

MCCOOK CITY COUNCIL  
February 16, 2015  
7:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 7:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Calvin, Hepp, McDowell, Weedon.

Absent: None.

City Officials present: City Manager/City Attorney Schneider, City Clerk/Treasurer Doak, Police Chief Brown, Utilities Director Dutcher, Fire Chief Harpham (arrived 8:05 P.M.), 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 February 12, 2015, 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 Acknowledgment of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

(1) INVOCATION - THE MCCOOK MINISTERIAL ASSOCIATION - KC HARRYMAN, 1<sup>ST</sup> ASSEMBLY OF GOD CHURCH.

No one was present for the invocation.

(2) PLEDGE OF ALLEGIANCE.

Councilmember Calvin led the Council and audience in the Pledge of Allegiance.

(3) CITIZEN'S COMMENTS.

No one was present for citizen's comments.

(4) ANNOUNCEMENTS & RECOGNITIONS.

Public Works Director Potthoff informed the Council that he spoke with Steve Haag, Local Manager for Sourcegas, regarding the concerns expressed by Terry and Tammie Hilker during the One and Six Year Street Hearing at the previous council meeting, with the street located next to their property in south McCook. Mr. Haag has no immediate concerns at this time.

(5) PUBLIC HEARINGS:

ITEM A PUBLIC HEARING - CONSIDER THE PRELIMINARY PLANNED

DEVELOPMENT DISTRICT TO BE KNOWN AS CLARY VILLAGE, FOR REPLATTED LOT TWO A (2A), BLOCK ONE (1), INCLUDING WEST 8½ STREET; CLARY SUBDIVISION OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA.

Upon a motion by Councilmember Calvin, seconded by Councilmember Weedon, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the Preliminary Planned Development District to be known as Clary Village, for Replatted Lot Two A (2A), Block One (1), including West 8½ Street; Clary Subdivision of the City of McCook, Red Willow County, Nebraska with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report prepared for the February 16, 2015 council meeting; Exhibit #2 - Notice of Hearing published, Exhibit #3 - ownership listing of those receiving notice of hearing; Exhibit #4 - Planning Commission minutes of the February 9, 2015 meeting; Exhibit #5 - Proposed Resolution No. 2015-04; Exhibit #6 - the Preliminary Clary Subdivision Replat No. 2; and Exhibit #7 - various drawings and plans (14 pages).

City Manager Schneider informed the Council that a planned unit development application was filed with the City. The developer desires to create eight total duplex units on land that is directly to the west of the old bus barn located on "Q" Street. The proposed plan includes improvements such as sanitary sewer, water, sidewalk, and drainage improvements. The water and sewer lines will be placed in an easement running through the middle of the block from the north. The streets adjacent to the property meet city standards, although West 8½ Street will have to be dedicated as City property. Current sidewalk runs along the street with some low curb, which does not meet City requirement of being built upon the terrace. Negotiations continue on sidewalk placement. A drainage study is being prepared by W Design and Associates. The lot to the south is currently planned as green space. Since the City has not done many planned unit developments, staff contacted Craig Bennett, Land Development and Planning with Miller and Associates for input regarding this request. With Mr. Bennett's assistance, Staff identified certain infrastructure items that needed to be addressed in a planned unit development. The location of the property is in a Residential Medium Density District. Due to the fact that eight structures are being located on the lot, it is necessary to do a planned unit development. The planned unit development allows for more flexibility with respect to our specific zoning requirements. The planned unit development would be consistent with the proposed future land use of the Comprehensive Plan. The final document and agreement will be presented to the Council at the March 16 meeting.

Gary Dicenta, Miller & Associates, stated that at the Planning Commission meeting Commissioner Vosburg supported the required terrace sidewalk. It is safer for the public and is easier to address ADA requirements.

There being no one else present to comment, upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to adjourn the public hearing and to reconvene as a City Council. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

ITEM B ADOPT RESOLUTION NO. 2015-04 APPROVING THE PRELIMINARY PLANNED DEVELOPMENT DISTRICT TO BE KNOWN AS CLARY VILLAGE, FOR REPLATTED LOT TWO A (2A), BLOCK ONE (1), INCLUDING WEST 8½

STREET; CLARY SUBDIVISION OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to adopt Resolution No. 2015-04 approving the Preliminary Planned Development District to be known as Clary Village, for Replatted Lot Two A (2A), Block One (1), including West 8½ Street; Clary Subdivision of the City of McCook, Red Willow County, Nebraska. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weed. NAY: None.

