

**070516 agenda**

**MCCOOK CITY COUNCIL**

**REGULAR MEETING**

**Tuesday - July 5, 2016**  
**6:30 P.M. - City Council Chambers**

- **Call to Order and Roll Call.**
  - **Open Meetings Act Announcement.**  
*\*A copy of the Open Meetings Act is posted by the entrance to the Council Chambers and is available for public review.*
  - **Invocation.**  
The McCook Ministerial Association - Clark Bates, McCook Christian Church.
  - **Pledge of Allegiance.**
- 1. Citizen's Comments.**  
*\*The Council welcomes your input. You may address the Council at this time on items that are not on tonight's agenda. According to Nebraska Open Meeting Laws no action may be taken by Council.*
- At the appropriate time during the meeting, citizens wishing to comment on tonight's Agenda items will be given an opportunity.*
- 2. Announcements & Recognitions.**
- 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 Councilmember or public in attendance, be considered as a separate item under the Regular Agenda.*
- A. Approve the minutes of the June 20, 2016 regular City Council meeting.  
[070516 minutes](#)
- B. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a fund raiser/beer garden during the Aaron Lewis concert to be held at the Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 22, 2016, from 4:00 P.M. to 11:59 P.M.  
[070516 sdl schmicks 3b](#)
- C. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a reception/fund raiser to be held at the Alice/Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 21, 2016, from 4:00 P.M. to 11:59 P.M.  
[070516 sdl schmicks 3c](#)
- D. Approve the request from Van Diest Supply Company to connect to the McCook Public Water System.  
[070516 van diest](#)
- E. Receive and file the results of the "A" Street Park survey.  
[070516 park survey](#)
- F. Receive and file results of the Annual Reservoir Falloff Test for the Class I Non-Hazardous Deep Injection Well.  
[070516 falloff](#)
- 4. Regular Agenda.**
- A. Receive, file, and discuss modifications to the City of McCook Code of Ordinances, Chapter 38, Appendix M.  
[070516 dicuss mods](#)
- B. Introduce and approve on its first reading, Ordinance No. 2016-2934, which repeals Chapter 110:

Licensing of Construction Contractors of the City of McCook Code of Ordinances in its entirety.  
[070516 ord 20162934](#)

C. Introduce and approve on its first reading, ordinance No. 2016-2935, amending Chapter 38: Fee Schedule, Appendix J: Occupation Taxes, of the Municipal Code of the City of McCook, Nebraska, repealing Paragraph C in its entirety.  
[070516 ord 20162935](#)

D. Council Comments.

▪ **Adjournment.**

# MCCOOK CITY COUNCIL

## REGULAR MEETING

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  - F. Receive and file results of the Annual Reservoir Falloff Test for the Class I Non-Hazardous Deep Injection Well.

**4. Regular Agenda.**

- A. Receive, file, and discuss modifications to the City of McCook Code of Ordinances, Chapter 38, Appendix M.
- B. Introduce and approve on its first reading, Ordinance No. 2016-2934, which repeals Chapter 110: Licensing of Construction Contractors of the City of McCook Code of Ordinances in its entirety.
- C. Introduce and approve on its first reading, ordinance No. 2016-2935, amending Chapter 38: Fee Schedule, Appendix J: Occupation Taxes, of the Municipal Code of the City of McCook, Nebraska, repealing Paragraph C in its entirety.
- D. Council Comments.

▪ **Adjournment.**

CITY MANAGER'S REPORT  
JULY 5, 2016 CITY COUNCIL MEETING

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ITEM: **3A**

Approve the minutes of the June 20, 2016 regular City Council meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:** None.

**RECOMMENDATION:**

Approve the minutes of the June 20, 2016 regular City Council meeting.

**APPROVALS:**

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

June 30, 2016

MCCOOK CITY COUNCIL

June 20, 2016

6:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 6:30 o'clock P.M. in the City Council Chambers.

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

Absent: Councilmember Hepp.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown and Utilities Director Dutcher.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 16, 2016, 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. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

**1. Citizen's Comments.**

Kay Flaska, member of the City of McCook Civil Service Commission, requested that due to an increase calls over the past year, the Council do a study and research the ability to hire additional personnel for the Fire Department.

**2. Announcements & Recognitions.**

Utilities Director Dutcher informed the Council of a leak on East 6<sup>th</sup> Street, between "B" and "C" Streets. They will have that block closed on Tuesday morning, from 8:00 A.M. until noon, to repair the leak.

**3. Public Hearings.**

- A. Conduct a public hearing on the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska.

Upon a motion by Councilmember Weedin, seconded by Councilmember McDowell, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control

Commission, to be located at 1301 North Highway 83, McCook, Nebraska with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report dated June 6, 2016 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 application and all attachments from the Nebraska Liquor Control Commission dated June 2, 2016 (68 pages); Exhibit #4 - Police Department Liquor Application Report (6 pages); and Exhibit #5 - Planning Department Liquor Application Report (2 pages).

City Attorney Schneider stated that there was nothing apparent to keep the Council from recommending to the Liquor Control Commission approval of the application.

There being no one present to comment, upon a motion by Councilmember Weedin, 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, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

- B. Recommend approval to the Nebraska Liquor Control Commission the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska.

Upon a motion by Councilmember Calvin, seconded by Councilmember McDowell, the Council voted to recommend approval to the Nebraska Liquor Control Commission the application of McCook Hotel Group; dba "Cobblestone Hotel & Suites", for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) License under the Nebraska Liquor Control Commission, to be located at 1301 North Highway 83, McCook, Nebraska. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

#### **4. Consent Agenda.**

- A. Approve the minutes of the June 6, 2016 regular City Council meeting.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedin, the Council voted to approve the minutes of the June 6, 2016 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

- B. Approve the application for a Special Designated Liquor License submitted by the Fraternal Order of Eagles, Liquor License #I-03700, for a Dance/Fund Raiser/Beer Garden to be held in the parking lot of the Eagles Club, 805 East "B" Street, on August 27, 2016, from 5:00 P.M. to 11:00 P.M.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedin, the Council voted to approve the application for a Special Designated Liquor License submitted by the Fraternal Order of Eagles, Liquor License #I-03700, for a Dance/Fund Raiser/Beer Garden to be held in the parking lot of the Eagles Club, 805 East "B" Street, on August 27, 2016, from 5:00 P.M. to 11:00 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedin. NAY: None. ABSENT: Hepp.

C. Receive and file the Financial Report for the period ending May 31, 2016.

Upon a motion by Councilmember McDowell, seconded by Councilmember Weedon, the Council voted to receive and file the Financial Report for the period ending May 31, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Calvin, McDowell, Weedon. NAY: None. ABSENT: Hepp.

**5. Regular Agenda.**

A. Approve Ordinance No. 2016-2933 providing for the rezone of Block Eight (8), Lots Seven (7) through twelve (12), Brown's Park Addition to the City of McCook, Red Willow County, Nebraska, from Business Commercial (BC) to Residential Medium Density (RM) District upon its third and final reading.

