 11th Street.

City Manager Schneider stated, that at the December 16, 2024 City Council meeting, Amanda Engell presented a potential housing project, with the focus of said presentation developing new workforce housing in eastern McCook. MEDC inquired about the possibility of acquiring land located at the intersection of East "C" Street and East 11<sup>th</sup> Street, said parcel identified as Parcel ID #000894200. The City of McCook owns the property. The property was donated to the City of McCook in 2009, with said donation specifying that the property be used for City purposes. The 2022 McCook Housing Study indicated that the City of McCook suffers from a lack of housing, including affordable workforce housing. The memorandum prepared by City Attorney Mustion, addresses a method to allow for the requested conveyance to occur. His proposed ordinance would allow for the donation of real property to an Economic Development corporation specifically for the development of workforce housing to address community housing needs.

City Manager Schneider added that he had received a call from Ronald and Deann Aufrecht expressing their concerns with the proposed project. Mr. and Mrs. Aufrecht were present at the meeting.

After discussion, it was the consensus of the Council to have an ordinance brought forward for their consideration that would provide for the transfer of this property to the MEDC.

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

City Manager Schneider gave an update on the sports complex. Staff met with Mammoth Construction on January 8 and discussion included increasing the size of the area allowed for the complex to allow for future growth. Mammoth and Miller & Associates are working on the design of the subdivision for the area. A meeting was held with D.A. Davidson regarding the issuance of the bond for construction of the complex and needed infrastructure.

- 4.C. Discussion regarding the setting of the user fees for the McCook Aquatic Park.

Discussion was held regarding proposed fees for the McCook Aquatic Park. Staff will bring back to the Council for final discussion before bringing forward the ordinance for approval of fees for the aquatic park.

- 4.D. Discussion regarding potential revenue options for the City of McCook.

City Manager Schneider stated that with the passage of LB 34 in 2024 and potential sales tax diminutions associated with proposed LB 117, the City of McCook is faced with the age old question - are there other methods of generating revenue to provide services the citizens of

McCook expect without raising taxes. In 2003 the Council discussed implementing an occupation tax on games of chance, with said ordinance usurped by the State of Nebraska.

Discussion included revisiting the Hotel Occupation Tax and adding an occupation tax on cell phones.

Staff will review options and present back to the Council at a future meeting.

- 4.E. Ordinance No. 2025-3095 amending the City of McCook Code of Ordinances, Title IX, Chapter 91 - "Fire Prevention; Fireworks; Poisonous or Flammable Gas; Explosives", Section 91.37 - Prerequisites and Qualifications for Issuance of Sales Permit and Section 91.43 - Discharge of Fireworks Generally.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3095 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 91, ENTITLED "FIRE PREVENTION; FIREWORKS; POISONOUS OR FLAMMABLE GAS; EXPLOSIVES" IN TITLE IX "GENERAL REGULATIONS", SECTION 91.37 - PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT AND SECTION 91.43 - DISCHARGE OF FIREWORKS GENERALLY, AMENDING THE PERMIT FEE AND THE DATES AND TIMES OF DISCHARGE; TO PROVIDE THAT THIS ORDINANCE SHALL BE MADE A PART OF THE CITY OF MCCOOK CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

Ordinance No. 2024-3095 has been introduced, read by title, and I move to approve upon its first of three readings. This motion, made by Calvin and seconded by Taylor, passed.

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

YEA: 4, NAY: 0, ABSENT: 1

Fire Chief Harpham reviewed the proposed changes with the Council.

- 4.F. Ordinance No. 2024-3092 amending the City of McCook Code of Ordinances Chapter 52, entitled "Water" in Title V "Departments", repealing Section 52.28 - Unsafe Connection; Backflow Hazard and adding Subchapter "Cross Connection Control"; Chapter 50, entitled "Municipal Utilities" in Title V "Departments", Section 50.01 Delinquent Bill charges; and Chapter 38, entitled "Fee Schedule" in Title III "Administration", Appendix C: Delinquent Bill Charges

Mayor Taylor asked the Clerk to read Ordinance No. 2024-3092 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 52, ENTITLED "WATER" IN TITLE V "DEPARTMENTS", BY REPEALING SECTION 52.28 - UNSAFE CONNECTION; BACKFLOW

HAZARD AND ADDING SUBCHAPTER "CROSS CONNECTION CONTROL"; CHAPTER 50, ENTITLED "MUNICIPAL UTILITIES" IN TITLE V "DEPARTMENTS", SECTION 50.01 DELINQUENT BILL CHARGES; CHAPTER 38, ENTITLED "FEE SCHEDULE" IN TITLE III "ADMINISTRATION", APPENDIX C: DELINQUENT BILL CHARGES; TO PROVIDE THAT THIS ORDINANCE SHALL BE MADE A PART OF THE CITY OF MCCOOK CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

Ordinance No. 2024-3092 has been introduced, read by title, and I move to approve upon its second of third and final reading. This motion, made by Muehlenkamp and seconded by Weedin, passed. Rambali: ABSENT, Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA  
YEA: 4, NAY: 0, ABSENT: 1

Mayor Taylor stated for the record that Ordinance No. 2024-3092 is declared lawfully passed and adopted upon publication as required by law.

4.G. 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 6:41 P.M.

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Linda Taylor, Ex-officio Mayor  
and Council President

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 MCCOOK CITY COUNCIL MEETING**

**2.B.**

ITEM NO. \_\_\_ Schedule the 4<sup>th</sup> meeting of the Comprehensive Plan Steering Committee for February 27, 2025 at 6 p.m.

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**BACKGROUND:**

Since June of 2024, City of McCook staff and Miller & Associates personnel have worked on finalizing a draft of McCook's new zoning regulations and comprehensive plan. Now that final drafts have been developed, it is time to hold the 4<sup>th</sup> meeting of the Comprehensive Plan Steering Committee to receive feedback. Staff would like to schedule the meeting for February 27<sup>th</sup> at 6:00 p.m.

Drafts will be sent out to the City Council, Planning Commission, and Steering Committee prior to February 27<sup>th</sup>. Additionally, any members of the public that wish to review the documents prior to the February 27<sup>th</sup> meeting are free to contact McCook staff for digital copies.

**APPROVALS:**

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

January 29, 2025

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

January 29, 2025

  
\_\_\_\_\_  
Tera L. Koetter, Asst City Manager

January 29, 2025

**CITY MANAGER'S REPORT  
FEBRUARY 6, 2025 CITY COUNCIL MEETING**

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**ITEM:**        2.C.

**RECOMMENDATION:**

Accept the minutes of the October 22, 2024 Senior Center Advisory Board meeting.

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**BACKGROUND:**

Accept minutes from various board and commission meetings.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

January 30, 2025

Heritage Senior Center  
 1312 West 5th St  
 McCook NE 69001  
 Advisory Board Minutes  
 October 22, 2024

A copy of the Open Meetings Act is posted by the entrance to the meeting room and is available for public review. All meetings begin at 10:00am and are open to the public.

- Meeting was called to order by President Dan Stramel

- **Roll Call**

- Jim Hamill P                      Mary Keslin P                      Natalie Mickey P                      Milton Duffield A  
 Bob Pantenburg P              Dan Stramel P                      Beth Siegfried P                      John Zlomke P

- Approval of minutes:

The Minutes from the July 16, 2024 meeting were approved by a motion made by Jim Hamill and seconded by John Zlomke. Motion carried.

- **Open Forum:** The meal count is up for this quarter, including Congregate meals. Discussed flooring Thinking carpeting would be a good idea for the Pool Room.

**Public Transit**

	<b>Riders</b>	<b>Miles</b>	<b>Different Riders</b>	<b>Wheel Chair</b>	<b>Days</b>
July	540	1329	64	6	22
August	528	1207	63	7	22
September	469	1301	55	12	20 transit stayed open
Overall	1537	127 more than last quarter			
Average	512	42 more than last quarter		same number of days as last quarter Transit rides up	

**Meals at Center**

	<b>Congregate</b>	<b>Home Delivered Meals</b>	<b>Curb Side</b>	<b>Days</b>
July	1145	1516	820	22
August	1131	1546	798	22
September	1015	1313	669	19 kitchen closed one day
Overall	3291 (52 a day)	4375(69 a day)	2287 (36 a day)	

**Total Meals July 3481 average 158 meals a day**

**Total Meals August 3475 average 158 meals a day**

**Total Meals September 2997 average 158 meals a day**

**Total meals 9953**

**Total Average meals a day this quarter 158 15 more than last quarter**

**The average last year was 149 for this quarter. 9 more than same quarter**

**VI. Old Business**

- Purchased new tires and alignment done on transit bus, had to take bus to Graham Tire in Kearney no one else closer has the equipment big enough for bus.
- 29 Farmers's Market coupons were handed out to Seniors.
- To help our Supportive Services numbers Brenda Aufdenkamp with UNL Extension Service has been conducting work shops. So far we have had programs on using a Stir Fryer and another on using an Instant Pot.
- The Volunteer Lunch was well attended with over 1/2 of our 100 volunteers attending
- Crystal West has been hired for the Assistant cook position, replacing Joni Kivlehen she comes with many years of experience
- Matt Kenner has resigned as Assistant Cook.
- Beth Attended the Senior Center Conference in Lincoln
- Beth, Mike and Justin attended Transit training in Kearney Justin participated in the annual Rodeo and Beth was a judge. Also attended the annual Nebraska Transit Providers meeting at the same time.
- Beth attended the fall training for SHIP Senior Health Insurance Program in North Platte
- Senior Center kitchen was closed for one day due to staffing shortage. Transit remained open

- *A flu shot clinic was conducted by Red Willow Co Health Department*

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**II. New Business:**

- *Motion was made by Bob Pantenburg and second by Jim Hamill to retain the current slate of officers: President Dan Stramel Natalie Mickey Vice-President John Zlomke -Secretary. Motion carried*
- *Budget for both Senior Center and Transit was approved,*
- *Open Enrollment for Medicare Part D has begun*
- *Paige Samway will start November 4 as the new assistant cook*
- *Brenda Aufdendkamp with UNL Extension will provide another program Soup up your Winter*
- *Birthday Dinner will be the Friday before Christmas. Thanksgiving Dinner will be Wednesday November 27th and then closed the Friday after*
- *Christmas Brunch will be December 24 and closed on Christmas Day*

*With no further business, the meeting was adjourned at 10:50 with a motion made by Natalie Mickey and seconded by Mary Keslin. Motion carried.*

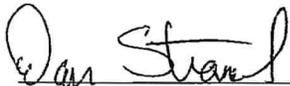
*Meetings for 2025 will be:*

*January 21, 2025*

*April 15, 2025*

*July 22, 2025*

*October 21, 2025*



Dan Stramel President

  
John Zlomke Secretary

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 CITY COUNCIL MEETING**

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**ITEM:**          **2.D.**  

**RECOMMENDATION:**

Ratify the Mayor's appointment to the Senior Center Advisory Board, appointing Ron Jacobs, term expires September 2028.