ITEM C PUBLIC HEARING - REVIEW THE REDEVELOPMENT PLAN FOR THE CLARY VILLAGE REDEVELOPMENT PROJECT AREA 2015 AS TO ITS CONFORMITY WITH THE GENERAL PLAN FOR THE DEVELOPMENT OF THE CITY AS A WHOLE.

Upon a motion by Councilmember Calvin, seconded by Councilmember Gonzales, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the Redevelopment Plan for the Clary Village Redevelopment Project Area 2015 as to its conformity with the general plan for the development of the City as a whole with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weed. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report prepared for the February 16, 2015 council meeting; Exhibit #2 - Notice of Hearing published; Exhibit #3 - required letters to the various public entities; Exhibit #4 - minutes of the February 9, 2015 Planning Commission meeting; Exhibit #5 - proposed Resolution No. 2015-05; Exhibit #6 - Clary Village Redevelopment Plan.

City Manager Schneider informed the Council that at the February 11, 2013 Planning Commission meeting, the Planning Commission reviewed a study made to determine whether an area qualified as blighted and substandard pursuant to the Nebraska Community Development Law and also made recommendations to the City Council regarding approval of Redevelopment Area #3 within the City of McCook, NE. The City Council approved the Redevelopment Area #3 at the February 18, 2013 City Council meeting. On January 12, 2015, the Planning Commission approved a Redevelopment Plan for an area bounded by West 8<sup>th</sup> Street on the East, West 8 ½ Street on the West; "Q" Street on the South and "R" Street on the North. This area is within Redevelopment Area #3. After reviewing the Redevelopment Plan prior to City Council review, it was discovered that the attributed TIF amount was misstated. The original TIF amount stated was \$120,000. The Redevelopment Plan has been amended to include \$71,170 as additional amounts requested for TIF, said costs for sewer improvements, bringing the total amount of TIF funds to \$180,000. Also, the area had to be modified to include the western most boundary of West 9<sup>th</sup> Street (between West "Q" and West "R" Streets). With these changes, the amended Redevelopment Plan was brought to the Planning Commission on February 9 where it was approved. The goal of the Plan is to strengthen the Redevelopment Area by developing duplex housing units for low income households. Increasing the housing market stock in McCook is a priority. In order to encourage private investment in the Redevelopment Area, this Plan has been prepared to establish the Clary Village Redevelopment Project. Mr. Schneider then reviewed the plan further and informed the Council that the Community Development Agency recommended to the Council approval of the plan.

There being no one else present to comment, upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to adjourn the public hearing and to reconvene as

a City Council. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM D ADOPT RESOLUTION NO. 2015-05 APPROVING A REDEVELOPMENT PLAN OF THE CITY OF MCCOOK, NEBRASKA, APPROVING A REDEVELOPMENT PROJECT OF THE CITY OF MCCOOK, NEBRASKA; AND APPROVAL OF RELATED ACTIONS FOR THE PURPOSE OF THE DEVELOPMENT OF THE 2015 CLARY VILLAGE REDEVELOPMENT AREA.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to adopt Resolution No. 2015-05 approving a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the 2015 Clary Village Redevelopment Area. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

(6) CONSENT AGENDA:

ITEM A APPROVE THE MINUTES OF THE FEBRUARY 2, 2015 REGULAR CITY COUNCIL MEETING.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the February 2, 2015 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

ITEM B RECEIVE AND FILE MINUTES OF THE FEBRUARY 9, 2015 PLANNING COMMISSION MEETING.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to receive and file minutes of the February 9, 2015 Planning Commission meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

### REGULAR AGENDA

(7) DISCUSS THE TOWN HALL MEETINGS REGARDING THE CONTINUATION OF THE CURRENT SALES TAX ON THE DATES OF FEBRUARY 17 AT 5:30 P.M. AT THE HERITAGE SENIOR CENTER, FEBRUARY 26 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, AND MARCH 1 AT 1:00 P.M. IN THE MCCOOK MUNICIPAL CENTER UPSTAIRS TRAINING ROOM.

Town Hall meetings regarding the continuation of the current sales tax have been set for February 17 at 5:30 P.M. at the Heritage Senior Center, February 26 at 7:00 P.M. in the City Council Chambers, and March 1 at 1:00 P.M. in the McCook Municipal Center Upstairs Training Room.

(8) COUNCIL COMMENTS.

Council comments included encouraging the public to attend the sales tax renewal meetings and the success of the 2015 Annual Chamber Banquet.

(9) ADJOURNMENT.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:15 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk