

081516 agenda

MCCOOK CITY COUNCIL

REGULAR MEETING

**Monday - August 15, 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 - Jeff Donelan, McCook Evangelical Free 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. Public Hearings and proposed FY 2016/2017 Annual Budget consideration.**
- A. Advertized Public Hearings:
- FY 2016/2017 Annual Budget
 - Set Final Tax Request at a different amount than the prior year
- [081516 budget hearing](#)
- B. Introduce and approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its first reading.
- [081516 budget ordinance](#)
- C. Introduce and approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its first reading.
- [081516 pay class ordinance](#)
- D. Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.
- [081516 restrictedfunds](#)
- 4. Consent Agenda.**
**The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Councilmember or public in attendance, be considered as a separate item under the Regular Agenda.*
- A. Approve the minutes of the August 1, 2016 regular City Council meeting and the August 10, 2016 special City Council meeting.
- [081516 minutes](#)
- B. Receive and file the claims for the month of July 2016 as published August 12, 2016.
- [081516 claims](#)
- C. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on September 3, 2016 from 4:00 P.M. to 11:59 P.M.
- [081516 sdl schmicks](#)
- D. Approve the request from the St. Patrick Catholic Church to close portions of East 4th Street and East "G" Street and to utilize city property for their Annual Fall Festival on September 17 and 18, 2016.
- [081516 st pats](#)
- E. Receive and file the updated city attorney contract with Mousel, Brooks, Garner and Schneider, P.C., L.L.O., with Nathaniel J. Mustion to serve as the contracted City Attorney for the City of McCook.
- [081516 city attorney](#)
- F. Declare the listed abandoned and unclaimed vehicles and bicycles and other listed city property as surplus city property to be disposed of in the appropriate legal manner.

081516 surplus property

- G. Receive and file claim for damages from Ruth Joy and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

081516 joy claim

- H. Ratify the Mayor's appointments to the Library Board - appoint Staci Blomstedt - term expires June 2019; the Planning Commission (Alternate) - appoint Denise Garey - term expires March 2018; and the Senior Citizens Advisory Board - appoint Robert Pantenburg - term expires September 2019.

081516 ratify

5. Regular Agenda.

- A. Approve Ordinance No. 2016-2936 modifying Chapter 38, Appendix M, of the City of McCook Code of Ordinances upon its third and final reading.

081516 ord 20162936

- B. Council Comments.

▪ **Adjournment.**

MCCOOK CITY COUNCIL

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 - B. Introduce and approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its first reading.
 - C. Introduce and approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its first reading.
 - D. Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.
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- E. Receive and file the updated city attorney contract with Mousel, Brooks, Garner and Schneider, P.C., L.L.O., with Nathaniel J. Mustion to serve as the contracted City Attorney for the City of McCook.
- F. Declare the listed abandoned and unclaimed vehicles and bicycles and other listed city property as surplus city property to be disposed of in the appropriate legal manner.
- G. Receive and file claim for damages from Ruth Joy and instruct that it be submitted to the City's insurance carrier for review and appropriate action.
- H. Ratify the Mayor's appointments to the Library Board - appoint Staci Blomstedt - term expires June 2019; the Planning Commission (Alternate) - appoint Denise Garey - term expires March 2018; and the Senior Citizens Advisory Board - appoint Robert Pantenburg - term expires September 2019.

5. Regular Agenda.

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- B. Council Comments.

▪ **Adjournment.**

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 3A

Advertized Public Hearings:

- FY 2016/2017 Annual Budget
 - Set Final Tax Request at a different amount than the prior year
-

BACKGROUND:

- **FY 2016/2017 Annual Budget**
Each governing body, after the filing of the proposed budget statement, shall each year conduct a public hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed budget.
- **Set Final Tax Request at a different amount than the prior year**
The property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization, unless the governing body passes by a majority vote a resolution or ordinance setting the tax request at a different amount. The resolution to set this amount will be considered after we receive the new assessed taxable valuation from the County and must be forwarded to the County Clerk by October 13. The City has maintained the levy amount of \$.319044 since the 2002 Property Tax Levy. This levy generates a different amount as the assessed valuation changes from year to year. The County Assessor must certify assessed value on all taxable property by August 20. The levy amount is subject to change upon approval by the Council.

Please note that two separate hearings are required to be held.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Advertized Public Hearings:

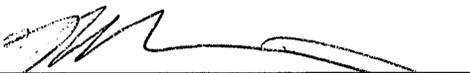
- FY 2015/2017 Annual Budget
- Set Final Tax Request at a different amount than the prior year

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016



Nathan A. Schneider, City Manager

August 11, 2016

City of McCook
IN
Red Willow County, Nebraska

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 15 day of August 2016, at 6:30 o'clock P.M., at City Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

	/s/ Lea Ann Doak Clerk/Secretary
2014-2015 Actual Disbursements & Transfers	\$ 19,557,873.00
2015-2016 Actual/Estimated Disbursements & Transfers	\$ 20,831,364.00
2016-2017 Proposed Budget of Disbursements & Transfers	\$ 33,264,192.00
2016-2017 Necessary Cash Reserve	\$ 661,210.81
2016-2017 Total Resources Available	\$ 33,925,402.81
Total 2016-2017 Personal & Real Property Tax Requirement	\$ 1,132,128.00
Unused Budget Authority Created For Next Year	\$ 1,035,044.22

Breakdown of Property Tax:

Personal and Real Property Tax Required for Non-Bond Purposes	\$ 1,132,128.00
Personal and Real Property Tax Required for Bonds	\$ -

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 15 day of August 2016, at 6:30 o'clock P.M., at McCook Municipal Center for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

2015-2016 Property Tax Request	\$ 1,132,128.00
2015 Tax Rate	0.319044
Property Tax Rate (2015-2016 Request/2016 Valuation)	0.319044
2016-2017 Proposed Property Tax Request	\$ 1,132,128.00
Proposed 2016 Tax Rate	0.319044

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: **3B**

Introduce and approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its first reading.

BACKGROUND:

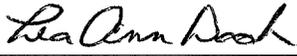
The attached ordinance provides for the adoption of the budget for Fiscal Year 2016/2017.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

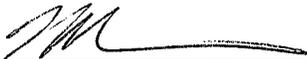
Introduce and approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016-2017 upon its first reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016



Nathan A. Schneider, City Manager

August 11, 2016

ORDINANCE NO. 2016-2937

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2016, through September 30, 2017. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of McCook. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and the County Clerk of Red Willow County, Nebraska, for use by the levying authority.

Section 2. 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 _____, 2016.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 3C

Introduce and approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its first reading.

BACKGROUND:

The attached ordinance provides for the adoption of the Employee Classification and Pay Plan for FY 2016/2017.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

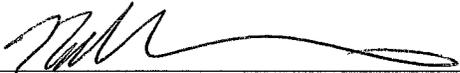
Introduce and approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its first reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016



Nathan A. Schneider, City Manager

August 11, 2016

ORDINANCE NO. 2016-2938

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA PROVIDING FOR THE ADOPTION OF THE 2016/2017 FISCAL YEAR EMPLOYEE CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE CLASSIFICATION AND PAY PLAN; REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

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

SECTION 1. The 2016/2017 Employee Classification and Pay Plan shall be and is hereby adopted. Said Classification and Pay Plan is incorporated herein by reference the same as if set out in full. A copy of the Classification and Pay Plan shall be on file in the office of the City Clerk and is available for public inspection at any reasonable time. (Ref. McCook Municipal Code, Revised 1-1001).

SECTION 2. The Employee Classification and Pay Plan shall be effective October 1, 2016.

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

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2016.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

Publish:

**CITY OF MCCOOK
CLASSIFICATION AND PAY PLAN
FY 2016/2017**

<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(S1)	Pool Basket Help	6.750 6.750	
(S2T)	Temporary Seasonal - work less than 90-Days Part-Time Laborer Maintenance Man Part-Time Clerical	9.000 - 10.500	
(3P)	Permanent Part-Time Part-Time Clerical Part-Time Transit Driver Senior Center Aide Part-Time Maintenance	9.000 - 10.780	
(S4)	Pool Seasonal Pool Manager Assistant Pool Manager Pool Guard	10.200 - 13.000 9.000 - 10.500 8.500 - 10.000	
(5)	Clerk (No Review)		
(10)	Assistant Cook	11.099 - 15.020	23,084 - 31,241
(15)	Bus Driver (Public Transportation)	11.646 - 16.477	24,223 - 34,273
(20)	Head Cook	11.948 - 18.299	24,854 - 38,058
(25)	Full-Time Custodial/Maintenance	12.015 - 18.042	
(30)	Disposal Plant Operator Trainee (WWTP)	12.475 - 17.655	25,947 - 36,724
<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(35)	Clerk II (Public Transit Dispatcher)	12.487 - 17.388	25,973 - 36,168
(40)	Circulation Librarian Catalogue/Media Librarian	12.639 - 17.809	26,286 - 37,041
(45)	Laborer I	13.082 - 17.856	27,211 - 37,140
(50)	Equipment Operator I	13.257 - 17.889	27,575 - 37,210
(55)	Public Safety Office Assistant Office Assistant	13.361 - 18.206	27,793 - 37,868