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**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

January 30, 2025

## SENIOR CITIZENS ADVISORY BOARD

DAN STRAMEL 340-8616  
PO Box 95  
Appointed - October 2019 (replaced John Anderson)  
Reappointed - January 2023  
Term Expires - September 2025

ROBERT PANTENBURG 345-6675  
1405 West Circle Drive  
Appointed - August 2016 (replaced Joan Dike)  
Reappointed - January 2023  
Term Expires - September 2025

RON JACOBS  
1010 East 4<sup>th</sup> Street  
Appointed - February 2025 (replaced Jim Hamill)  
Term Expires - September 2028

JOHN ZLOMKE  
#4 Georgia Court  
Appointed - February 2022 (filled Sharon Parde remain term and new term)  
Term Expires - September 2025

MARY KESLIN  
Appointed - September 2017 Replaced Peggy Appleyard  
Reappointed - August 2023  
Term Expires - September 2026

MATTHEW DUFFIELD  
Appointed - September 2023 (replaced John Deon)  
Term Expires - September 2026

NATALIE MICKEY  
405 East 1<sup>st</sup> Street  
Appointed - April 2023 (Filled Joe Ryland remaining 4 months)  
Term Expires - September 2026

\*Denotes Chairman  
3 yr. terms

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 MCCOOK CITY COUNCIL MEETING**

**ITEM NO. 3.A.** Update regarding the sports complex project.

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**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 sports complex. We will have one additional agenda item regarding the sports complex as it relates to Mid-Plains Community College and the City of McCook, so this agenda item will be specific to updates pertaining to Mammoth Sports Construction's design work, Miller & Associates subdivision work, and financing updates.

**APPROVALS:**



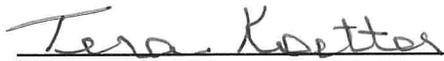
Nathan A. Schneider, City Manager

January 29, 2025



Lea Ann Doak, City Clerk

January 29, 2025



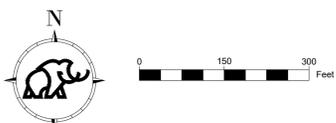
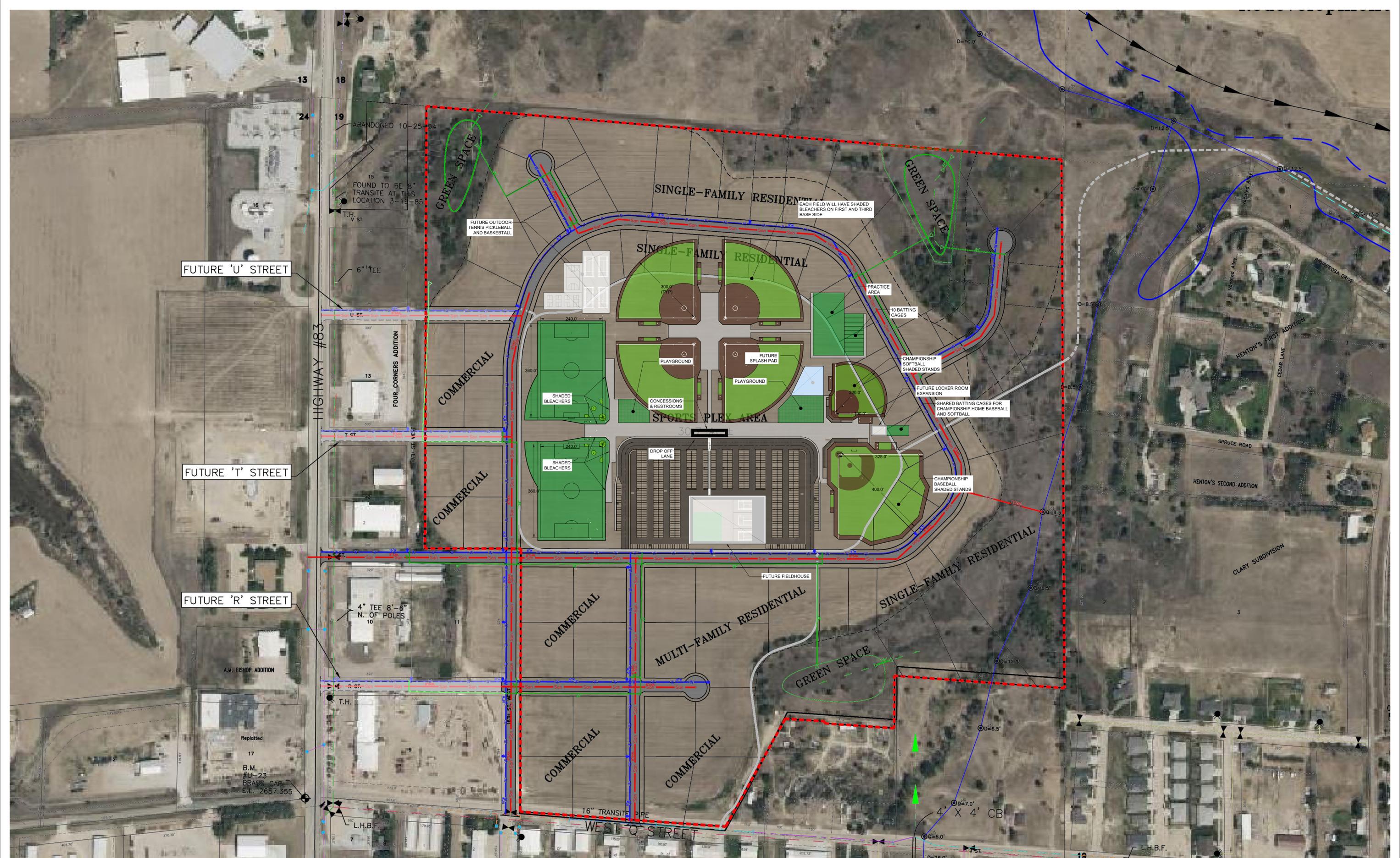
Tera Koetter, Assistant City Manager

January 29, 2025



Kyle Potthoff, Public Works Director

January 29, 2025



MAMMOTH SPORTS CONSTRUCTION  
 PROJECT #: 24-0276  
 PRODUCED BY: SS  
 DATE PRODUCED: 01/10/2025

# MCCOOK COMPLEX

McCook Sports Complex Preliminary Design

# DD DESIGN

**CITY MANAGER'S REPORT**  
**FEBRUARY 3, 2025 CITY COUNCIL MEETING**

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ITEM: 3.B. Update and discussion on the sports complex project regarding Mid-Plains Community College.

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**BACKGROUND:**

The City of McCook is working on finding a way to bring Mid-Plains Community College into its sports complex buildout. On January 8th, the Mammoth Sports Construction design team met with personnel from the College to introduce themselves and provide background on projects Mammoth has constructed. To show good faith toward MPCC/MCC, at the following McCook City Council meeting, the Council approved adding MCC Athletic Director/Baseball Coach Jon Olsen and MCC Softball Coach Mike Mendenhall to McCook's Sports Complex Committee to get their preferences and insight on the project, particularly the amenities most important to the College. Around that same time, the President of Mid-Plains Community College and the McCook City Manager spoke about Mammoth serving as the sports complex designer. MPCC's President expressed that his staff and himself are comfortable with Mammoth serving as the design firm for the sports complex. MPCC's President expressed the College's biggest remaining issue is that the College wants to own the championship fields, both baseball and softball. MPCC's President stated the College would like the City of McCook to subdivide the championship fields from the remainder of the sports complex, with MPCC to pay the City for the land the fields occupy. MPCC's President stated that the College currently has \$4.5 million to build out the championship fields, with the possibility of more, if it were to own the championship fields. Currently, the City is unsure of the cost of the championship fields by themselves. Mammoth is in the process of putting the numbers together for the total project cost, which will also include breakdowns for individual components. The estimate for the complete sports complex is approximately \$15 million. Paul Grieger of D.A. Davidson (i.e., McCook's bond underwriter) informed the City of McCook that the remaining voter approved .5% local option sales tax revenue dedicated to recreational projects can potentially generate \$9 million. As such, between the City, College, and Community Hospital, the amount available for the sports complex would stand at \$14 million. That does not include any amounts from the recently awarded RCRP grant to the City of McCook or any other fundraised/grant dollars.

There are a few issues to consider regarding the College's proposal that need to be discussed prior to determining the feasibility of the College's request, with a few of the items listed as follows: 1) assuring that all McCook's stakeholders have access to the championship fields; 2) determining whether ownership in two separate entities would complicate fundraising efforts; 3) determining whether ownership in two separate entities would complicate securing potential grants; 4) determining how to split revenue to provide both parties with adequate funds to operate and maintain their individual properties, both now and in the future, as the championship fields will more than likely be the largest revenue producer at the sports complex; 5) determining how much each party would pay for common spaces, such as restrooms, concessions, parking lots, and practice areas; 6) certification of funds to assure both parties have the ability to build their respective phases of the project; 7) naming rights in conjunction with the City's current obligations; 8) determining how the requested split would impact

the City's subdivision efforts with respect to the totality of the real property purchased in October of 2024; 9) whether the City will be responsible for paying for construction costs associated with the championship fields, and if so, how much; and 10) whether the College is in a position to comply with the City's quick construction timeframe --- the City of McCook does not want to delay construction of the project any longer.

City staff has recently contacted the attorney who helped the City develop a purchase agreement when the project was slated to be constructed west of McCook, Mr. Austin McKillip. Mr. McKillip has expressed a willingness to assist with potential joint partnership/use agreements. It is McCook's intent to work with the College, regardless of ownership, on developing a partnership or use agreement that will address all potential concerns. That said, City staff strongly believe ownership of the sports complex should be held in the City of McCook. Numerous communities have similar ownership/partnership/use arrangements with their respective municipalities, including Norfolk and Northeast Community College, Kearney and UNK, Seward and Concordia University, and York and York College. The City and MPCC/MCC have operated under a similar arrangement since 2002 at the Jaycee Complex, with the City leasing the property from Red Willow County and permitting the College to use the property for its baseball and softball facilities. To the same point, when the sports complex was considered for construction west of McCook, the plan was for the City to own the property with the City, College, and McCook Public School District to enter into a joint operation/maintenance agreement for continued care of the facility. City staff has never received an explanation why the College's position has changed from the arrangement contemplated in 2023.

The City of McCook is committed to bringing MPCC/MCC into the sports complex project, whether the College pledges \$4.5 million, or less than that amount. The City is committed to meeting the objectives MPCC/MCC desires in a sports complex. The College's success is important to McCook's success, and vice versa. City staff feel a joint project, with the City serving as the complex owner pursuant to a partnership agreement (as was contemplated in 2023), is the best way to assure the project is completed quickly and with as little complication as possible. It is City staff's hope that MPCC wants the same thing. The type of unified arrangement contemplated by City staff will show that McCook and MPCC/MCC are committed to one another and Southwest Nebraska. As the City has learned with its partnerships with the MEDC, Community Hospital, McCook Public School District, and others, McCook's citizens appreciate cooperation between our community pillars. There is no better way to get the public's support for the sports complex project than working together, both now and in the future.

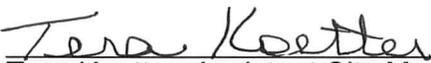
**APPROVALS:**

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

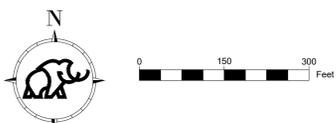
January 30, 2025

  
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Lea Ann Doak, City Clerk

January 30, 2025

  
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Tera Koetter, Assistant City Manager

January 30, 2025

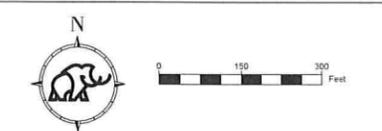


MAMMOTH SPORTS CONSTRUCTION  
 PROJECT #: 24-0276  
 PRODUCED BY: SS  
 DATE PRODUCED: 01/10/2025

# MCCOOK COMPLEX

McCook Sports Complex Preliminary Design

# DD DESIGN



MAMMOTH SPORTS CONSTRUCTION  
 PROJECT # 24-0276  
 PRODUCED BY: SS  
 DATE PRODUCED: 01/10/2025

# MCCOOK COMPLEX

McCook Sports Complex Preliminary Design

# DD DESIGN

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 MCCOOK CITY COUNCIL MEETING**

**3.C.**

ITEM NO. \_\_\_ Establish the user fees for the McCook Aquatic Park for the Summer of 2025.

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**BACKGROUND:**

At the January 20<sup>th</sup> McCook City Council meeting, discussion was held regarding establishing user fee rates for the McCook Aquatic Park for the Summer of 2025. Last season, the McCook Community Foundation Fund generously paid the entry fees. Prior to opening the Park for the Summer of 2025, daily and seasonal fees must be established.

Attached to this report are the user fees charged by other Nebraska municipalities.

**APPROVALS:**



Nathan A. Schneider, City Manager

January 29, 2025



Lea Ann Doak, City Clerk

January 29, 2025



Kyle Potthoff, Public Works Director

January 29, 2025



Tera Koetter, Assistant City Manager

January 29, 2025

# CITY POOLS HOUR AND PRICE COMPARISONS

CITY	DAILY RATE	SINGLE SEASON PASS	FAMILY SEASON PASS	HOURS OF OPERATION	DATES OF OPERATION
AURORA	AGES 0-2 \$FREE	AGES 9 AND UNDER \$50.00	\$115.00	SUNDAY 12-5PM	MAY 26-AUGUST 13
	AGES 3-9 \$3.00	AGES 10 AND OVER \$60.00		MONDAY 12-5PM AND 6-8PM	
	AGES 10+ \$4.00			TUESDAY 12-5PM AND 6-8PM	
				WEDNESDAY 12-5PM	
				THURSDAY 12-5PM AND 6-8PM	
				FRIDAY 12-5PM AND 6-8PM	
WOODRIVER				SATURDAY 12-5PM AND 6-8PM	
				SUNDAY 1-5PM AND 6-8PM	MEMORIAL DAY WEEKEND
				MONDAY - SATURDAY 12-5PM AND 6-8PM LAP SWIM DAILY 5-6PM	
WAVERLY	AGES 0-2 FREE	CHILD PASS AGES 3-17 \$70.00	FAMILY OF 4 \$140.00	MONDAY -THURSDAY 1-5PM AND 6-8PM	MEMORIAL DAY WEEKEND
	AGES 3-17 \$6.00	ADULT PASS 18 + \$70.00		FRIDAY 1-7PM	
	AGES 18-54 \$7.00			SATURDAY & SUNDAY 1-6PM	
	AGES 55+ \$5.00				
COLBY, KS	AGES 0-3 FREE	AGES 4+ \$75.00	FAMILY OF 5 \$175.00	MONDAY-FRIDAY 12:30-6PM	MAY 25 - AUGUST 11
	AGES 4+ \$5.00			SATURDAY & SUNDAY 12:30-7:PM	
KEARNEY	AGES 0-5 FREE			MONDAY - FRIDAY 1-5PM AND 6:30-8:30PM	LATE MAY - MID AUGUST
	AGES 6+ \$5.00 (\$4.00 AFTER 4PM)			SATURDAY AND SUNDAY 1-7PM	
HOLDREGE				MONDAY - SATURDAY 1-9PM	MEMORIAL DAY WEEKEND - 2ND WEEKEND OF AUGUST
		\$2.00	\$45.00	SUNDAY AND HOLIDAYS 1:30-9PM	
LEXINGTON	ADULT \$3.25	\$50.00	\$110.00	MONDAY - THURSDAY 12:30-7PM	MEMORIAL DAY - THE WEEKEND BEFORE SCHOOL STARTS
	YOUTH/SENIOR \$2.25			FRIDAY - SUNDAY 12:30-5:30PM	
	FAMILY \$11.00				

### Cody Pool

- **Outdoor Pool:** Cody Pool is an outdoor facility, making it a popular spot during the warmer months.
- **Swimming Areas:** It typically includes areas for both recreational swimming and lap swimming.
- **Diving Boards:** Often equipped with diving boards for those who enjoy diving.
- **Pool Hours:**
  - 1:00 pm - 7:00 Monday-Sunday
  - Adult Hour 1:30 pm - 1:00 pm Monday-Friday

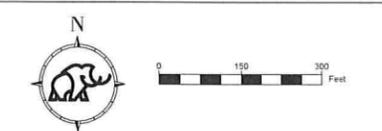
### *North Platte*

Description	Fee
Youth	\$3.75
Adult	\$4.75
Senior	\$4.25
Family (6 members in same household)	\$11.50

Location: [1401 N Jeffers St, North Platte, NE 69101](#)

308-535-6770





MAMMOTH SPORTS CONSTRUCTION  
 PROJECT # 24-0276  
 PRODUCED BY: SS  
 DATE PRODUCED: 01/10/2025

# MCCOOK COMPLEX

McCook Sports Complex Preliminary Design

## DD DESIGN

**CITY MANAGER'S REPORT  
FEBRUARY 3, 2025 MCCOOK CITY COUNCIL MEETING**

**ITEM NO. 3.D.** Discuss proposed LB 354, which would eliminate state equalization funding for Cities of the First Class.

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**BACKGROUND:**

LB 354 has been proposed, which would eliminate state equalization funding for Cities of the First Class. Staff would like to put this item on the agenda for discussion as it relates to revenue receipts and general fund operations.

**APPROVALS:**



Nathan A. Schneider, City Manager

January 29, 2025



Lea Ann Doak, City Clerk

January 29, 2025



Tera L. Koetter, Asst City Manager

January 29, 2025

**CITY MANAGER'S REPORT  
SEPTEMBER 5, 2023 CITY COUNCIL MEETING**

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**ITEM:**        **3.E.**

Approve Ordinance No. 2025-3095 amending the City of McCook Code of Ordinances, Title IX, Chapter 91 - "Fire Prevention; Fireworks; Poisonous or Flammable Gas; Explosives", Section 91.37 - Prerequisites and Qualifications for Issuance of Sales Permit and Section 91.43 - Discharge of Fireworks Generally on its second of three readings.

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**BACKGROUND:**

Please refer to the attached City Manager's Report prepared for the January 20, 2025 meeting.

No comments have been received by staff.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

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

January 30, 2025

**CITY MANAGER'S REPORT**  
**JANUARY 20, 2025, CITY COUNCIL MEETING**

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ITEM # 4.E.

**RECOMMENDATION:**

Introduce and approve upon its first reading Ordinance No. 2025-3095 providing for the amendment of TITLE IX, Chapter 91, § 91.37 PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT (A) (1); and § 91.43 DISCHARGE OF FIREWORKS GENERALLY, increasing the firework permit fee and changing the dates and times of the discharge of fireworks generally.

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**BACKGROUND:**

The current firework ordinance contains dates and times that can be confusing and conflicting with each other. To simplify the ordinance and address the current firework permit fee that was last updated in October of 2012, city staff are proposing two changes to the ordinance.

Chapter 91, § 91.37 Prerequisites and Qualifications for Issuance of Sales Permit states under (A) that Any person making application for a permit required by § 91.36 shall (1) Pay to the city the sum of \$75 for each selling period per § 91.36 (A) (1) Pay to the city the sum of \$75 for each selling period per § 91.36 (A) which sum shall be retained by the city as an occupation tax. Based on an updated comparison to comparable communities, we are recommending changing this fee to \$150.

The second recommended change addresses § 91.43 Discharge of Fireworks Generally. City staff is proposing to change the dates to between the hours of 8:00 a.m. and 10:00 p.m. on June 28 through and including July 2, between the hours of 8:00 a.m. and 11:59 p.m. on July 3 and 4, and between the hours of 8:00 a.m. and 10:00 p.m. on December 28 through and including December 30, and between the hours of 8:00 a.m. December 31 and 1:00 a.m. January 1. This recommendation would align the discharge of fireworks and the sale of fireworks to the same dates. It also removes the use of fireworks on July 5.

A recent review of our ordinance indicated that McCook was the only community that allowed fireworks to be discharged on July 5.

§ 91.43 does state that a person may discharge fireworks at times other than those times designated in this division upon obtaining a permit to do so, which permit shall be issued by the Fire Chief of the Fire Department. However, there were to time constraints on the application. Therefore, we are proposing to add The permit issued shall allow the use of fireworks between the hours of 8:00 a.m. and 11:00 p.m.

**CITY MANAGER'S REPORT  
JANUARY 20, 2025, CITY COUNCIL MEETING**

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**PAGE 2**

**FISCAL  
IMPACT:     None**

**RECOMMENDATION:**

Introduce and approve upon its first reading Ordinance No. 2025-3095 providing for the amendment of TITLE IX, Chapter 91, § 91.37 PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT (A) (1); and § 91.43 DISCHARGE OF FIREWORKS GENERALLY, increasing the firework permit fee and changing the dates and times of the discharge of fireworks generally.

**APPROVALS:**

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

1/14/25  
Date

  
\_\_\_\_\_  
Tera Koetter, Asst. City Manager

1/14/2025  
Date

  
\_\_\_\_\_  
Marc A. Harpham, Fire Chief

14 Jan 2025  
Date

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

1-14-25  
Date

### **§ 91.35 DEFINITION.**

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

*FIREWORKS.* Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation, and which meets the definition of common or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations.

(Prior Code, § 7-401) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

### **§ 91.36 PERMIT REQUIRED FOR RETAIL SALE.**

(A) It shall be unlawful for any person to sell, hold for sale, or offer for sale as a distributor, jobber, or retailer any fireworks without first obtaining a license from the State Fire Marshal for that calendar year. Licensed vendors shall only sell fireworks which have been approved by the State Fire Marshal and such permissible fireworks may be sold at retail June 28 through July 4 during the hours of 8:00 a.m. to 10:00 p.m. and December 28 through December 31 during the hours of 8:00 a.m. and 10:00 p.m.

(B) It shall be unlawful for any person to sell or offer to sell at retail within the city any fireworks, as defined and permitted under the statutes of the state, without having first secured a permit from the City Clerk.

(Prior Code, § 7-402) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010) Penalty, see § [91.99](#)

### **§ 91.37 PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT.**

(A) Any person making application for a permit required by § [91.36](#) shall:

(1) Pay to the city the sum of ~~\$75~~ **\$150** for each selling period per § [91.36](#)(A) which sum shall be retained by the city as an occupation tax;

(2) File with the Fire Chief a written statement giving the location of the retail outlets;

(3) File with the Fire Chief all applications for permits by June 20 of the year for which the applicant wishes the permit to sell in June and July and by December 20 of the year for which the applicant wishes the permit to sell in December and January; and

(4) Provide to the Fire Chief the manner of storage for their fireworks and the location of the storage place.

(B) No person under the age of 19 years shall be granted a permit.

(C) A past record of violations may result in the denial of a permit. This determination is to be made by the Fire Chief or his or her designee.

(D) All firework stands must be provided with at least one fire extinguisher which is approved by the Fire Chief or his or her designee.

(Prior Code, § 7-403) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

#### **§ 91.38 TERM OF SALES PERMIT; TRANSFER; DAYS AND HOURS OF SALE.**

(A) The permit required by § 91.36, when issued by the Fire Chief, shall be valid beginning June 28 at 8:00 a.m. and ending July 4 at 10:00 p.m. of the year of issue, and shall not be transferable. A second permit will be required for the sale of fireworks during the second period of December 28 through December 31. This permit shall be valid beginning December 28 at 8:00 a.m. and ending December 31 at 10:00 p.m. of each year of issue, and shall not be transferable.

(B) Fireworks may be sold June 28 through July 4 during the hours of 8:00 a.m. to 10:00 p.m. and December 28 through December 31 during the hours of 8:00 a.m. to 10:00 p.m.

(Prior Code, § 7-404) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

#### **§ 91.39 PUBLIC DISPLAYS.**

Public exhibitions or displays of discharging fireworks may be conducted without a sales permit, but shall be conducted according to rules and regulations prescribed by the State Fire Marshal in cooperation with the City Fire Chief. Where supervisors are required, the sponsor of the exhibition or display shall hire or engage the services of supervisors, who shall be approved by the City Fire Chief.

(Prior Code, § 7-405) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

#### **§ 91.40 PERSON IN CHARGE OF STAND.**

Any licensed fireworks stand or firm engaged in the sale of fireworks shall have a person age 16 years or older in charge of the sale of fireworks and on the stand premises at all times.

(Prior Code, § 7-406) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

#### **§ 91.41 PERMITTED FIREWORKS; PROHIBITED FIREWORKS; TEMPORARY BAN.**

(A) *Generally.* It shall be unlawful for any person to ignite or cause to be exploded fireworks or firecrackers of any description whatsoever, except as defined and permitted under the statutes of the state.

(B) *Exceptions.* The provisions of this section shall not apply to any fireworks to be used for the purpose of public exhibitions or display under the authorization of the governing body, or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal.

(C) *Temporary ban prohibiting the use of permissible fireworks.* If the use of permissible fireworks within the city during the current and forecasted weather conditions creates a very high risk of fire danger within the city and areas surrounding the city that represents an unacceptable risk to the public's health, safety and welfare, the McCook City Council may issue a temporary ban that prohibits the discharge of all fireworks. This decision will be based on current and forecasted weather conditions and Red Flag Warnings after consultation with the Fire Chief and/or his or her representative.

(1) This temporary ban shall not however, apply to the possession, storage or sale of permissible fireworks, which activities shall continue to be legal as currently authorized in accordance with the applicable provisions of this Fire Code.

(2) Nothing herein shall be deemed to prohibit an annual Fourth of July professional fireworks display by the City of McCook or duly authorized agent/organization/or individual.

(D) *Penalty.* Violations of this section shall be enforced, cited, prosecuted and punished as misdemeanor offenses in accordance with § [91.99](#)(A). In addition, the remaining and undischarged permissible fireworks in possession of a person cited for a violation under this section may be seized, subject to any Fourth Amendment requirements, by the City Police Department as evidence and, if the person cited is convicted of the violation, the Court may order the seized permissible fireworks to be destroyed as contraband by the McCook Police Department.

(Prior Code, § 7-407) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2012-2886, passed 11-19-2012) Penalty, see § [91.99](#)

#### **§ 91.42 THROWING FIRECRACKERS.**

It shall be unlawful for any person to throw any firecracker, or any object which explodes upon contact with another object, from or into a motor vehicle, onto any street, highway, or sidewalk, at or near any person, into any building, or into or at any group of persons. It shall further be unlawful to discharge fireworks within 100 feet of a fireworks stand.

(Prior Code, § 7-408) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010) Penalty, see § [91.99](#)

#### **§ 91.43 DISCHARGE OF FIREWORKS GENERALLY.**

*Permitted days and hours.* Fireworks may be discharged only during the period of time between the hours of 8:00 a.m. and 10:00 p.m. on June 28 through and including July 2, between the hours of 8:00 a.m. and 11:59 p.m. on July 3 and 4, ~~between the hours of 8:00 a.m. and 11:00 p.m. July 5,~~ and between the hours of 8:00 a.m. and 9:00 ~~10:00~~ p.m. on December 28 through and including December 30, and between the hours of 8:00 a.m. December 31 and 1:00 a.m. January 1. A person may discharge fireworks at times other than those times designated in this division upon obtaining a permit to do so, which permit shall be issued by the Fire Chief of the Fire Department. **The permit issued shall allow the use of fireworks between the hours of 8:00 a.m. and 11:00 p.m.**

A person commits the offense of discharging fireworks if he/she discharges fireworks except during the periods and times as specified above.

## ORDINANCE NO. 2025-3095

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING THE CITY OF MCCOOK CODE OF ORDINANCES CHAPTER 91, ENTITLED "FIRE PREVENTION; FIREWORKS; POISONOUS OR FLAMMABLE GAS; EXPLOSIVES" IN TITLE IX "GENERAL REGULATIONS", SECTION 91.37 - PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT AND SECTION 91.43 - DISCHARGE OF FIREWORKS GENERALLY, AMENDING THE PERMIT FEE AND THE DATES AND TIMES OF DISCHARGE; TO PROVIDE THAT THIS ORDINANCE SHALL BE MADE A PART OF THE CITY OF MCCOOK CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

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

Section 1. The City of McCook Code of Ordinances Chapter 91, Section 91.37 - Prerequisites and Qualifications for Issuance of Sales Permit, is hereby amended to read as follows:

### **§ 91.37 PREREQUISITES AND QUALIFICATIONS FOR ISSUANCE OF SALES PERMIT.**

(A) Any person making application for a permit required by § 91.36 shall:

(1) Pay to the city the sum of \$75 ~~\$150~~ for each selling period per § 91.36 (A) which sum shall be retained by the city as an occupation tax;

(2) File with the Fire Chief a written statement giving the location of the retail outlets;

(3) File with the Fire Chief all applications for permits by June 20 of the year for which the applicant wishes the permit to sell in June and July and by December 20 of the year for which the applicant wishes the permit to sell in December and January; and

(4) Provide to the Fire Chief the manner of storage for their fireworks and the location of the storage place.

(B) No person under the age of 19 years shall be granted a permit.

(C) A past record of violations may result in the denial of a permit. This determination is to be made by the Fire Chief or his or her designee.

(D) All firework stands must be provided with at least one fire extinguisher which is approved by the Fire Chief or his or her designee.

(Prior Code, § 7-403) (Ord. 2002-2636, passed 11-4-2002; Ord. 2007-2801, passed 11-5-2007; Ord. 2010-2846, passed 12-6-2010)

Section 2. The City of McCook Code of Ordinances Chapter 91, Section 91.43 - Discharge of Fireworks Generally, is hereby amended to read as follows:

**§ 91.43 DISCHARGE OF FIREWORKS GENERALLY.**

*Permitted days and hours.* Fireworks may be discharged only during the period of time between the hours of **8:00 a.m. and 10:00 p.m. on June 28 through and including July 2, between the hours of 8:00 a.m. and 11:59 p.m. on July 3 and 4, 8:00 a.m. and 11:00 p.m. on June 23 through and including July 3, between the hours of 8:00 a.m. and 11:59 p.m. on July 4, between the hours of 8:00 a.m. and 11:00 p.m. July 5, and between the hours of 8:00 a.m. and 9:00 10:00 p.m. on December 28 through and including December 30, and between the hours of 8:00 a.m. December 31 and 1:00 a.m. January 1.** A person may discharge fireworks at times other than those times designated in this division upon obtaining a permit to do so, which permit shall be issued by the Fire Chief of the Fire Department. **The permit issued shall allow the use of fireworks between the hours of 8:00 a.m. and 11:00 p.m.** A person commits the offense of discharging fireworks if he/she discharges fireworks except during the periods and times as specified above.

(Ord. 2007-2801, passed 11-5-2007; Ord. 2009-2833, passed 11-2-2009; Ord. 2010-2846, passed 12-6-2010) Penalty, see § 91.99

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

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

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

ATTEST:

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