Considered upon its third and final reading, Ordinance No. 2016-2933 entitled:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING ORDINANCE NO. 2013-2897 BY CHANGING THE ZONING CLASSIFICATION OF BLOCK EIGHT (8), LOTS SEVEN (7) THROUGH TWELVE (12), BROWN'S PARK ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA FROM BUSINESS COMMERCIAL (BC) TO RESIDENTIAL MEDIUM DENSITY (RM); PROVIDED FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2016-2933 was read by title only and thereafter Councilmember Weedon moved for final passage of the Ordinance, which motion was seconded by Councilmember McDowell. The Mayor then stated the question: "Shall Ordinance No. 2016-2933 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, McDowell, Weedon. NAY: None. ABSENT: Hepp. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of the Council, the Mayor declared the Ordinance lawfully passed and adopted upon publication as required by law.

B. Council Comments.

The Council complimented the Library Staff and thanked them for all that they do and recognized all Public Safety personnel for all their efforts during the recent house fire which occurred during a severe electrical storm.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 6:40 P.M.

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Michael D. Gonzales, Mayor

ATTEST:

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Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
JULY 5, 2016 SPECIAL CITY COUNCIL MEETING**

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**ITEM: 3B**

**RECOMMENDATION:**

Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a fund raiser/beer garden during the Aaron Lewis concert to be held at the Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 22, 2016, from 4:00 P.M. to 11:59 P.M.

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**BACKGROUND:**

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

**FISCAL  
IMPACT:** None.

**RECOMMENDATION:**

Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a fund raiser/beer garden during the Aaron Lewis concert to be held at the Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 22, 2016, from 4:00 P.M. to 11:59 P.M.

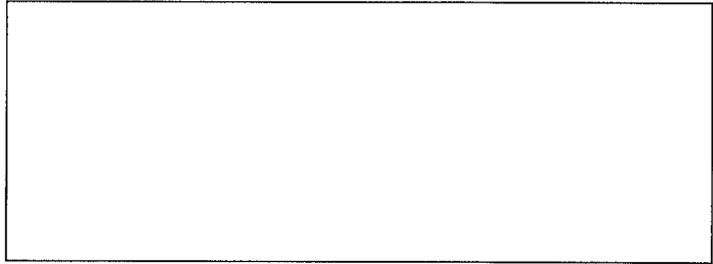
**APPROVALS:**

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

June 29, 2016

# APPLICATION FOR SPECIAL DESIGNATED LICENSE

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



## Special Designated License (SDL) Application Quick Checklist

### Requirements:

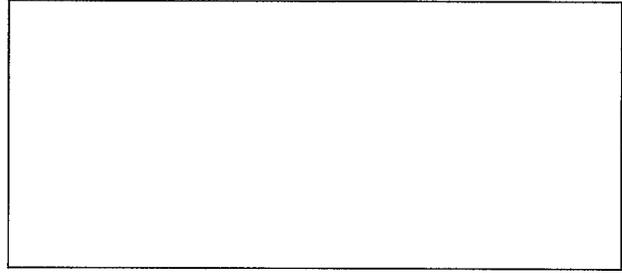
- Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held). Contact this jurisdiction for further requirements. **EFFECTIVE MAY 1, 2015, applications will no longer be accepted without the local approval attached to the application.**
- Only 501c Non-profit organizations or Retail license holders can apply for a Special Designated License. No SDL will be issued to Retail license holders operating under a Temporary Operating Permit (TOP).
- Include \$40 fee for each day/area. Check is payable to the Nebraska Liquor Control Commission (NLCC). If you have a Catering license, there are no fees required. You may also pay online at <http://www.lcc.nebraska.gov/>
- **Applicant** is responsible for all paperwork and fees being sent to the NLCC office before the 10-day deadline. It is not the responsibility of the local governing body to send the application to the NLCC.
- When requesting alternate date(s) and/or location(s), approval from local governing body must include approval for these alternate date(s) and/or locations(s). If requesting sales on Sunday, attach copy of local ordinance or resolution.
- Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) business days prior to date of event (weekends, holidays & date of event are not included in this count). **NO EXCEPTIONS!**  
\*See the calendar on our website at:  
<https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/SDL%20Calendar%20JAN%202016%20-%20JAN%202017.pdf>
- When requesting an outdoor area, you must include a box-type diagram of the area to be licensed.
- Non Caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days).
- Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license.

### Non Profit Application **MUST**:

- Include page five (5) of application showing Federal ID number.
- When requesting an exemption from NLCC rules; i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event; waiving double fence must complete Form 140.

**APPLICATION FOR SPECIAL DESIGNATED LICENSE**

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



DO YOU NEED POSTERS? YES  NO

**NON PROFIT APPLICANTS**

(Check one that best applies)

Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

**LIQUOR LICENSE HOLDERS**

Liquor license number and class (i.e. C-55441)

IDK-084561

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer  Wine  Distilled Spirits

2. Licensee name (last, first, ), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Schmick, Tyler William, Schmick's Market Inc.

ADDRESS: 212 Westview Plaza

CITY McCook ZIP 69001

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Kiplinger Arena

ADDRESS: West 5th & O St. CITY McCook

ZIP 69001 COUNTY and COUNTY # Red Willow

a. Is this location within the city/village limits? YES  NO

b. Is this location within the 150' of church, school, hospital or home  
for aged/indigent or for veterans and/or wives? YES  NO

c. Is this location within 300' of any university or college campus? YES  NO

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date July 22, 2016	Date	Date	Date	Date	Date
<b>Hours</b> From 4 pm	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From	<b>Hours</b> From
To 11:59 pm	To	To	To	To	To

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
**(Alternate date or location must be specified in local approval)**

5. Indicate type of activity to be carried on during event:

Dance \_\_\_ Reception \_\_\_ Fund Raiser  Beer Garden  Sampling/Tasting \_\_\_

Other Aaron Lewis Concert

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 140 x 300  
(not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_

**\*SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

\_\_\_ Fence; \_\_\_ snow fence  chain link  cattle panel

\_\_\_ other \_\_\_\_\_

\_\_\_ Tent

7. How many attendees do you expect at event? 300

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

We will card and wristband everyone. Fair board members will man all doors.

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES  NO

a. Are there separate toilets for both men and women? YES  NO



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

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

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

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

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

\_\_\_\_\_  
NAME OF CORPORATION

\_\_\_\_\_  
FEDERAL ID NUMBER

\_\_\_\_\_  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

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

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE & SEAL

# Kiplinger Arena

Large Double Garage Door

walkin door w/ bar

walkin door

walkin door

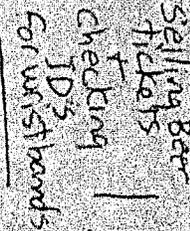
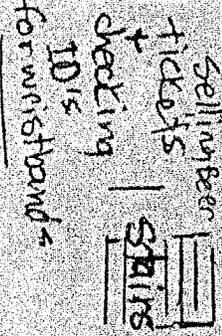
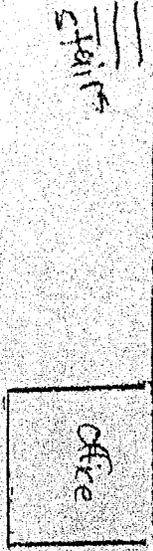
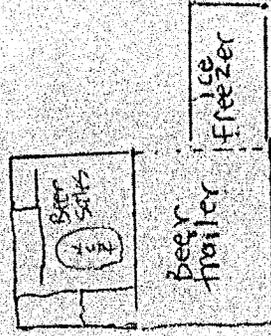
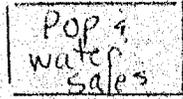
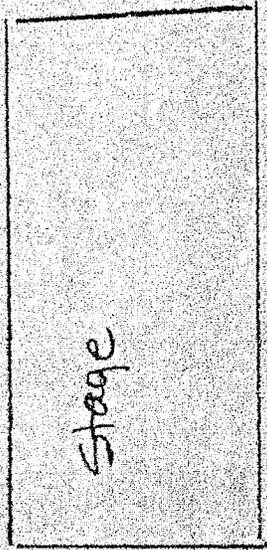
warm up area

110' x 70'

Garage door / walkin

Garage door

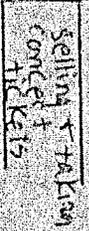
300'



Boys RR

Girls RR

Exp. line



walkin door

Garage Door

RR | RR | RR | RR

walkin door w/ bar

West 5th & O Street

\* Fair Board members posted at all doors

**CITY MANAGER'S REPORT  
JULY 5, 2016 SPECIAL CITY COUNCIL MEETING**

---

**ITEM:**           **3C**  

**RECOMMENDATION:**

Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a reception/fund raiser to be held at the Alice/Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 21, 2016, from 4:00 P.M. to 11:59 P.M.

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**BACKGROUND:**

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

**FISCAL**

**IMPACT:**       None.

**RECOMMENDATION:**

Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a reception/fund raiser to be held at the Alice/Kiplinger Arena, West 5<sup>th</sup> & "O" Streets (1408 West 5th Street), on July 21, 2016, from 4:00 P.M. to 11:59 P.M.

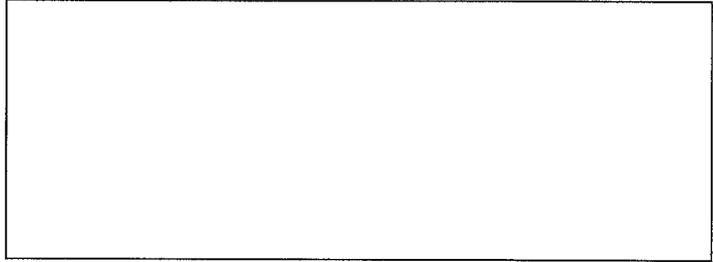
**APPROVALS:**

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

June 29, 2016

## APPLICATION FOR SPECIAL DESIGNATED LICENSE

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



### Special Designated License (SDL) Application Quick Checklist

#### Requirements:

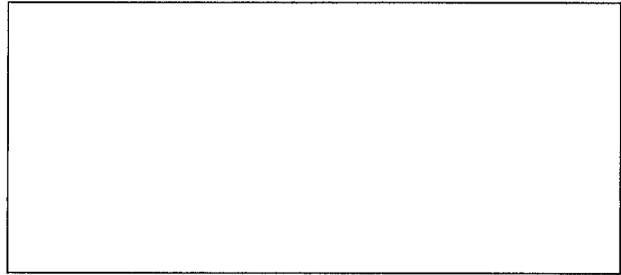
- Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held). Contact this jurisdiction for further requirements. **EFFECTIVE MAY 1, 2015, applications will no longer be accepted without the local approval attached to the application.**
- Only 501c Non-profit organizations or Retail license holders can apply for a Special Designated License. No SDL will be issued to Retail license holders operating under a Temporary Operating Permit (TOP).
- Include \$40 fee for each day/area. Check is payable to the Nebraska Liquor Control Commission (NLCC). If you have a Catering license, there are no fees required. You may also pay online at <http://www.lcc.nebraska.gov/>
- **Applicant** is responsible for all paperwork and fees being sent to the NLCC office before the 10-day deadline. It is not the responsibility of the local governing body to send the application to the NLCC.
- When requesting alternate date(s) and/or location(s), approval from local governing body must include approval for these alternate date(s) and/or locations(s). If requesting sales on Sunday, attach copy of local ordinance or resolution.
- Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) business days prior to date of event (weekends, holidays & date of event are not included in this count). **NO EXCEPTIONS!**  
\*See the calendar on our website at:  
<https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/SDL%20Calendar%20JAN%202016%20-%20JAN%202017.pdf>
- When requesting an outdoor area, you must include a box-type diagram of the area to be licensed.
- Non Caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days).
- Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license.

#### Non Profit Application **MUST**:

- Include page five (5) of application showing Federal ID number.
- When requesting an exemption from NLCC rules; i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event; waiving double fence must complete Form 140.

**APPLICATION FOR SPECIAL DESIGNATED LICENSE**

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



DO YOU NEED POSTERS? YES  NO

**NON PROFIT APPLICANTS**

(Check one that best applies)

Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

**LIQUOR LICENSE HOLDERS**

Liquor license number and class (i.e. C-55441)

IDK-084561

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer  Wine  Distilled Spirits

2. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Schmick, Tyler William, Schmick's Market Inc.

ADDRESS: 212 Westview Plaza

CITY McCook ZIP 69001

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Alice/Kiplinger Arena

ADDRESS: West 5th & O St. CITY McCook

ZIP 69001 COUNTY and COUNTY # Red Willow

a. Is this location within the city/village limits? YES  NO

b. Is this location within the 150' of church, school, hospital or home  
for aged/indigent or for veterans and/or wives? YES  NO

c. Is this location within 300' of any university or college campus? YES  NO

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date July 21, 2016	Date	Date	Date	Date	Date
<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>
From 4 pm	From	From	From	From	From
To 11:59 pm	To	To	To	To	To

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
**(Alternate date or location must be specified in local approval)**

5. Indicate type of activity to be carried on during event:

Dance \_\_\_ Reception X Fund Raiser X Beer Garden \_\_\_ Sampling/Tasting \_\_\_  
 Other Fair Wine/Beer Tasting

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 130 x 130  
 (not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_

**\*SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

\_\_\_ Fence; \_\_\_ snow fence  chain link  cattle panel  
 \_\_\_ other \_\_\_\_\_  
 \_\_\_ Tent

7. How many attendees do you expect at event? 100

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

We will card anyone everyone who looks under 40.

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES  NO

a. Are there separate toilets for both men and women? YES  NO



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

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

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

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

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

\_\_\_\_\_  
NAME OF CORPORATION

\_\_\_\_\_  
FEDERAL ID NUMBER

\_\_\_\_\_  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

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

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE & SEAL

# November

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 October 19, 2015	3 October 20, 2015	4 October 21, 2015	5 October 22, 2015	6 October 23, 2015	7
8	9 October 26, 2015	10 October 27, 2015	11 October 28, 2015 Veteran's Day	12 October 29, 2015	13 October 30, 2015	14
15	16 October 30, 2015	17 November 1, 2015	18 November 2, 2015	19 November 3, 2015	20 November 4, 2015	21
22	23 November 6, 2015	24 November 9, 2015	25 November 10, 2015	26 November 12, 2015 Thanksgiving Day	27 November 13, 2015 Friday Holiday	28
29	30 November 12, 2015					

2015

# December

Sun	Mon	Tue	Wed	Thu	Fri	Sat
6	7 November 19, 2015	8 November 20, 2015	9 November 23, 2015	10 November 24, 2015	11 November 25, 2015	12
13	14 November 30, 2015	15 December 1, 2015	16 December 2, 2015	17 December 3, 2015	18 December 4, 2015	19
20	21 December 7, 2015	22 December 8, 2015	23 December 9, 2015	24 December 10, 2015 Christmas Eve	25 December 11, 2015 Christmas Day	26
27	28 December 11, 2015	29 December 14, 2015	30 December 15, 2015	31 December 16, 2015 New Years Eve		

2015

# January

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4 December 17, 2015	5 December 18, 2015	6 December 21, 2015	7 December 22, 2015	8 December 23, 2015	9
10	11 December 24, 2015	12 December 28, 2015	13 December 29, 2015	14 December 30, 2015	15 December 31, 2015	16
17	18 January 4, 2016 Martin Luther King Day	19 January 4, 2016	20 January 5, 2016	21 January 6, 2016	22 January 7, 2016	23
24	25 January 8, 2016	26 January 11, 2016	27 January 12, 2016	28 January 13, 2016	29 January 14, 2016	30
31						

2016

# February

Sun	Mon	Tue	Wed	Thu	Fri	Sat
7	8 January 23, 2016	9 January 25, 2016	10 January 27, 2016	11 January 28, 2016	12 January 29, 2016	13
14	15 February 1, 2016 President's Day	16 February 1, 2016	17 February 2, 2016	18 February 3, 2016	19 February 4, 2016	20
21	22 February 5, 2016	23 February 8, 2016	24 February 9, 2016	25 February 10, 2016	26 February 11, 2016	27
28	29 February 12, 2016					

2016

# March

Sun	Mon	Tue	Wed	Thu	Fri	Sat
6	7 February 22, 2016	1 February 16, 2016	2 February 17, 2016	3 February 18, 2016	4 February 19, 2016	5
13	14 February 29, 2016	8 February 23, 2016	9 February 24, 2016	10 February 25, 2016	11 February 26, 2016	12
20	21 March 7, 2016	15 March 1, 2016	16 March 2, 2016	17 March 3, 2016	18 March 4, 2016	19
27	28 March 14, 2016	22 March 8, 2016	23 March 9, 2016	24 March 10, 2016	25 March 11, 2016	26
		29 March 15, 2016	30 March 16, 2016	31 March 17, 2016		

2016

# April

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4 March 21, 2016	5 March 22, 2016	6 March 23, 2016	7 March 24, 2016	1 March 18, 2016	2
10	11 March 28, 2016	12 March 29, 2016	13 March 30, 2016	14 March 31, 2016	8 March 25, 2016	9
17	18 April 4, 2016	19 April 5, 2016	20 April 6, 2016	21 April 7, 2016	15 April 1, 2016	16
24	25 April 11, 2016	26 April 12, 2016	27 April 13, 2016	28 April 14, 2016	22 April 8, 2016	23
					29 April 15, 2016 Arbor Day	30

2016

# May

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 April 15, 2016	3 April 18, 2016	4 April 19, 2016	5 April 20, 2016	6 April 21, 2016	7
8	9 April 22, 2016	10 April 23, 2016	11 April 26, 2016	12 April 27, 2016	13 April 28, 2016	14
15	16 May 2, 2016	17 May 3, 2016	18 May 4, 2016	19 May 5, 2016	20 May 6, 2016	21
22	23 May 9, 2016	24 May 10, 2016	25 May 11, 2016	26 May 12, 2016	27 May 13, 2016	28
29	30 May 15, 2016 Memorial Day	31 May 16, 2016				

2016

# June

Sun	Mon	Tue	Wed	Thu	Fri	Sat
5	6 May 20, 2016	7 May 23, 2016	8 May 24, 2016	9 May 25, 2016	3 May 19, 2016	4
12	13 May 27, 2016	14 May 31, 2016	15 June 1, 2016	16 June 2, 2016	10 May 26, 2016	11
19	20 June 6, 2016	21 June 7, 2016	22 June 8, 2016	23 June 9, 2016	17 June 3, 2016	18
26	27 June 13, 2016	28 June 14, 2016	29 June 15, 2016	30 June 16, 2016	24 June 10, 2016	25

2016

# July

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4 June 22, 2016 Independence Day	5 June 20, 2016	6 June 21, 2016	7 June 22, 2016	8 June 23, 2016	2
10	11 June 24, 2016	12 June 27, 2016	13 June 28, 2016	14 June 29, 2016	15 June 30, 2016	9
17	18 July 1, 2016	19 July 5, 2016	20 July 6, 2016	21 July 7, 2016	22 July 8, 2016	16
24	25 July 11, 2016	26 July 12, 2016	27 July 13, 2016	28 July 14, 2016	29 July 15, 2016	23
31						30

2016

# August

Sun	Mon	Tue	Wed	Thu	Fri	Sat
7	1 July 18, 2016	2 July 19, 2016	3 July 20, 2016	4 July 21, 2016	5 July 22, 2016	13
14	8 July 25, 2016	9 July 26, 2016	10 July 27, 2016	11 July 28, 2016	12 July 29, 2016	14
21	15 August 1, 2016	16 August 2, 2016	17 August 3, 2016	18 August 4, 2016	19 August 5, 2016	20
28	22 August 8, 2016	23 August 9, 2016	24 August 10, 2016	25 August 11, 2016	26 August 12, 2016	27
	29 August 15, 2016	30 August 16, 2016	31 August 17, 2016			

2016

# September

Sun	Mon	Tue	Wed	Thu	Fri	Sat
4	5 August 22, 2016 Labor Day	6 August 22, 2016	7 August 23, 2016	8 August 24, 2016	9 August 25, 2016	3
11	12 August 26, 2016	13 August 29, 2016	14 August 30, 2016	15 August 31, 2016	16 September 1, 2016	10
18	19 September 2, 2016	20 September 6, 2016	21 September 7, 2016	22 September 8, 2016	23 September 9, 2016	17
25	26 September 12, 2016	27 September 13, 2016	28 September 14, 2016	29 September 15, 2016	30 September 16, 2016	24

2016

# October

Sun	Mon	Tue	Wed	Thu	Fri	Sat
2	3 September 19, 2016	4 September 20, 2016	5 September 21, 2016	6 September 22, 2016	7 September 23, 2016	1
9	10 September 26, 2016 Columbus Day	11 September 26, 2016	12 September 27, 2016	13 September 28, 2016	14 September 29, 2016	8
16	17 September 30, 2016	18 October 3, 2016	19 October 4, 2016	20 October 5, 2016	21 October 6, 2016	15
23	24 October 7, 2016	25 October 11, 2016	26 October 12, 2016	27 October 13, 2016	28 October 14, 2016	22
30	31 October 17, 2016					29

2016

# November

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	7 October 24, 2016	1 October 18, 2016	2 October 19, 2016	3 October 20, 2016	4 October 21, 2016	5
13	14 October 28, 2016	8 October 25, 2016	9 October 26, 2016	10 October 27, 2016	11 October 28, 2016 Veteran's Day	12
20	21 November 4, 2016	15 October 31, 2016	16 November 1, 2016	17 November 2, 2016	18 November 3, 2016	19
27	28 November 9, 2016	22 November 7, 2016	23 November 8, 2016	24 November 9, 2016 Thanksgiving Day	25 November 9, 2016 Thanksgiving Holiday	26

2016

# December

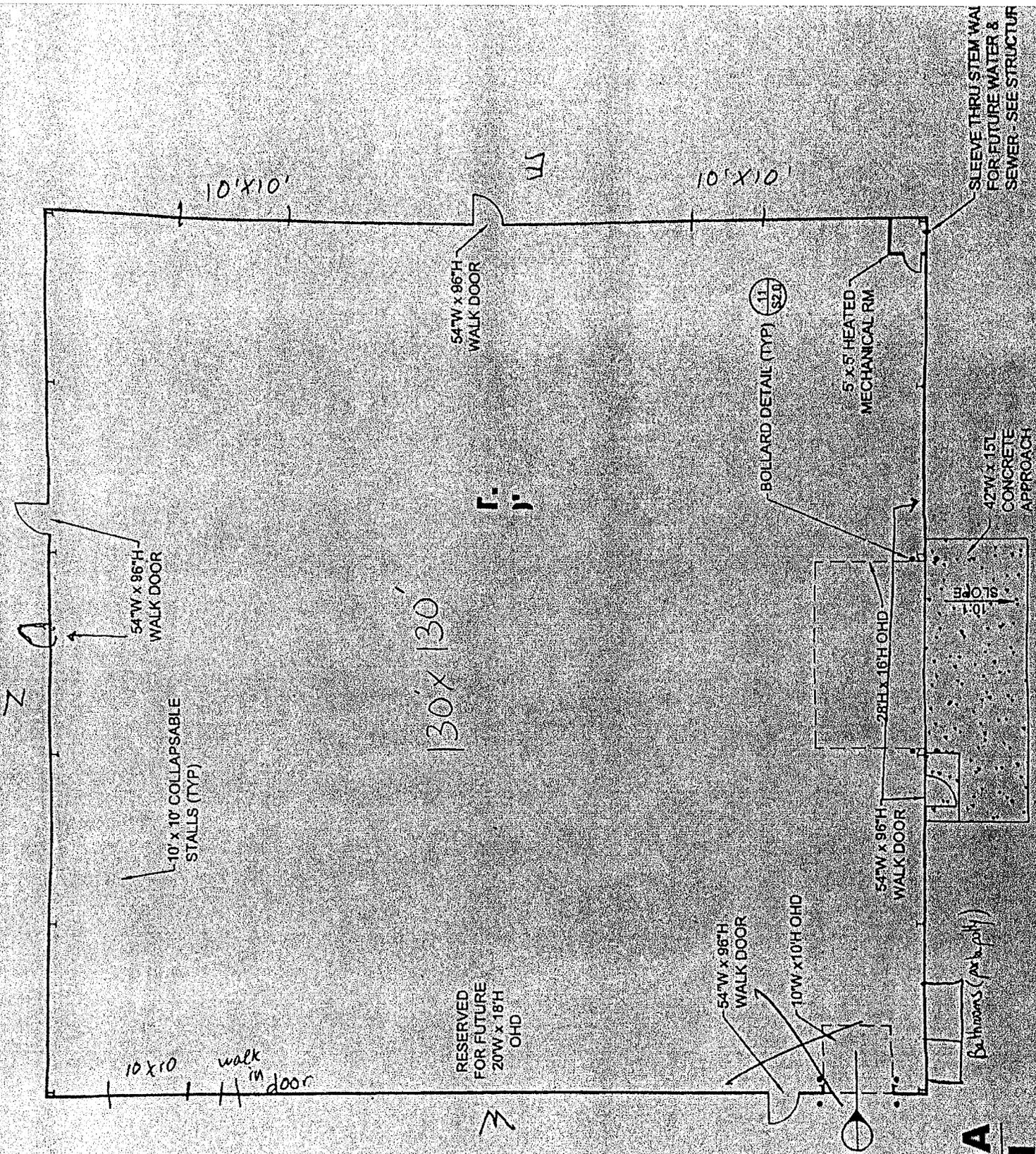
Sun	Mon	Tue	Wed	Thu	Fri	Sat
4	5 November 17, 2016	6 November 18, 2016	7 November 21, 2016	1 November 15, 2016	2 November 16, 2016	3
11	12 November 29, 2016	13 November 29, 2016	14 November 30, 2016	15 December 1, 2016	16 December 2, 2016	17
18	19 December 3, 2016	20 December 6, 2016	21 December 7, 2016	22 December 8, 2016	23 December 9, 2016	24
25 December 19, 2016 Christmas Day	26 December 17, 2016 Christmas Eve observed	27 December 12, 2016	28 December 13, 2016	29 December 14, 2016	30 December 15, 2016	31

2016

# January

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 December 16, 2016 New Year's Day	2 December 16, 2016 New Year's Day Observed	3 December 16, 2016	4 December 19, 2016	5 December 20, 2016	6 December 21, 2016	7
8	9 December 22, 2016	10 December 23, 2016	11 December 27, 2016	12 December 28, 2016	13 December 29, 2016	14
15	16 December 30, 2016 Martin Luther King Day	17 December 30, 2016	18 January 3, 2017	19 January 4, 2017	20 January 5, 2017	21
22	23 January 6, 2017	24 January 9, 2017	25 January 10, 2017	26 January 11, 2017	27 January 12, 2017	28
29	30 January 10, 2017	31 January 17, 2017				

2017



# Alice Arena FLOOR PLAN

**CITY MANAGER'S REPORT**  
**July 5, 2016 CITY COUNCIL MEETING**

**ITEM:**            **3D**   

**RECOMMENDATION:**

**APPROVE A REQUEST FROM VAN DIEST SUPPLY COMPANY TO CONNECT TO THE MCCOOK PUBLIC WATER SYSTEM.**

**BACKGROUND:**

Van Diest Supply Company located at 71703 US Highway 83 is requesting to connect to the Public Water Supply. The water service will be a 6 inch line that will provide domestic water to the office and fire protection for the facility with a private fire hydrant located on the ground of the facility.

The Van Diest facility is located on the west side of Highway 83 just north of the corporate limits. Municipal Code (52.05 Service to Non-Residents) allows non residents to connect to the water system with permission from the governing body, Van Diest's request is attached.

The service will be connected to the 8 inch water main situated on the east side of the highway directly across from the facility. The highway crossing and all of the installation, except for the tap which is done by staff, will be completed by contractors working for Van Diest.

A permit for the highway crossing will be obtained by Van Diest from NE Dept of Roads. This type of highway crossing will require boring and the use of a dry casing around the water line where it crosses the highway.

Red = Storm Sewer  
Blue = Water  
Green = Sanitary Sewer  
Yellow = Proposed water line



**FISCAL**

**IMPACT:**         None. Customer will pay expense of connection (Municipal Code 52.05)

**RECOMMENDATION:**

**APPROVE A REQUEST FROM VAN DIEST SUPPLY COMPANY TO CONNECT TO THE MCCOOK PUBLIC WATER SYSTEM.**

**APPROVALS:**

  
\_\_\_\_\_  
Jesse Dutcher Utilities Dir

June 28, 2016

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

June 28, 2016

# VAN DIEST SUPPLY CO.

*Serving Agriculture Since 1956*

71703 US Highway 83  
P.O. Box 410  
McCook, NE 69001-0410

Phone Orders: 1-800-652-9306  
Phone: 1-308-345-5057  
FAX: 1-308-345-3401

June 29, 2016

Mr. Jesse Dutcher  
Utilities Director  
City of McCook  
P.O. Box 1059  
McCook, NE 69001

Dear Mr. Dutcher:

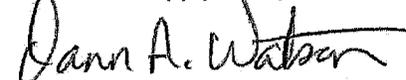
Van Diest Supply Company is requesting, to connect to the McCook Public Water Supply System, for the purpose of domestic consumption and fire protection. This would be for our office located at the following address:

Van Diest Supply Company  
71703 U.S. Highway 83  
McCook, NE 69001

Please let me know, if I can be of further assistance, to move this endeavor forward.

Best personal regards,

Van Diest Supply Company



Dann A. Watson

Vice President, Specialty Products

CITY MANAGER'S REPORT  
JULY 5, 2016 CITY COUNCIL MEETING

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ITEM: 3E

RECOMMENDATION:

RECEIVE AND FILE THE RESULTS OF THE "A" STREET PARK SURVEY.

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BACKGROUND:

On May 24, 2016 the attached survey was sent to 53 different addresses along East "A" Street and East "B" Street. The deadline for returning the surveys was June 15, 2016. We had a total of 11 returned. The attached spreadsheet outlines the results of the survey.

FISCAL

IMPACT: None.

RECOMMENDATION:

RECEIVE AND FILE THE RESULTS OF THE "A" STREET PARK SURVEY.

APPROVALS:

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

June 28, 2016

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

June 28, 2016

## CITY OF MCCOOK SURVEY - PARK LOCATED ON EAST A STREET

The City of McCook is conducting a brief survey in an effort to determine the need to either upgrade the playground and equipment located at the park or whether to remove the playground equipment altogether. The park is a small playground area located off the alley in the 1200 block of East A Street. It currently consists of two slides, two swing sets, and a small set of monkey bars. There have been comments from the public indicating the pros and cons of maintaining the park. The City will gather information from the survey and use this information as a guide to determine the future of the park. Please answer the following questions and provide any additional comments you feel might be helpful.

Thank you in advance for your participation.

1) How often do you and your family frequent the park?

Daily     Weekly     Monthly     Never

2) Do you think the City of McCook should renovate the existing park?

Yes     No

3) Are the other City parks in close enough proximity to adequately serve your needs?

Yes     No

4) What (if anything) would you like to see added to the park? \_\_\_\_\_

\_\_\_\_\_

5) What (if anything) would you like to see done to improve the appearance/appeal of the playground area?

\_\_\_\_\_

6) If the playground equipment and park area were improved/updated, would you or your family visit the park more often?  Yes     No

**Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return the completed survey to the City of McCook either by mail in the enclosed, pre-addressed envelope or drop it off at the City Offices located at 505 West "C" Street by June 15, 2016. A public notice will be posted regarding the survey results once they are tabulated.

## "A" Street Park Survey

How often do you & your family frequent the park?	Do you think the City of McCook should renovate the existing Park?	Are the other City Parks close enough proximity to adequately serve your needs?	What, if anything, would you like to see added to the park?	What, if anything, would you like to see done to improve the appearance/appeal of the playground area?	If the playground equipment and park area were improved/updated, would you or your family visit the park more often?	Comments
Never	Yes	No	Update equipment and benches for adults	Anything, it looks very run down	Yes	
Never	No	Yes	Nothing	No Comment	No	I have no family or children so it is probably unfair for me to comment
Weekly	Yes	No	Trees and a bench to sit on.	Exchange the metal play equipment with equipment that doesn't scald your hands.	Yes	There are a lot of children that live around the park. You try to go there and play but you have to leave because the equipment gets too hot to touch, so no one wants to stay.
Weekly	Yes	No	small bouncy horses, merry go round	upgrade equipment already there, add new sand or wood chips, flower boxes, small grassy area	Yes	My 10 year old & 12 year old grandkids loved this park! They are sad because it has gone downhill. I have lived on "A" Street just a few blocks from the park for over 15 years. Contrary to what the city says this park has NEVER been maintained. There are quite a few children in the neighborhood who would benefit from this park. My 3 year old grandson is here 3 days a week and this park is just right for him. Please consider upgrading and maintaining this small park!
Never	Yes	No	some boundaries, fences, shrubbery, fences		Yes	I am retirement age and have no need for it, but I see children playing there and if family from away visited, it would be nice to go there.
Never	No		Nothing	Keep Weeds down	No	The only ones I see using the equipment or the park are the little ones who live in the trailers. It has no "draw" to it.
Never	Yes	Yes	Shade	Clean the whole area	No	Don't have children or grand children. Did play as a child on these.
Never	No	Yes	Nothing	Nothing	No	Sell it

## "A" Street Park Survey

Weekly	Yes	No	Maybe a climbing toy, level it out and grass/mulch	Fresh paint-it seems dark & gloomy dust/dirt colors	Yes	
Daily/Weekly	Yes	No	there could be another toy or so and grass	more colors	Yes	With an 8 year old this park is perfect distance from our home-it just doesn't offer much for color-also the man who lives next door to it comes outside using profanity so a fence maybe? We go to park 2-3 times a week-it's unsafe for us to cross B Street.
Currently it's disgusting	Yes	No	merry go round, teeter totter, bouncy horse	the area needs cleaned up & nicer new updated playground equipment	Yes	I have 3 adult children who all used this park when they were younger. I now have 2 grandchildren living with me that would use this park.

<b>Totals:</b>	<b>Totals:</b>
Yes-9	Yes-3
No-2	No-7
	No response-1

<b>Totals:</b>
Yes-7
No-4

ITEM: **3F**

**RECOMMENDATION:**

RECEIVE AND FILE RESULTS OF THE ANNUAL RESERVOIR FALLOFF TEST FOR THE CLASS I NON-HAZARDOUS DEEP INJECTION WELL

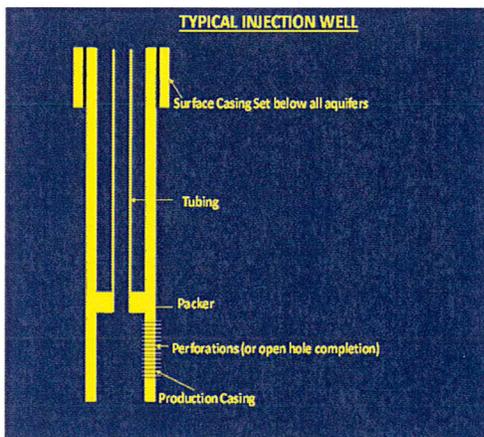
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**BACKGROUND:**

McCook's Class I Non-Hazardous Injection Well disposes of anion waste generated by the Drinking Water Treatment Plant. While anion waste is considered non-hazardous it does contain levels of arsenic, nitrate, uranium and chlorides that are not allowed into the receiving waters of the state (Republican River). The City's Injection Well disposes of about 10 million gallons of waste per year (9,994,877 gallons in 2015) and a approximately 79 million gallons since the well went into service in 2009.

The Anion Waste travels down the tubing to the Cedar Hills Formation located 1,800 feet below ground where it is absorbed into the formation. The Cedar Hills Formation is an underground formation that has been determined to be below and isolated from any source of drinking water. The formation already contains water that has been determined by the State and Federal Government to be an unusable source because of existing high levels of total dissolved solids.

The Injection Well is regulated by the Nebraska Department of Environmental Quality Underground Injection Control Program, Ground Water Unit. The City has a permit from NDEQ to operate the well that sets forth standards of how the well is operated. The permit requirements are based on Title 122 Rules and Regulations for Underground Injection and Mineral Production Wells.



The NDEQ permit has a number of requirements that must be followed. We must continually monitor the injection pressure, annulus pressure and injection flow. The injection pressure is the amount of pressure that it takes to "push" the waste stream through the **tubing** into the Cedar Hills Formation, ours runs at a -12 psi.

The annulus is the area between the **tubing** and the **production casing** which is sealed at the bottom by the **Packer**. The annulus is filled with potable water and then pressurized with nitrogen gas. The pressure in the annulus is then continually monitored and must remain 150 psi

above the injection pressure. As long as the pressure remains steady it proves that the casing and tubing are intact and not leaking. Injection flow is the gallons per minute of anion waste that is going down the well to the Cedar Hills Formation. The flow is monitored to ensure that the gallons per minute rate does not exceed the rate that the formation can accept the fluid. We normally inject or flow of 40 to 50 gpm. The well was tested during construction at a over 200 gpm.

We are required once each year to do a Reservoir Falloff Test that determine the capacity of the Cedar Hills Reservoir. This is accomplished by actually sending a pressure recording instrument down the well inside the tubing on a wire line while the well is in operation. The instrument is lowered to various depths then allowed to sit for a given length of time collecting readings before continuing downward. Once the instrument reaches the total depth of the well (1,840 feet below ground level) the well is "shut-in" (flow turned off) the instrument is allowed to sit on bottom collecting readings as the well goes to a static state.

From these readings, calculations are done to determines the amount of fluid that the well can flow. The readings from the previous years are compared to the current year to help determine a trend of the well capabilities.

The testing and analysis of the data for the Reservoir Falloff Test was done by Petrotek Engineering Corporation of Littleton, Colorado. The final report, as required by the permit was sent to NDEQ. The 30 page report in its entirety is available at the City Office for anyone wanting to see the details. The 2016 report draws the following main conclusions of the report are:

1. The Cedar Hills Formation continues to be highly permeable with the ability to accept fluid at many times the current injection rate. No concerns related to continued operation, safety or containment were identified. Based on these results, no additional testing (except the annual fall off test) is recommended at this time.
2. The formation properties derived from the 2016 test are similar to previous testing results, no significant wellbore damage is evident at this time.
3. The final bottom-hole shut-in pressure is 599.7 psia (see note 1) which is similar to the original pressure measured of 577 psia in 2006.

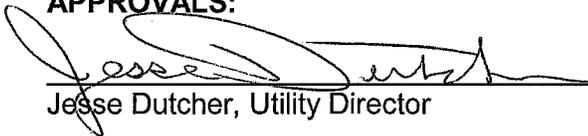
**FISCAL IMPACT:** None. Annual testing is a budgeted line item (70-050-54440).

**RECOMMENDATION:**

RECEIVE AND FILE RESULTS OF THE ANNUAL RESERVOIR FALLOFF TEST FOR THE CLASS I NON-HAZARDOUS DEEP INJECTION WELL

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**APPROVALS:**

  
\_\_\_\_\_  
Jesse Dutcher, Utility Director

Date: 6-30-16

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

Date: \_\_\_\_\_

Note 1: Pounds per square inch absolute (psia) is used to make it clear that the pressure is relative to a vacuum rather than the ambient atmospheric pressure. Since atmospheric pressure at sea level is around 14.7 psi, this will be added to any pressure reading made in air at sea level.

**CITY MANAGER'S REPORT  
JULY 5, 2016 CITY COUNCIL MEETING**

ITEM NO. 4A Receive, file and discuss modifications to the City of McCook, Code of Ordinances, Chapter 38, Appendix M.

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**BACKGROUND:**

During Staff's review of the Building Codes, Chapter 38 Fee Schedule, Appendix M, Building Regulation and Zoning Application Fees, was discussed. Staff noticed some additions that needed to be included in the fee schedule, including demolition permits, sign permits and contractor's license fees. Further, Staff believes some wording needs to be modified to account for actual building occurrences, such as modifying the gas permit fee to a mechanical permit fee. Without more, these items would have been brought forward in an ordinance form for the Council meeting. However, Staff is recommending an increase in the zoning variance fee, increasing the fee from \$25 to \$75. The reason for this increase is that Staff incurs publication costs and Staff to process the variance requests. Other similar application fees are \$74 (ie. special exception requests). It doesn't make sense to have different fees for similar requests when they entail similar costs.

**RECOMMENDATIONS:**

ITEM NO. \_\_\_ Receive, file and discuss modifications to the City of McCook, Code of Ordinances, Chapter 38, Appendix M.

**APPROVALS:**



Nathan A. Schneider, City Manager

June 28, 2016



Lea Ann Doak, City Clerk

June 28, 2016

**APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES**

*MINIMUM FEE - ALL PERMITS. \$15*

(A) Building permit fee.

(1) *New construction.*

(a) Residential (one and two family dwelling units): \$.07 per square foot (Includes all levels, basements & garages)

(b) Commercial: \$.10 per square foot (Hotels, motels and multi-family dwelling units, includes all levels, basements and garages)

(2) *Alterations.*

(a) \$0-\$1,000 cost \$15; \$2.50 per \$1,000 additional cost.

(b) Review by City Engineer of drainage report, sanitary sewage disposal report, and water distribution report: \$100 minimum fee, or the City Engineer's standard hourly rate plus 10%, whichever is greater. Additional fees will be assessed should the project require extraordinary review by the City Engineer.

(B) Plumbing permit ~~fee~~: \$2.50 per opening.

(C) ~~Gas permit fee. \$2.50 per opening for new construction or additional appliance installation.~~  
*Mechanical permit; \$2.50 per item.*

*NOTE:* Failure to obtain permit and pay fee prior to commencement of work for Items A, B and C above shall result in the charge of a penalty of \$100 for each permit required.

(D) Building moving permit: \$100.

(E) Mobile home set down permit: \$25.

*(F) Demolition permit; \$15 for \$0-\$1,000; \$2.50 per \$1,000 additional cost.*

~~(F) Television antenna inspection fee: \$15.~~

*(G) Sign permit; \$15 for \$0-\$1,000; \$2.50 per \$1,000 additional cost.*

(G) Zoning applications.

(1) Zoning classification: \$75.

*(H) Contractors License fee: \$75 new applicant \$25 renewal*

(2) Zoning special exception: \$75.

(3) Zoning variance: ~~\$25.~~ *\$75*

## McCook - Administration

## (4) Subdivisions.

(a) Preliminary plat: \$500.

(b) Final plat. \$200 per lot, with a maximum of \$5,500.

(5) Lot split: \$75.

(6) Mobile home park: \$100.

(7) Right of way vacation: \$50.00 plus \$.01 per square foot.

(8) Right of way closing: \$25.

(Ord. 95-2335, passed 10-2-1995; Ord. 2000-2544, passed 2-21-2000; Ord. 2004-2688, passed 3-15-2004; Ord. 2004-2703, passed 8-16-2004)

**CITY MANAGER'S REPORT  
JULY 5, 2016 CITY COUNCIL MEETING**

**ITEM NO. 4B** Approve on first reading, Ordinance No. 2016-2934, which revokes Chapter 110: Licensing of Construction Contractors, McCook Code of Ordinances, in its entirety.

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**BACKGROUND:**

In May, the Council adopted new building code provisions. Included in the changes were provisions that amended our licensing procedures and insurance requirements. Staff's intent was to clarify our licensing process and provide more security for property owners when working with contractors. Staff was aware that Chapter 110 contained conflicting provisions regarding some of the licensing requirements and bonding requirements. Over the past month, Chapter 110 has been reviewed thoroughly by Staff. It has been determined the Chapter needs to be revoked in its entirety. The need for a bonding requirement has been eliminated by the new proof of insurance requirements and the mandatory minimum requirements established by Council. The licensing requirements in Chapter 110 have been updated and moved to Chapter 150 *et seq.* Due to these changes, Staff believes it proper to eliminate Chapter 110 in order to remove any remaining inconsistencies and to avoid duplication.

**RECOMMENDATIONS:**

**ITEM NO. \_\_\_** Approve on first reading, Ordinance No. 2016-2934 which revokes Chapter 110: Licensing of Construction Contractors, McCook Code of Ordinances, in its entirety.

**APPROVALS:**

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

June 28, 2016

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

June 28, 2016

**ORDINANCE NO. 2016-2934**

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA REPEALING CHAPTER 110: LICENSING OF CONSTRUCTION CONTRACTORS OF THE CITY OF MCCOOK CODE OF ORDINANCES IN ITS ENTIRETY; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

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

SECTION 1. That Chapter 110, LICENSING OF CONSTRUCTION CONTRACTORS, of the City of McCook, Nebraska, Code of Ordinances is hereby repealed in its entirety.

SECTION 2. Any and all ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form as required by law.

PASSED AND APPROVED \_\_\_\_\_ day of \_\_\_\_\_, 2016.

-s- Michael D. Gonzales, Mayor

ATTEST:

-----s- Lea Ann Doak, City Clerk-----

Publish:

**CITY MANAGER'S REPORT  
JULY 5, 2016 CITY COUNCIL MEETING**

ITEM NO. 4C Approve on first reading, Ordinance No. 2016-~~2935~~, revoking Chapter 38: Fee Schedule, Appendix J, Occupation Tax, Paragraph C, McCook Code of Ordinances, in its entirety.

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**BACKGROUND:**

In May, the Council adopted new building code provisions. Included in the changes were provisions that amended Chapter 110 of the City's Code of Ordinances. Chapter 110 refers to a plumber's occupation tax that exists in Chapter 38 of the Code. On review, this occupation tax is not assessed against any other building professionals in the City of McCook. It is not known why plumbers were singled out for the occupation tax — although there is speculation that the State may have had some specific requirements pertaining to plumbers. Be that as it may, the new licensing rules assess a yearly \$25 licensing fee to all building professionals practicing in McCook. It is Staff's belief the current process will be the fairest.

**RECOMMENDATIONS:**

ITEM NO. \_\_\_ Approve on first reading, Ordinance No. 2016-~~2935~~, revoking Chapter 38: Fee Schedule, Appendix J, Occupation Tax, Paragraph C, McCook Code of Ordinances, in its entirety.

**APPROVALS:**

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

June 28, 2016

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

June 28, 2016

**ORDINANCE NO. 2016-2935**

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX J: OCCUPATION TAXES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA, REPEALING PARAGRAPH C IN ITS ENTIRETY; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

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

SECTION 1. That Chapter 38, FEE SCHEDULE, APPENDIX J: OCCUPATION TAXES, of the City of McCook, Nebraska, Code of Ordinances is hereby amended to read as follows:

**“APPENDIX J: OCCUPATION TAXES**

*Occupation tax amounts.* For the purpose of raising revenue an occupation tax is hereby levied on the following businesses.

(A) *Alcoholic beverage licenses.*

(1) Table.

<b><i>Licensee</i></b>	<b><i>License Amount</i></b>
Manufacturer alcohol and spirits, per year	\$1,000
Manufacturer beer, per year	Same amount as license
Manufacturer wine, per year	\$250
Liquor distributor, per year	\$750
Beer distributor, per year	\$500
Class A-retailer of beer on sale only, per year	\$100
Class B-retailer of beer off sale only, per year	\$50
Class D-retailer of alcoholic liquor (beer, wine and distilled spirits) off sale only, per year	\$300
Class I-retailer (except nonprofit corporations without full-time employees) of alcoholic liquor (beer, wine & distilled spirits) on sale only, per year	\$200
Class 1-retailer of alcoholic liquor (beer, wine & distilled spirits) on sale only by nonprofit corporations without full-time employees, per year	\$20
Railroad	\$100

Boating	\$50
1 non-beverage user	\$5
2 non-beverage user	\$25
3 non-beverage user	\$50
4 non-beverage user	\$100
5 non-beverage user	\$250
Airline	\$100

(2) Applicants for new and renewal retail liquor licenses shall be limited to premises where the principal business conducted is the retail sale of alcoholic beverages, a restaurant, a hotel, or providing recreational goods and services.

(3) The occupation tax year for Alcoholic Beverage Licenses shall begin on May 1 of each year and end on the following April 30. No occupation tax in an amount less than the sum provided for in this section for a yearly period shall be accepted, regardless of the time when the application for the license has been made, except that the occupation taxes shall be prorated on a quarterly basis as of the date of issuance:

(a) When there is a purchase of an existing licensed business and a new license of the same class is issued; or

(b) Upon the issuance of a new license for a location which has not been previously licensed.

(B) *Commercial garbage collectors: \$25 per year.*"

(Ord. 1683, passed 3-21-1983; Ord. 1818, passed 2-16-1987; Ord. 1918, passed 7-16-1990; Ord. 95-2336, passed 10-2-1995; Ord. 2006-2785, passed 12-18-2006)

SECTION 2. Any and all ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form as required by law.

PASSED AND APPROVED 16<sup>th</sup> day of May, 2016.

-s- Michael D. Gonzales, Mayor

ATTEST:

-s- Lea Ann Doak, City Clerk