(58)	Public Safety Dispatcher (Union Contract)		
(60)	Laborer II	13.688 - 18.426	28,471 - 38,324
(65)	Disposal Plant Operator WWTP Operator I	13.887 - 18.671	28,885 - 38,839
(70)	Equipment Operator II	14.248 - 19.524	29,637 - 40,608
(75)	Refuse Collection Driver	14.378 - 19.891	29,904 - 41,371
(80)	Administrative Assistant	14.413 - 19.511	29,979 - 40,584
(85)	Human Resource Officer	14.436 - 20.317	30,025 - 42,260
(90)	Utility Service Technician I	14.552 - 19.278	30,270 - 40,099
(95)	Assistant Mechanic	14.634 - 20.619	30,437 - 42,890
(100)	Juvenile Services Librarian	14.785 - 19.091	30,754 - 39,712
(105)	Disposal Plant Operator II	15.205 - 20.224	31,627 - 42,065
<u>(PAY GRADE)</u>	<u>POSITION</u>	<u>HOURLY/MONTHLY RATE</u>	<u>12-MONTH ANNUAL RANGE</u>
(110)	Chief Dispatcher	15.263 - 20.377	31,749 - 42,381
(115)	Utility Service Technician II	16.091 - 21.693	33,470 - 45,123
(120)	Equipment Operator III Tractor-Trailer Operator	16.116 - 21.730	33,520 - 45,197
(125)	Cemetery Sexton	16.209 - 22.557	33,714 - 46,918
(130)	Maintenance/Groundskeeper II	16.339 - 21.472	33,983 - 44,664
(135)	Mechanic	16.524 - 22.393	34,370 - 46,579
(140)	Disposal Plant Operator III Water Plant Operator I	16.524 - 22.149	34,370 - 46,070
(145)	Deputy City Clerk	16.560 - 22.943	34,442 - 47,721
(150)	Patrol Officer (42 hour) (Union Contract)		
(155)	Detective (42 hour) (Union Contract)		
(160)	Water Plant Operator II	19.699 - 26.048	40,973 - 54,178
(165)	Police Sergeant (42 hour) Sergeant/Patrol Supervisor	20.643 - 27.633	45,080 - 60,353

(170)	Solid Waste Superintendent Public Works Supervisory Library Director** Senior Services Director** **Effective December 2016 - Minimum Salary for exempt positions - \$47,476	21.086 - 28.838	43,862 - 59,984
(175)	Laborer Foreman	21.110 - 27.226	43,910 - 56,623
(PAY GRADE)	POSITION	HOURLY/MONTHLY RATE	12-MONTH ANNUAL RANGE
(180)	Building Inspector/Code Compliance Officer	21.625 - 28.965	44,979 - 60,247
(185)	Wastewater Superintendent	21.799 - 29.456	45,341 - 61,265
(190)	Airport Maintenance Operator	22.336 - 25.405	46,458 - 52,843
(195)	Library Director (Masters Degree)	24.249 - 32.011	50,440 - 66,582
(200)	City Clerk (No Review)		
(205)	Utilities Director	26.771 - 36.678	55,683 - 76,292
(210)	City Clerk/Treasurer	26.888 - 38.907	55,924 - 80,927
(215)	Public Works Director	28.871 - 38.686	60,051 - 80,468
(220)	Fire Chief Chief of Police	29.583 - 40.063	61,533 - 83,329

NOTE: 20 hour/week = 1,040 hour/year
30 hour/week = 1,560 hour/year
40 hour/week = 2,080 hour/year
42 hour/week = 2,184 hour/year
56 hour/week = 2,912 hour/year

POLICE UNION POSITIONS - Pay Grades (58), (150), and (155) - Contract year of October 1, 2015 - September 30, 2017
Using the CPI as a guide, during the two (2) years of their contract, the annual across the board increase will not exceed the maximum of 4.5% nor go below the minimum of 2%. This COLA policy shall apply only to the bargaining unit members who have reached the top step on the step schedule. All other bargaining unit members shall receive no additional COLA increase, as contemplated in Step Schedule - Attachment A of said contract.

Firefighter/Paramedic - Union Contract

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/01/2016 - 09/30/2017	\$ 14.412	\$ 15.013	\$ 15.440	\$ 15.985	\$ 16.558	\$ 17.121	\$ 17.724	\$ 18.340	\$ 18.981	\$ 19.642	\$ 20.331

The pay grid above is for firefighters/paramedics. Firefighters/paramedics/lieutenants will receive 15% more than the salaries shown on this grid. New employees hired as firefighters/EMT-1 will receive 7.5% less than the salaries shown on this grid. New employees hired as firefighters/EMT-B will receive 12.5% less than the salaries shown on this pay grid.

Firefighter/Paramedic (40 hour work week)- Union Contract

Contract Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
10/01/2016 - 09/30/2017	\$ 20.174	\$ 21.018	\$ 21.615	\$ 22.379	\$ 23.181	\$ 23.970	\$ 24.814	\$ 25.677	\$ 26.572	\$ 27.501	\$ 28.463

The pay grid above is for firefighters/paramedics. New employees hired as firefighters/EMT-1 will receive 7.5% less than the salaries shown on this grid. New employees hired as firefighters/EMT-B will receive 12.5% less than the salaries shown on this pay grid.

CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING

ITEM: 3D

Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.

BACKGROUND:

State law states no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable increases.

Restricted funds are defined as:

1. Property Tax (includes Real Estate and Personal Property)
2. Payments in Lieu of Property Tax
3. Local Option Sales Tax
4. Motor Vehicle Tax
5. State Aid (Pro-Rate Motor Vehicle, Homestead Exemption, Municipal Infrastructure Redevelopment Fund or MIRF, Highway Allocation and Incentive Payments, Motor Vehicle Fees, State Aid to Cities, Municipal Equalization Aid, and insurance premium tax)
6. Surplus Fees (Transfers of surpluses from any user fee, permit fee, or regulatory fee if the fee surplus is used to fund a service or function not directly related to the fee and the costs of the activity funded from the fee)
7. Prior Year Budgeted Capital Improvements Amount that was used as a lid exception, but was not spent or is not expected to be spent for capital improvements.

Allowable Increases:

- ✓ Base Limitation - All political subdivisions have the ability to increase their base of restricted funds by 2.5%.
- ✓ Allowable Growth - If a political subdivision had allowable growth due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property and any increase in valuation due to annexation and any personal property valuation over the prior year above the 2.5%, we can use the amount over the 2.5% to increase the base of restricted funds.
- ✓ Special Election - A governmental unit may exceed the applicable allowable growth percentage by an amount approved by a majority of legal voters on the issue at a special election called for such purpose.
- ✓ Additional 1% - An additional 1% is allowed if at least 75% of the governing body votes to approve the increase. There is no special hearing or notice required to consider the additional 1% increase.
- ✓ A vote for the increase has no effect on the tax dollars, just allows for future growth in restricted funds. For example, if it would become necessary to increase our levy to the maximum of \$.45 to maintain services, we may not be able to do so if we did not have any Unused Restricted Funds Authority available.

CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING
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Attachment #1 is a copy of form LC-3 Supporting Schedule which shows the preliminary Calculation of Restricted Funds and the Total Unused Restricted Funds Authority (page 10),

Attachment #2 is a copy of the instructions for completing this schedule, which is a part of the budget document as prepared for the State Auditor's Office.

FISCAL
IMPACT: None.

RECOMMENDATION:

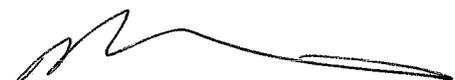
Approve increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016



Nathan A. Schneider, City Manager

August 11, 2016

ATTACHMENT

#1

City of McCook in Red Willow County

2016-2017 LID SUPPORTING SCHEDULE

Calculation of Restricted Funds

Total Personal and Real Property Tax Requirements	(1)	\$	1,132,128.00
Motor Vehicle Pro-Rate	(2)	\$	4,000.00
In-Lieu of Tax Payments	(3)	\$	100,000.00
Prior Year Budgeted Capital Improvements that were excluded from Restricted Funds.			
Prior Year Capital Improvements Excluded from Re-restricted Funds (From 2015-2016 Lid Support, Line (17))		\$	499,600.00
LESS: Amount Spent During 2015-2016	(4)	\$	499,600.00
LESS: Amount Expected to be Spent in Future Budget Years	(5)	\$	-
Amount to be included as Restricted Funds (<i>Cannot Be A Negative Number</i>)	(6)	\$	-
Motor Vehicle Tax	(7)	\$	160,000.00
Local Option Sales Tax	(8)	\$	2,400,000.00
Transfers of Surplus Fees	(9)	\$	915,000.00
Highway Allocation and Incentives	(10)	\$	865,000.00
MIRF	(11)	\$	-
Motor Vehicle Fee	(12)	\$	65,000.00
Municipal Equalization Fund	(13)	\$	345,000.00
Insurance Premium Tax	(14)	\$	-
Nameplate Capacity Tax	(15)	\$	-
	(15a)	\$	-

TOTAL RESTRICTED FUNDS (A)	(16)	\$	5,986,128.00
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Lid Exceptions

Capital Improvements (Real Property and Improvements on Real Property)		\$	499,600.00	(17)
LESS: Amount of prior year capital improvements that were excluded from previous lid calculations but were not spent and now budgeted this fiscal year (<i>cannot exclude same capital improvements from more than one lid calculation.</i>)				
Agrees to Line (6).		\$	-	(18)
Allowable Capital Improvements	(19)	\$	499,600.00	
Bonded Indebtedness	(20)	\$	735,960.00	
Public Facilities Construction Projects (Statutes 72-2301 to 72-2308)	(21)			
Interlocal Agreements/Joint Public Agency Agreements	(22)	\$	134,843.00	
Public Safety Communication Project (Statute 86-416)	(23)			
Payments to Retire Interest-Free Loans from the Department of Aeronautics (Public Airports Only)	(24)			
Judgments	(25)			
Refund of Property Taxes to Taxpayers	(26)			
Repairs to Infrastructure Damaged by a Natural Disaster	(27)			

TOTAL LID EXCEPTIONS (B)	(28)	\$	1,370,403.00
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TOTAL RESTRICTED FUNDS For Lid Computation (To Line 9 of the Lid Computation Form) <i>To Calculate: Total Restricted Funds (A)-Line 16 MINUS Total Lid Exceptions (B)-Line 28</i>	\$ 4,615,725.00
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Total Restricted Funds for Lid Computation **cannot** be less than zero. See Instruction Manual on completing the LC-3 Supporting Schedule.

City of McCook
IN
Red Willow County

COMPUTATION OF LIMIT FOR FISCAL YEAR 2016-2017

PRIOR YEAR RESTRICTED FUNDS AUTHORITY OPTION 1 OR OPTION 2

OPTION 1

2015-2016 Restricted Funds Authority (Base Amount) = Line (8) from last year's LC-3 Form 5,459,680.41
Option 1 - (1)

OPTION 2 - *Only use if a vote was taken at a townhall meeting to exceed Lid for one year*

Line (1) of 2015-2016 Lid Computation Form _____
Option 2 - (A)

Allowable Percent Increase **Less** Vote Taken _____ %
 (From 2015-2016 Lid Computation Form Line (6) - Line (5)) Option 2 - (B)

Dollar Amount of Allowable Increase Excluding the vote taken _____
 Line (A) X Line (B) Option 2 - (C)

Calculated 2015-2016 Restricted Funds Authority (Base Amount) = _____
 Line (A) **Plus** Line (C) Option 2 - (1)

ALLOWABLE INCREASES

1 BASE LIMITATION PERCENT INCREASE (2.5%) 2.50 %
(2)

2 ALLOWABLE GROWTH PER THE ASSESSOR MINUS 2.5% - %
(3)

_____ / _____ = _____ %
 2016 Growth / 2015 Valuation = Multiply times
 per Assessor 100 To get %

3 ADDITIONAL ONE PERCENT COUNCIL/BOARD APPROVED INCREASE 1.00 %
(4)

_____ / _____ = _____ %
 # of Board Members / Total # of Members = Must be at least
 voting "Yes" for Increase in Governing Body 75% (.75) of the
 Increase Governing Body

ATTACH A COPY OF THE BOARD MINUTES APPROVING THE INCREASE.

4 SPECIAL ELECTION/TOWNHALL MEETING - VOTER APPROVED % INCREASE _____ %
(5)

Please Attach Ballot Sample and Election Results OR Record of Action From Townhall Meeting

LID COMPUTATION FORM

City of McCook
IN
Red Willow County

TOTAL ALLOWABLE PERCENT INCREASE = Line (2) + Line (3) + Line (4) + Line (5)	<u>3.50</u> % (6)
Allowable Dollar Amount of Increase to Restricted Funds = Line (1) x Line (6)	<u>191,088.81</u> (7)
Total Restricted Funds Authority = Line (1) + Line (7)	<u>5,650,769.22</u> (8)
Less: Restricted Funds from Lid Supporting Schedule	<u>4,615,725.00</u> (9)
Total Unused Restricted Funds Authority = Line (8) - Line (9)	<u>1,035,044.22</u> (10)

**LINE (10) MUST BE GREATER THAN OR EQUAL TO ZERO OR
YOU ARE IN VIOLATION OF THE LID LAW.**

**THE AMOUNT OF UNUSED RESTRICTED FUNDS AUTHORITY ON LINE (10)
MUST BE PUBLISHED IN THE NOTICE OF BUDGET HEARING.**

ATTACHMENT

#2

Budget Form Instructions

- Total Property Tax Requirement – Sum of the above items, must agree to the Personal and Real Property Tax Request on page 1.

10. Page 2-A

- Levy Setting Purposes
 - Used to break down the property tax request between levying funds.
 - This page assists the County Clerk in setting levies for individual funds of the subdivision.
- Documentation of Transfers
 - Indicate what fund the monies were transferred from, what fund they were transferred to, amount of the transfer, and the reason for the transfer.

11. Correspondence Information

E-Mail Addresses – The Auditor of Public Accounts communicates with political subdivisions by e-mail whenever possible. Please provide an e-mail address whenever available.

Board Chairperson – Include name and address of the Board Chairperson of the governing board. NOTE: If Budget Document is to be used as an Audit Waiver, approval of the Audit Waiver will be sent to the Board Chairperson via e-mail. If no e-mail address is included for the Board Chairperson, notification will be mailed via the US Mail.

Preparer – Include the name, address, phone number, and e-mail address of the individual who prepared the budget document.

Who To Contact with Questions – Please indicate whether questions regarding the Budget Document and/or Audit Waiver should be directed to the Board Chairperson, Preparer, or Other Contact.

Other Contact – If you would like to have someone other than the Board Chairperson or Preparer contacted with questions regarding the Budget Document and/or Audit Waiver complete the “Other Contact” area.

Changes in Contact Information – If there is a change in any of the Correspondence Information or you obtain a new e-mail address after submitting your budget form, please contact our office so we can maintain the most current information.

12. LC-3 Supporting Schedule

The budget limitations have been incorporated into State Statute Sections 13-518 through 13-522. The LC-3 Supporting Schedule is used to calculate restricted funds applicable to the lid limitation.

Restricted Funds

- As the limitation is on “budgeted” restricted funds, you need to compare the current budgeted amount to the prior year actual amount when budgeting these receipts on page 2.
- State Statute Section 13-518 defines restricted funds as:
 - Property Tax – Includes Real Estate and Personal Property

Budget Form Instructions

- Payments In Lieu of Property Tax
 - Local Option Sales Tax
 - Motor Vehicle Tax
 - State Aid
 - All governmental units - aid paid pursuant to section 60-3,202 (Pro-Rate Motor Vehicle) and 77-3523 (Homestead Exemption). *Note: Homestead Exemption should not be budgeted as a separate line item. It is included within Property Tax.*
 - Community Colleges - aid paid pursuant to section 90-517.
 - Educational Service Units - State aid appropriated under section 79-1241 (Aid for Core Services and Technology Infrastructure).
 - Local Public Health Departments - aid as distributed under section 71-1628.08 (County Public Health Aid).
 - Municipalities - aid paid pursuant to sections 18-2605 (MIRF), 39-2501 through 39-2520 (Highway Allocation and Incentive Payments), 60-3,190 (Motor Vehicle Fee), 77-27,139.04 (Municipal Equalization Aid), and insurance premium tax.
 - Surplus Fees
 - The transfer of a user fee, permit fee or regulatory fee which is used to fund a service or function not directly related to the earning of that fee. *Surplus Fees can be used for other functions without being transferred to another fund.*
 - Prior Year Budgeted Capital Improvements that was used as a lid exception on the LC-3 Supporting Schedule, but was not spent or is not expected to be spent for capital improvements.
- All amounts should agree to the amounts budgeted to receive on page 2.

Lid Exceptions

If budgeted to be paid for with restricted funds the following items are lid exceptions:

Capital Improvements - Defined as follows:

- i. Acquisition of real property.
- ii. Improvements on real property.

Retirement of Bonded Debt

Retirement of bank loans and other financial instruments entered into before July 1, 1999, for *Fire Districts* only.

Retirement of interest-free loans from the Department of Aeronautics for *public airports* only.

Interlocal Agreement(s)/Joint Public Agency Agreement(s).

Repairs to infrastructure damaged by a natural disaster. The disaster must have been declared a disaster pursuant to the Emergency Management Act.

Judgments. Except judgments or orders from the Commission of Industrial Relations, and only to the extent that such judgment is not covered by liability insurance.

Property Tax Refunds

Budget Form Instructions

Public Safety Communication Project. State Statute Section 86-416 allows a *fire district* or municipality to have a special tax for a Public Safety Communication Project. The special tax has the same status as Bonded Indebtedness. Board minutes must be attached.

Ground Water Management. A *NRD* can exclude the dollar amount by which restricted funds budgeted to administer and implement ground water management activities and integrated management activities under the Nebraska Ground Water Management Act exceed its restricted funds budgeted to administer and implement ground water management activities and integrated management activities for fiscal year 2003-2004.

Public Facilities Construction Projects. State Statute Sections 72-2301 through 72-2308 allows bonds to be issued to finance Public Facilities Construction Projects. Resolution must be attached. Review the statutes to determine if applicable for your type of political subdivision.

When determining lid exceptions there are many factors that can only be determined by using your own judgment. For example, it may not be clear if an item is budgeted to be paid for with restricted funds or non-restricted funds. This should be discussed with the governing board if you are unsure. Be sure not to claim lid exceptions that exceed the total amount of restricted funds.

Total Restricted Funds for Lid Computation is calculated by taking the Total Restricted Funds (A) minus the Total Lid Exceptions (B)

13. Lid Computation Form LC-3 (ESU's & Community Colleges see Specific Guidelines)

The law says no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable increases.

The current year Restricted Funds authority is calculated by carrying forward the prior year authority and applying applicable increases as follows:

- Option 1 – This option will be used by most political subdivisions. Your subdivision did not hold a townhall meeting last year to exceed the lid.

Line (1) – Restricted Funds Authority (Base Amount) is equal to the Total Restricted Funds Authority from last year's LC-3 Lid Computation Form

- Option 2 – This option will only be used if a vote was taken last year at a townhall meeting to exceed the lid on restricted funds for one year.

Line (A) – Line (1) of last year's LC-3 Lid Computation Form.

Line (B) – Total Allowable Percent Increase from prior year's LC-3 Lid Computation Form less the Townhall Meeting approved increase from prior year's LC-3 Lid Computation Form.

Line (C) – Dollar amount of allowable increases excluding the vote taken equals Line (A) multiplied by Line (B).

Line (1) – Calculated Restricted Funds Authority (Base Amount) is equal to Line (A) plus Line

Budget Form Instructions

- Allowable Increases

Base Limitation - All political subdivisions have the ability to increase their base of restricted funds by 2.5%.

Allowable Growth – Growth per the Assessor (noted on current year Certification of Valuation) divided by the prior year's Total Valuation less 2.5%.

Additional 1% - An additional 1% increase is allowed if at least 75% of the governing body votes to approve the increase. Please note this is 75% of the authorized board, and not just 75% of those present. If a 1% increase is approved, a copy of the resolution or board minutes documenting that at least 75% of the governing body approved the increase must be attached to the lid computation form.

Special Election - A governmental unit may exceed the applicable allowable growth percentage by an amount approved by a majority of legal voters on the issue at a special election. If a special election is held, a ballot sample and election results must be attached to the lid computation form.

Townhall Meeting - In lieu of the election procedures, any governmental unit may exceed the allowable growth percentage by an amount approved by a majority of legal voters at a meeting of the residents,

- Notice of the meeting must be published at least 20 days prior to the meeting.
- At least 10% of the registered voters shall constitute a quorum for purposes of taking action.
- If a majority of the registered voters at the meeting vote in favor of exceeding the lid, a copy of the record of that action shall be forwarded to the Auditor of Public Accounts along with the budget document.
- LB 289 (2007) requires "A record shall be made of the registered voters residing in the political subdivision or village who are present at the meeting. The method of voting at the meeting shall protect the secrecy of the ballot."

- Unused Restricted Funds Authority

The total unused restricted funds authority is calculated on the lid computation form.

- Must be greater than or equal to zero.
- Must be included in the Notice of Budget Hearing.

14. Consequences of Noncompliance with Budget Limits

State Statute Section 13-522 states if the Auditor of Public Accounts determines from the budget documents that a governmental unit is not complying with the budget limits, the following shall occur:

- The Auditor shall notify the governing body of this determination and notify the State Treasurer of the noncompliance.
- The State Treasurer shall then suspend distribution of State aid allocated to the governmental unit until the budget has been corrected.
 - The funds will be held for six months until the governmental unit complies.

Budget Form Instructions

- If the governmental unit complies within the six month period it shall receive the suspended funds.
- After six months, the suspended funds shall be forfeited and shall be redistributed to other recipients of the State aid.

15. Consolidating Property

For governmental units that have consolidated, the calculations made for the consolidating units shall be made based on the combined total of restricted funds, population, or full-time equivalent students of each governmental unit.

16. Transfer of Financial Responsibility

If a governmental unit transfers the financial responsibility of providing a service financed in whole or in part with restricted funds to another governmental unit or the State, the amount of restricted funds associated with providing the service shall be subtracted from the last prior year's total of budgeted restricted funds for the previous provider and may be added to the last prior year's total of restricted funds for the new provider. Please provide information regarding with whom services were combined.

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 4A

Approve the minutes of the August 1, 2016 regular City Council meeting and the August 10, 2016 special City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the August 1, 2016 regular City Council meeting and the August 10, 2016 special City Council meeting.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016

MCCOOK CITY COUNCIL
August 1, 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, Hepp, McDowell, Weedin.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Police Chief Brown, Fire Chief Harpham, 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 July 28, 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.

No one was present for citizen's comments.

2. Announcements & Recognitions.

City Manager Schneider recognized Sandy Brown who is retiring as Head Cook at the Senior Center after 17 years of service and reminded the Council that the Budget Workshop will be held on August 10, 2016 at 6:30 P.M.

3. Public Hearings:

- A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meetings held July 25, 2016.

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 report from the Economic Development Plan Citizen's Advisory Review Committee regarding meetings held July 25, 2016 with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report (1 page); Exhibit #2 - Notice of Public Hearing published (1 page); Exhibit #3 - McCook Growth Fund (LB840) Program Balances, MEDC format (1 page); Exhibit #4 - McCook Growth Fund (LB840) Available Funds (1 page); Exhibit #5 - LB840 Program Balances (1 page); Exhibit #6 - City of McCook LB840 Check Register (2 pages); Exhibit #7 - City of McCook LB840 Receipt Register (2 pages); Exhibit #8 - McCook Growth Fund (LB840) Loan Status Report (1 page); Exhibit #9 - McCook Growth Fund (LB840) Economic Development Program Quarterly Report (7 pages); Exhibit #10 - MEDC Power Point Presentation (20 pages); Exhibit #11 - Minutes from the April 25, 2016 regular meeting of the Economic Development Plan Citizen's Advisory Review Committee (2 pages).

Troy Bruntz, representative of the committee and Kirk Dixon, McCook Economic Development Corporation Director, reviewed presented reports with the Council.

There being no one else present to comment, upon a motion by Councilmember Weedon, seconded by Councilmember Calvin, 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.

- B. Receive and file the minutes of the April 25, 2016 Economic Development Plan Citizen's Advisory Review Committee meeting.

Upon a motion by Councilmember Weedon, seconded by Councilmember Hepp, the Council voted to receive and file the minutes of the April 25, 2016 Economic Development Plan Citizen's Advisory Review Committee meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

4. Consent Agenda.

**The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Councilmember or public in attendance, be considered as a separate item under the Regular Agenda.*

- A. Approve the minutes of the July 18, 2016 regular City Council meeting.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the July 18, 2016 regular City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- B. Approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a dance/reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on August 13, 2016, from 4:00 P.M. to 11:59 P.M.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the application for a Special Designated Liquor License submitted by Schmick's Market, Inc., Liquor License #IDK-084561, for a dance/reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on August 13, 2016, from 4:00 P.M. to 11:59 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

- C. Ratify the Mayor's appointments to the Tree Advisory Board - reappoint Leigh Farrell and Mary Pate - terms expire April 2020 and appoint Dave McCarty to fill the remaining term of Greg Pennington - term expires April 2018.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to ratify the Mayor's appointments to the Tree Advisory Board - reappoint Leigh Farrell and Mary Pate - terms expire April 2020 and appoint Dave McCarty to fill the remaining term of Greg Pennington - term expires April 2018. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

- D. Approve the request from McCook Christian Church to close West "C" Street between West 4th Street and West 5th Street on August 21, 2016 from 2:00 P.M. to 8:00 P.M. for their "Big Back Yard Party" event.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the request from McCook Christian Church to close West "C" Street between West 4th Street and West 5th Street on August 21, 2016 from 2:00 P.M. to 8:00 P.M. for their "Big Back Yard Party" event. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

5. Regular Agenda.

- A. Approve Ordinance No. 2016-2936 modifying Chapter 38, Appendix M, of the City of McCook Code of Ordinances upon its second reading.

Considered upon its second reading, Ordinance No. 2016-2936 entitled:

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA; 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.

Ordinance No. 2016-2936 was read by title only. Motion was made by Councilmember Weedin, seconded by Councilmember Hepp, to approve Ordinance No. 2016-2936 on its second reading. Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. Motion carried. Whereupon the Mayor declared said Ordinance No. 2016-2936 approved on its second reading.

- B. Approve Ordinance No. 2016-2934 repealing Chapter 110: Licensing of Construction Contractors of the City of McCook Code of Ordinances in its entirety upon its third and final reading.

Considered upon its third and final reading, Ordinance No. 2016-2934 entitled,

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.

Ordinance No. 2016-2934 was read by title only and thereafter Councilmember Hepp moved for final passage of the Ordinance, which motion was seconded by Councilmember Weedin. The Mayor then stated the question: "Shall Ordinance No. 2016-2934 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. 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.

- C. Approve 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 upon its third and final reading.

Considered upon its third and final reading, Ordinance No. 2016-2935 entitled,

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.

Ordinance No. 2016-2935 was read by title only and thereafter Councilmember Weedin moved for final passage of the Ordinance, which motion was seconded by Councilmember Calvin. The Mayor then stated the question: "Shall Ordinance No. 2016-2935 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None. 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.

- D. Council Comments.

There were no Council comments.

- E. An Executive Session may be held upon a majority vote of the Council for the annual evaluation of the job performance of City Manager Nathan A. Schneider.

Upon a motion by Councilmember Weedin, seconded by Councilmember Calvin the Council voted to move into executive session for the annual evaluation of the job performance of City Manager Nathan A. Schneider at 6:50 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

The Mayor then stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the annual evaluation of the job performance of City Manager Nathan A. Schneider. The Council will reconvene in public session following this closed session.

Upon a motion by Councilmember Weedin, seconded by Councilmember Hepp, the Council voted to move out of executive session at 7:40 P.M. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:41 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

MCCOOK CITY COUNCIL
August 10, 2016
6:30 P.M.
Special Meeting

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

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

Absent: City Attorney Mustion.

City Officials present: City Manager Schneider, City Clerk Doak, Police Chief Brown, Library Director Crocker, Utilities Director Dutcher, Fire Chief Harpham, 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 August 5, 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.

1. Review of Proposed FY2016.2017 Annual Budget.

Grant Norgaard, representing the Pool Committee, updated the Council on the progress of the committee.

Review of the proposed FY2016/2017 Annual Budget was conducted with staff members present.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 10:15 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: **4B**

Receive and file the claims for the month of July 2016 as published August 12, 2016.

BACKGROUND:

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

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

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Receive and file the claims for the month of July 2016 as published August 12, 2016.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016

CITY OF MCCOOK
CLAIMS FOR JULY, 2016

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

20/20 TECH-SC 1,500.00; 7-D-SC 10.00; ACME-S 26.75; AMAZON-SC 189.97; AMERICAN AG-SC 546.28; AMERICAN ELEC-SC 242.02; ARROW CAR WASH-SC 124.63; AS CENTRAL SVC-SC 448.00; BAKER & TAYLOR-S 308.22; BARCO-S 99.00; BARNETT'S-S 307.04; BAUGHMAN, L-SC 25.00; BETTER HOMES & GARDENS-S 39.28; BETTY MILLS CO-S 136.78; BIRCH COMM-SC 3,119.31; BLACK HILLS CORP-S 1,442.13; BSB CONST-CO 109,919.16; BW TELCOM-SC 124.56; C&K-S 534.76; CAMBRIDGE TELE-SC 259.69; CAROLINA SOFTWARE-SC 200.00; CARQUEST-S 1,320.03; CARROT-TOP IND-S 2,180.54; CASH WA-S 6,010.85; CENTRAL CITY SCALE-S 788.00; CENTRAL PLAINS LIBRARY-S 10.00; CENTURY LINK-SC 893.99; CHIEF MOTEL-SC 65.00; CITY HEALTH INS-SC 240000.00; CITY OF MCCOOK-PS 327837.46; CITY UTILITIES 13,378.44; COMFORT INN-SC 109.15; COMMON SCENTS-S 923.84; CORNHUSKER CLEANING SYS-S 63.19; CPI19749.90-SC 19749.90; CRAWFORD SUPPLY-S 64.54; CULLIGAN WATER-S 29.30; CUNA MUTUAL RETIREMENT-SC 1,266.64; D&L PEST-SC 353.00; D&S-S 891.40; DANKO-S 506.87; DARLING, K-SC 11.07; DEVENY-S 110.29; DIAMOND VOGEL-S 1,001.58; DICKE, L-SC 25.00; DOUBLED-SC 554.40; DOYLE REPAIR-SC 862.84; DUTTON-LAINSON CO-S 922.89; EAKES-S 2,083.08; EDWARDS MACH-S 48.00; EMS-SC 5,465.86; ERGO EXPRESS-S 79.90; ETS CORP-SC 667.43; FASTENAL-S 383.87; FICA-PS 17025.88; FIVE POINTS BANK-SC 3,031.38; FV CO-OP-S 17,498.54; GALE GRP-S 197.83; GALLS-S 125.22; GERHOLD-S 1,524.34; GOOGLE*SVCS-SC 270.83; GREAT PLAINS COMM-S 357.48; GREAT PLAINS HEALTH-SC 257.58; HAMPTON INN-SC 166.00; HARTWELL, D-SC 57.17; HASLER-S 1,000.00; HAYS GRP-SC 7,500.00; HENNING BROS LEASING-SC 59.00; HIGH PLAINS RADIO-SC 50.00; HUEFTLE, P-SC 40.00; IDEAL LINEN-S 216.76; IPMA-HR-SC 406.21; ISLAND SPRINKLER-S 376.38; J BAR J-SC 48,142.36; JOHNSON CONTROLS-S 396.00; K&C-S 9,531.28; KENNEY'S MARINE-S 67.99; KEYBAR-S 79.25; KILDARE-S 135.16; KLEINS-S 14.74; KOHL'S-S 193.80; KULLY PIPE & STEEL-S 124.32; LEAGUE OF NE-SC 840.00; LIFE-ASSIST-S 588.26; MARC-S 117.79; MARIS CONST-SC 420.00;

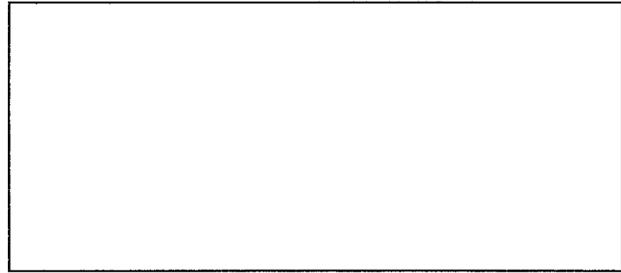
MATHESON-LINWELD-S 63.72; MC HEARING AID CTR-SC 5,000.00; MC HUMANE SOCIETY-SC 3,541.93; MCCOOK GAZETTE-SC 1,276.80; MCCOOKNET-SC 406.60; MEDC 22,712.55; MEDICARE-PS 4553.43; METTLER TOLEDO-S 604.00; MICROMARKETING-S 1,926.86; MID AM PAY PHONES-SC 40.00; MIDLANDS TOX-SC 140.00; MILLER & ASSOC-SC 1,387.50; MILLER MECH SPEC-S 1,290.00; MOBOTREX-S 387.00; MOTOROLA-S 396.00; MOUSEL LAW-SC 5,193.00; MPPD-SC 1,686.75; MUNICIPAL PIPE SVS-S 10,276.00; MUNICIPAL SUPP-S 6,095.15; NAT'L FIRE PROTECTION-SC 175.00; NE DEPT OF AG-SC 62.25; NE DEPT OF LABOR-PS 2,592.00; NE DEPT OF REVENUE-SC 22,978.01; NE LAW ENFORCEMENT-SC 95.00; NE TRUCK CTR-SC 1,266.02; NICK'S DIST-S 543.71; NORTHERN AGRI SVC-S 74.98; NPPD-SC 47,753.06; ONE CALL CONCEPTS-SC 81.30; O'REILLY-S 10.92; ORSCHELN-S 685.08; OSAGE IND-S 72.39; PAVEMENT REPAIR & SUPP-CO 1,177.00; PICK, N-SC 60.00; PLAINS EQUIP GRP-S 2,378.77; PLATTE VALLEY COMM-SC 310.00; PUMP CATALOG-S 626.95; QUILL-S 631.27; RADAR ROAD TEC-S 245.00; RANDOLPH, S-SC 151.24; ROBERTS, D-SC 80.00; ROCHESTER MIDLAND CORP-S 287.91; RW AVIATION & SPRAY-S 96.30; RW COUNTY TREAS-SC 100.00; SAM'S CLUB-S 854.93; SCHAMEL'S-S 1,691.30; SCHMICK'S-S 16.60; SEHNERT'S-SC 78.00; SIEGFRIED, B-SC 350.96; SNELL SVC-S 197.54; SWANSON SIGN-SC 280.00; T.O. HAAS-S 2,227.06; TASTE OF HOME-S 31.98; THOMPSON CO-S 3,066.66; TINKER TOM-SC 16.00; TITAN-S 351.50; TJ'S FUN CTR-SC 255.00; TNA SAFETY-S 360.20; TOM'S TOWN & COUNTRY-SC 238.50; TOTAL TURF-S 86.70; TRAFFIC PARTS-S 55.68; TYLER TECH-SC 1,896.20; UMR-SC 133,605.43; UNIQUE TECHNIQUE-S 1,248.00; US TREAS-SC 322.00; USA BLUEBOOK-S 16.18; U-SAVE PHARM-S 155.52; USI-SC 539.00; USPS-SC 1,254.75; UTILITY REFUNDS-SC 1,160.02; VAN-DIEST-S 404.49; VERIZON-SC 2,200.25; VISA-S 6580.13; VOLZ-SC 7,893.35; W DESIGN-SC 12,950.00; WALMART-S 2,413.50; WEST CTRL NE-SC 3,828.00; WESTERN TIRE-SC 3,999.94; WITMER PUBLIC SAFETY-S 276.36; WPCI-SC 57.00; ZOLL MED CORP-S 1,073.50.

-s- Lea Ann Doak
City Clerk

Publish: August 12, 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/
Email Applications: 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 **McCook City Auditorium**

ADDRESS: **302 West 5th St.**

CITY **McCook**

ZIP **69001**

COUNTY and COUNTY # **Red Willow #48**

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 Sept. 3rd, 2016	Date	Date	Date	Date	Date
Hours	Hours	Hours	Hours	Hours	Hours
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 Fund Raiser ___ Beer Garden ___ Sampling/Tasting ___

Other MPCC 90th Anniversary Event (Jayme Mockery)

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 54 x 92
 (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? 200

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

10. **Where will you be purchasing your alcohol?**

Wholesaler _____ Retailer _____ Both X BYO _____
(includes wineries)

11. Will there be any games of chance operating during the event? YES ___ NO X

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: _____

13. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Tyler Schmick

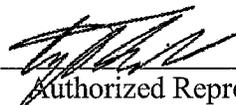
Signature of Event Supervisor 

Event Supervisor phone: Before 308-737-7362 During 308-737-7362

Email address schmicksmarket@gmail.com

Consent of Authorized Representative/Applicant

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

sign here 
Authorized Representative/Applicant

Owner/Operator _____ 5/31/2016
Title _____ Date

Tyler Schmick
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 4D

RECOMMENDATION:

APPROVE THE ST. PATRICK CATHOLIC CHURCH REQUEST TO CLOSE PORTIONS OF EAST 4TH AND EAST "G" STREETS AND TO UTILIZE CITY PROPERTY FOR THEIR ANNUAL FALL FESTIVAL ON SEPTEMBER 17TH AND 18TH, 2016.

BACKGROUND:

St. Patrick Catholic Church is conducting their annual Fall Festival on September 17 and 18, 2016. The church requests permission to close East 4th Street between F and G Streets and East G Street between 3rd and 4th Streets between the hours of 10:00 a.m. and 8:00 p.m. on Sunday September 18, 2016. The Church also requests the use of City property. The Church requests the use of eighteen to twenty extra trash containers, barricades/cones to close the streets and park benches for seating.

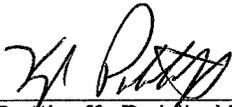
The Public Works Departments have sufficient manpower to respond to the request of St. Patrick Catholic Church without overtime cost or other added expense to the City. The City has assisted with this annual event for numerous years.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

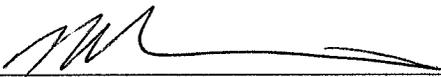
APPROVE THE ST. PATRICK CATHOLIC CHURCH REQUEST TO CLOSE PORTIONS OF EAST 4TH AND EAST "G" STREETS AND TO UTILIZE CITY PROPERTY FOR THEIR ANNUAL FALL FESTIVAL ON SEPTEMBER 17TH AND 18TH, 2016.

APPROVALS:



Kyle Potthoff, Public Works Director

August 11, 2016



Nate Schneider, City Manager

August 11, 2016

ST. PATRICK CATHOLIC CHURCH

Phone (308) 345-6734

612 East 4th Street PO Box 1040 McCook, NE 69001

August 2, 2016

Nate Schneider
City Manager
City of McCook
PO Box 1059
McCook, NE 69001

Dear Mr. Schneider,

The St. Patrick Church Annual Fall Festival will be held on September 17 and 18, 2016. In making arrangements for this event, we request the following from the City of McCook:

- (1) Permission to close East 4th Street from "F" to "G" and East "G" Street from East 3rd to East 4th on Sunday, September 18, 2016 from 10:00am to 8:00pm.
- (2) Eighteen to twenty (18-20) extra trash containers.
- (3) Barricade cones to facilitate the closing of the streets. (24 orange cones)
- (4) Twelve (12) park benches for outside seating for our visitors.

Please forward this request to the City Council for their consideration at their next regular meeting. We are appreciative of the way you assist us each year so that our Fall Festival is a continued success.

Thank you.

Sincerely yours in Christ,



Gary Brethour

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 4E . Receive and file the updated city attorney contract with Mousel, Brooks, Garner and Schneider, P.C., L.L.O., with Nathaniel J. Mustion to serve as the contracted City Attorney for the City of McCook.

BACKGROUND:

Since April of 2015, Nathaniel Mustion has served as the McCook City Attorney. Staff and Mr. Mustion discussed updating the contract to make sure it reflects the duties and obligations of the parties. According to the Code of Ordinances, the City Manager appoints the City Attorney. No action is needed from the Council.

FISCAL IMPACT:

No change from the existing contract.

RECOMMENDATIONS:

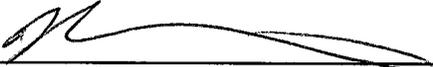
ITEM: 4E Receive and file the updated city attorney contract with Mousel, Brooks, Garner and Schneider, P.C., L.L.O., with Nathaniel J. Mustion to serve as the contracted City Attorney for the City of McCook.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016



Nathan A. Schneider, City Manager

August 11, 2016

Fee Agreement and Authority to Represent

The City of McCook, the undersigned client (hereinafter referred to as "I," "me" or the "Client"), does hereby retain and employ Nathaniel J. Mustion, and his law firm, Mousel, Brooks, Schneider & Mustion, P.C., L.L.O. (hereinafter referred to as "Attorney"), as its Attorney to represent it in connection with the following matters:

To serve as McCook City Attorney under the direction of the City Manager and City Clerk. The duties of McCook City Attorney will include, but not be limited to, prosecuting all municipal citations and attending all city council meetings, planning commission meetings and board of zoning and adjustment meetings.

1. **ATTORNEY'S FEES.** As compensation for legal services provided under this Agreement, Client agrees to pay Attorney as follows:

Hourly Fee

Client agrees to pay Attorney's Fees at the rate of \$125.00 per hour. Client agrees that time is billed in increments of 6 minutes.

Client agrees to pay all invoices submitted by the firm within 30 days of receipt. Client agrees that, pursuant to this Agreement, Attorney shall have, in addition to other rights, the right to withdraw as Client's Attorney based on Client's failure substantially to fulfill an obligation to Attorney.

It is understood and agreed that Attorney is authorized, with Client's prior knowledge and written consent, to employ other attorneys to work on Client's legal matters under this Agreement. Said additional attorney's fees shall be paid solely by Client

2. **COSTS AND EXPENSES.** In addition to paying Attorney's fees, Client agrees to pay all costs and expenses in connection with Attorney's handling of Client's legal matters under this Agreement. These costs may include (but are not limited to) the following: postage, publication costs, subpoena costs, court costs, sheriff's and service fees. If any of these costs can be billed directly to the Client, they should be so billed and the Client shall be responsible for timely paying the expense upon the Client receiving notice of it. However, if the expense cannot be billed directly to the Client, the Attorney shall pay the expense and the Client shall be responsible for timely reimbursing the Attorney upon the Attorney's presentation of proof of payment to the Client.
3. **NO GUARANTEE.** Client acknowledges that Attorney has made no promise or guarantee regarding the outcome of Client's legal matter. In fact, Attorney has advised Client that litigation in general is risky, can take a long time, can be very costly and can be very frustrating. Client further acknowledges that Attorney shall have the right to cancel this Agreement and withdraw from this matter if, in Attorney's professional opinion, the matter does not have merit, Client does not have a reasonably good possibility of recovery, Client refuses to follow the recommendations of Attorney and/or

Client fails to abide by the terms of this Agreement and/or if the Attorney's continued representation would result in a violation of the Rules of Professional conduct, or at any other time as or permitted under by the Rules of Professional Conduct.

4. **NEBRASKA LAW.** This Agreement shall be governed by Nebraska law.
5. **TERMINATION OF REPRESENTATION.** Client understands that Client has the right to terminate the representation upon written notice to that effect. Client understands that Client will be responsible for any fees or costs incurred prior to the discharge or termination. At that time of any termination in the representation, Client understands that Client will be given an accounting for all fees, expenses and costs.
6. **ENTIRE AGREEMENT.** Client has read this Agreement in its entirety and Client agrees to and understands the terms and conditions set forth herein. Client acknowledges that there are no other terms or oral agreements existing between Attorney and Client. This Agreement may not be amended or modified in any way without the prior written consent of Attorney and Client.

This agreement is executed by the undersigned Client, on this _____ day of _____, 2016.

CITY OF MCCOOK, NEBRASKA

By: _____
Nathan A. Schneider, City Manager

ATTEST:

Lea Ann Doak, City Clerk

The foregoing agreement is hereby accepted on this _____ day of _____, 2016.

ATTORNEY: _____
Nathaniel J. Mustion

**CITY MANAGERS REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: 4F

RECOMMENDATION:

DECLARE THE LISTED ABANDONED AND UNCLAIMED VEHICLES AND BICYCLES AND OTHER LISTED CITY PROPERTY AS SURPLUS CITY PROPERTY TO BE DISPOSED OF IN THE APPROPRIATE LEGAL MANNER.

BACKGROUND:

Due to the limited storage space available and the extended length of time the Police Department has stored the listed abandoned and unclaimed property, I recommend the items listed on the attached Abandoned Bicycle List and Abandoned Vehicles List be declared as surplus City property. I recommend the additional listed unusable and unneeded items of City property also be declared as surplus City property.

State Statutes prescribe the manner of disposition of surplus property of a city or other political subdivision. Items, such as bicycles, must be sold at public auction. Titles must be acquired for all abandoned or unclaimed vehicles. The City holds title to all vehicles listed in the Surplus Property Inventory. Vehicles valued at \$250.00 or less may be disposed of as desired. The prescribed manner of disposition of vehicles with a value greater than \$250.00 is sale at public auction. The net proceeds from the auction to be delivered to the City Clerk for disposition as provided by law.

FISCAL IMPACT:

NET PROCEEDS FROM THE SALE OF SURPLUS ITEMS ARE RETAINED BY THE CITY FOR A PERIOD OF TIME AS PRESCRIBED BY STATUTE AND THEN ADDED TO THE CITY GENERAL FUND.

CITY MANAGERS REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING

Page 2

RECOMMENDATION:

DECLARE THE LISTED ABANDONED AND UNCLAIMED
VEHICLES AND BICYCLES AND OTHER LISTED CITY
PROPERTY AS SURPLUS CITY PROPERTY TO BE
DISPOSED OF IN THE APPROPRIATE LEGAL MANNER.

APPROVALS:



Isaac S. Brown, Police Chief

8-11-16
Date



Nate Schneider, City Manager

8-11-16
Date

Surplus	Bikes	as of 5-25-16			
Bike	Case #	Description	Date In		call type 108
14-16	2014007459	Blue Next	12/22/2014		
14-17	2014007573	Red Next	12/29/2014		
15-2	2015000643	Wht/Org Edge G1204001887	2/8/2015		
15-3	2015000643	Yel/Blk Next 01YD1238688	2/18/2015		
15-4	2015000965	Bld Roadmaster 10 spd	3/2/2015		
15-5	2015001085	Silver Sedonna St Giant	3/10/2015		
15-7	2015001969	Silver/Red/Blk/Wht Mongoose	4/26/2015		
15-8	2015002441	Blue/Silver Next	5/20/2015		
15-9	2015002861	26" Red Next	6/9/2015		
15-11	2015002925	Gray 20" Mongoose	6/25/2015		
15-12	2015002925	Purple/Pink/Sil 20" Next	6/25/2015		
15-13	2015003204	26" Silver Panasonic 12 sp	6/25/2015		
15-14	2015002871	Grn Next Chaos	6/25/2015		
15-15	2015002871	Gry/Blu Thruster Rage	6/25/2015		
15-16	2015003388	Grn/Blk Murray Ultra	7/3/2015		
15-17	2015003872	Red/Blk Next 21 Sp, 24"	7/24/2015		
15-18	2015003873	Purple/Grey Next 20"	7/24/2015		
15-21	2015004340	Grn/Gry girls Schwinn 21sp,26"	8/13/2015		
15-22	2015004390	Wht/Blk/Blu Girls Huffy	8/16/2015		
15-23	2015004588	Pink Mongoose Fling 90	8/25/2015		
15-24	2015004752	Blu/Sht Next, wht tires	9/2/2015		
15-25	2015004777	Purp Roadmaster Mt Sprt	9/3/2015		
15-26	2015005014	Blu Mongoos Boys 20" Lic:1082	9/14/2015		
15-27	2015005442	Purp/Pink/Wht 18" Monster Hi	10/4/2015		
15-28	2015005742	Blu/Turq/Sil 26" Boys Free Sprt	10/19/2015		
15-29	2015006292	26" sprayed Blk	11/16/2015		
16-01	2016000053	26" Boys Red Huffy Baron	1/4/2016		
16-02	2016000561	wht/purple 303 Mong.Boys	2/1/2016		
16-04	2016000992	blu/sil NEXT pwer clmbr	2/21/2016		
16-05	2016001039	blu/sil NEXT pwer clmbr	2/23/2016		
16-06	2016001496	turq Roll Fast w/bak carrier	3/18/2016		
16-07	2016001641	blk Schwinn Sidewindr	3/25/2016		
16-08	2016001835	red/yel Pro Iron	4/3/2016		
16-10	2016002525	Red Next dirt bike	5/5/2016		
16-11	2016002729	blk w/pink Roadmaster Grnt	5/17/2016		
		red/yel teenie, not locked			
	TOTAL				36

Auction		2016								8/2/2016
Impounded	Year	Color	Make	Model	Style	VIN	KEYS	Previous Owner	Case Number	
2/9/2012	1993	Green	Chevy	Geo Prizm	4DR	1Y1SK5367PZ003477	no	Unknown	2012000822	
10/22/2012	2006	Green	Kawasaki	KLX125	Dirt Bike	JSKDF43E962101460	no	Caspian Whitesell	2012007346	
11/4/2013	1991	Silver	Oldsmobile	88 Royale	4DR	1G3HN53C0M1814530	no	Chance Hiatt	2013007574	
6/17/2014	1964	Blue	homemade	Trailer	Box			Paul A Miller	2014003553	
6/26/2014	homemade	Silver	Pull-behind	Camper				Paul A Miller	2014003757	
6/26/2014	remodeled	Tan	Pull-behind	camper				Paul A Miller	2014003757	
8/25/2014	1998	Red	Pontiac	Grand Prix	2DR	1G2WP1214WF293476	yes	Herbert Beam	2014004924	
12/27/2014	2004	Silver	Oldsmobile	Alero GL	4DR	1G3NL52F54C175764	yes	Melida Casarez	2014007530	
4/5/2015	1989	Red	Ford	Ranger	Pickup	1FTCR10A6KUB63197	no	Monte Tallmage	2015001563	
5/23/2015	1994	White	Lexus	ES300	4DR	JT8GK13T5R0046777	yes	Wanda Mockry	2015002502	
6/1/2015	1979	Brown	Chevy	K1500	Pickup	CCL448F481029	no	Adam Quinn	2015002683	
6/17/2015	1999	Black	Chevy	S10	Pickup	1GCCS1448X8108047	yes	Reid Wilcox	2015003016	
9/16/2015	2003	White	Pontiac	Grand Prix	4DR	1G2WK52J63F149025	yes	Vanessa Lopez	2015005070	
11/3/2015	1998	Green	Kawasaki	Ninja ZX600G1	MC	JKAZX4G18WA006215	yes	Anthony Skidmore	2015006047	
11/28/2015	1998	White	Toyota	Camry	4DR	JT2BF28K3W0125987	yes	Brian Ulmer	2015006530	
12/31/2015	1996	Blue	Chevy	Lumina	4DR	2G1WN52M8T1174005	yes	Anthony Heflin	2015007081	
1/4/2016	2001	Gold	Oldsmobile	Alero **	4DR	1G3NL52T21C221200	no	Trena Floram	2015007054	
1/24/2016	1985	Brown	Chevy	Caprice	4DR	1G1BN69H0FX140810	yes	Adam Kehl	2016000429	
1/27/2016	1986	Blue	Chrysler	PT Cruiser	Spt Van	3A8FY68BX6T206507	yes	Connie Reiners	2016000301	
3/8/2016	1998	Blue	Ford	Escort	4DR	1FAFP13P2WW306245	yes	Tiffani Endicott	2016001322	
5/9/2016	1995	Red/Sil	GMC	Sierra	Pickup	2GTEK19K4S1579205	no	Kirk Hahn	2016002428	
6/15/2016	2001	Red	Pontiac	Grand Prix	2DR	1G2WP12K91F214689	yes	Brian Titman	2016003381	
	2005	White	Chevy	Impala	4DR	2G1WF55K559283338	yes	Police Dept	#11	
	2011	White	Dodge	Charger	4DR	2B3CL1CG6BH539936	yes	Police Dept	#16	
	1997	Red	Pontiac	Firebird	2DR	2G2FV22PXV2230334	yes	Police Dept	#14	

Lea Ann Doak

From: Jesse Dutcher
Sent: Thursday, August 11, 2016 4:18 PM
To: Lea Ann Doak
Subject: Surplus property

1- used (nonworking) gas engine driven auger boring machine, green
1-used (nonworking) gas engine driven auger boring machine, Yellow
1-natural gas powered Chrysler 318 power unit with clutch
1- 10" Clay Valve (parts)
1-Used large diameter tapping (parts)
1-Natural gas powered MAXA 30 KW generator 318 Chrysler needs repairs.
1 coin operated upright pop machine.

**CITY MANAGER'S REPORT
AUGUST 15, 2016 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4G Receive and file claim for damages from Ruth Joy and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

BACKGROUND:

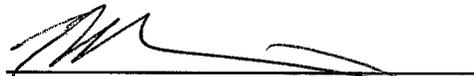
Attached to this report you will find the a property damage incident form received from Ruth Joy.

This matter is being placed on the agenda for the Council to receive and file and forward to the insurance carrier for disposition.

RECOMMENDATIONS:

ITEM NO. 4G Receive and file claim for damages from Ruth Joy and instruct that it be submitted to the City's insurance carrier for review and appropriate action.

APPROVALS:



Nathan A. Schneider, City Manager

August 11, 2016



Lea Ann Doak, City Clerk

August 11, 2016



PROPERTY DAMAGE INCIDENT FORM

PHONE NO.: 303-831-5239 EMAIL: judy.brent@usi.biz OR FAX (303)831-5295

Name of Company: CITY OF MCCOOK

Incident Information

Date of Incident: 08/03/2016 Time of Incident: 04:05

Location: 101 Seminole Drive, McCook, NE Phone Number: 308-345-4034

Address: Ruth Joy, 101 Seminole Drive

City: McCook State: NE Zip Code: 69001

Name of Person Reporting: Eunice Messinger (sister-in-law to Ruth Joy)

Description of property damaged: Front door deadbolt

Estimate Value: \$121.17

Claim Details - What Happened: (Give as much detail as possible. The ambulance was called to the residence for a female that fell and Life Line personnel said that the patient wasn't able to get up and they haven't had contact with her since the first contact. We arrived at the home and weren't able to make entry through any doors in the home. Dispatch contacted Life Line to have them make contact with another key holder. Life Line was unsuccessful in making contact with the emergency contact so we decided to force entry into the home. We began breaking the deadbolt on the front door and after about 20 minutes the homeowners emergency contact showed up and made entry with her key. After assessing the patient we checked the front door and found that it wouldn't unlock from the inside either.

Name of Person reporting: Dan Hartell, Firefighter/EMT, McCook Fire Department

7-D Lockshop

106 East 2nd Street
McCook, NE 69001-0145

Invoice

Date	Invoice #
8/4/2016	11130605

Bill To
Ruth Joy 101 Seminole Drive McCook NE 69001

P.O. No.	Terms	Project
	Due on receipt	

Item	Description	Qty	Rate	Amount
Service Call	Front Door lock broken, remove deadbolt lock and replace		68.00	68.00
Kwikset Deadbolt Lock	Titan deadbolt lock single cylinder 605 keyed to		39.50	39.50T
regular duplicate key	sample system key regular duplicate key	3	2.50	7.50T

*PAID in Full
CKH
3970*

Thank you for your business.	Subtotal	\$115.00
	Sales Tax (7.0%)	\$3.29
	Total	\$118.29
	Balance Due	\$118.29

121.17

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM: **4H**

RECOMMENDATION:

Ratify the Mayor's appointments to the:

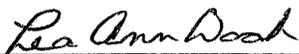
- Library Board - appoint Staci Blomstedt - term expires June 2019.
 - Planning Commission (Alternate) - appoint Denise Garey - term expires March 2018.
 - Senior Citizens Advisory Board - appoint Robert Pantenburg - term expires September 2019.
-

BACKGROUND:

The Mayor has contacted all appointees and they are willing to serve on the various boards.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

August 11, 2016

LIBRARY BOARD

MARY DUELAND 345-6163 (H)
112 East "N" Street
Appointed - May, 2015 (Replaced Kay Neuhaus)
Term Expires - June, 2017

PAM WOLFORD 345-6721 (H)
702 Airport Road
Reappointed - September, 2012
Term Expires - June, 2018

STACI BLOMSTEDT 345-8893 (H)
603 East "M" Street
Appointed - August 2016 Replaced Nancy Buresh
Term Expires - June, 2019

SHARON BOHLING
Appointed - September, 2013 Replaced Linda Crandall
Term Expires - June, 2016

STEVE BATTY 345-4021
205 East "J" Street
Appointed - January, 2003
Reappointed - October, 2014
Term Expires - June, 2017 Replaced Valarie Blauvelt

PLANNING COMMISSION

ADAM WOLFORD
71802 Susanna Drive
Appointed - September 2013
Term Expires - September, 2016 (Replaced Michael Eklund)
(Extra Territorial Representative)
344-8519 (Rehab Center)
340-3545 (C)
awolford@chmccook.org

TERRI SHIPSHOCK
2111 Blake Drive
Appointed - December, 2013 (Replaced Flora Lundberg)
Term Expires - September, 2016
344-5365 (O)
345-2315 (H)
(320) 282-4373 (C)
tshipshock@chmccook.org

TAMMIE HILKER
512 East 5th
Appointed - September 25, 1995
Reappointed - September, 2013
Term Expires - September, 2016
345-3717 (H)
340-7861 (C)
thilker@alloisp.com

JERDA GAREY-VICKERS
403 Park Avenue
Appointed - September, 2010
Reappointed - September, 2013
Term Expires - September, 2016
345-5581 (H)
340-0000 (Call 1st)
jgarey@mccooknet.com

DONALD O. HARPST
505 North Cherokee
Appointed - February, 2000
Reappointed - October, 2014
Term Expires - September, 2017
344-5303 (H)
dharpst@swnebr.net

KURT VOSBURG*
#13 Wedgewood
Appointed - November, 2005
Reappointed - October, 2014
Term Expires - September, 2017
345-8490 (O)
340-0005 (H)

JESSE STEVENS
1606 West 2nd Street
jesse@hometownfamilyradio.com
Appointed - September, 2012 as Alternate
Appointed - Mach, 2015 (replaced Lonnie Anderson)
Term Expires - September, 2017
345-5688 (H)
345-5598 (O)
340-2932 (C)

CHAD LYONS
1201 West 2nd Street
Appointed - September, 2009 (replaced Dan Miller)
Reappointed - September, 2012
Term Expires - September, 2015
345-2140 (H)
340-9433 (C)
cklyons85@gmail.com
clyons@mccookbison.org

DALE DUELAND
112 East N
Appointed - September, 1997
Reappointed - September, 2012
Term Expires - September, 2015
345-1154 (Farm)
345-6163 (H)
350-1660 (Cell radio)
dmandue@ocsmccook.com

DENISE GAREY - ALTERNATE
#8 12th Street Court
Appointed - August 2016 (Replaced Ben Siegfried)
Term Expires - March, 2018
340-1942 (C)

*Denotes Chairperson

August 11, 2016

SENIOR CITIZENS ADVISORY BOARD

HARRIS "JOHN" ANDERSON

Appointed - September, 2013 (replaced Dee Messinger)
Term Expires - September, 2016

ROBERT PANTENBURG

1405 West Circle Drive 345-6675
Appointed - August 2016 (replaced Joan Dike)
Term Expires - September, 2019

JIM HAMILL

413 North Cherokee 345-1956
Appointed - March, 2011 (replaced Carol Borgman)
Reappointed - September, 2013
Term Expires - September, 2016

SHARON PARDE

1112 East 5th Street
Appointed - November, 2011 (replaced Trudy Nelson)
Reappointed - September, 2013
Term Expires - September, 2016

PEGGY APPLEBYARD

1006 E 4th Street 345-6486
Appointed - November, 2004 Replaced Elaine Witt
Reappointed - October, 2014
Term Expires - September, 2017

JOYCE HOFMAN

906 West "I" Street 345-4183
Appointed - September, 2010 (Replaced Fran Broz)
Reappointed - October, 2014
Term Expires - September, 2017

GENE MEINTS

506 West 4th Street 345-2842
Appointed - September, 2010 (Replaced Ken Martin)
Reappointed October, 2014
Term Expires - September, 2017

*Denotes Chairman

**CITY MANAGER'S REPORT
AUGUST 15, 2016 CITY COUNCIL MEETING**

ITEM NO. 5A Approve on third and final reading, Ordinance No. 2016-2936, modifying Chapter 38, Appendix M, of the City of McCook, Code of Ordinances.

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. Staff is also recommending an increase in the zoning variance fee, increasing the fee from \$25 to \$75. The reason for this increase is that Staff incurs overhead costs (publication fees, copying fees, etc.) to process the variance requests. A variance is not a right, it is a privilege that an individual landowner may request. As such, the burden for such request rests with the landowner. When reviewing other towns fee, \$25 is at the bottom of the fee amount. Ogallala, for example, has set their fee at \$150. The norm appears to be from \$75 to \$150. Also, other similar application fees are \$75 (ie. special exception requests and lot line adjustments). Creating a uniform fee amount for similar type activities would be the Staff's preference.

RECOMMENDATIONS:

ITEM NO. 5A Approve on third and final reading, Ordinance No. 2016-2936, modifying Chapter 38, Appendix M, of the City of McCook, Code of Ordinances.

APPROVALS:



Nathan A. Schneider, City Manager

August 11, 2016



Lea Ann Doak, City Clerk

August 11, 2016

ORDINANCE NO. 2016-2936

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA; 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 M: BUILDING REGULATION AND ZONING APPLICATION FEES, of the City of McCook, Nebraska, Code of Ordinances is hereby amended to read as follows:

"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: \$2.50 per opening.

(C) Mechanical permit fee: \$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.
- (G) Sign permit: \$15 for \$0-\$1,000; \$2.50 per \$1,000 additional cost.
- (H) Contractors License fee: \$75 new applicant; \$25 renewal.
- (I) Zoning applications.
 - (1) Zoning classification: \$75.
 - (2) Zoning special exception: \$75.
 - (3) Zoning variance: \$75.
 - (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)"

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: