

082916 agenda

MCCOOK CITY COUNCIL SPECIAL REGULAR MEETING Monday - August 29, 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.*
- 1. **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 15, 2016 regular City Council meeting and the August 19, 2016 special City Council meeting.
082916 minutes
 - B. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a mixer to be held at Wagner Chevrolet, 201 East "B" Street, October 12, 2016 from 4:00 P.M. to 1:00 A.M.
082916 sdl wagners
 - C. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for the Heritage Days opening ceremonies to be held at McCook National Bank, 220 Norris Avenue, on September 21, 2016 from 5:00 P.M. to 11:00 P.M.
082916 sdl heritage
 - D. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 24 & 25, 2016; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 23, 2016 until Sunday evening, the 700 block of East 1st, the 100 block of East "H" Street beginning at 5:00 A.M., Saturday, September 24, 2016 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday, September 24, 2016 until after the parade, the 200 block of East "H" Street from East 1st to the alley between East 1st and East 2nd from 5:00 A.M. to 6:00 P.M. on Saturday, September 24, 2016 for a car show (IF NEEDED); to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on Saturday, September 24, 2016; the use of City Streets around Norris Park from the conclusion of the parade until 6:00 P.M. on Saturday, September 24, 2016 for a car show.
082916 heritage days
 - E. Approve and authorize the Mayor to sign the Certificate of Substantial Completion, Change Order No. 2-Final, and Pay Application No. 3-Final for the McCook Downtown Improvements 2015.
082916 dtr final
- 2. **Regular Agenda.**
 - A. Receive and file a presentation from Brad Slaughter of Ameritas regarding the potential refinancing of SRF loans between the City of McCook and the Nebraska Department of Environmental Quality.
082916 srf refi
 - B. Approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its second reading.
082916 budget ord
 - C. Approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its second reading.
082916 pay class
 - D. Introduce and approve Ordinance No. 2016-2939 providing for the amendment of Appendix F, Solid Waste Collection Fees, of the City of McCook Code of Ordinances upon its first reading.
08916 solid waste
 - E. Council Comments.
- **Adjournment.**

COMMUNITY DEVELOPMENT AGENCY

REGULAR MEETING

**Monday - August 29, 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.*
1. Approve the minutes of the June 6, 2016 Community Development Agency regular meeting.
[082916 cda 1](#)
 2. Approve Resolution No. CDA 2016-04 approving the amended Redevelopment contract between the Community Development Agency of the City of McCook, Nebraska and McCook Lodging, LLC.
[082916 cda 2](#)
- **Adjournment.**

MCCOOK CITY COUNCIL

SPECIAL REGULAR MEETING

Monday - August 29, 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.*
1. **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 15, 2016 regular City Council meeting and the August 19, 2016 special City Council meeting.
 - B. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a mixer to be held at Wagner Chevrolet, 201 East "B" Street, October 12, 2016 from 4:00 P.M. to 1:00 A.M.
 - C. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for the Heritage Days opening ceremonies to be held at McCook National Bank, 220 Norris Avenue, on September 21, 2016 from 5:00 P.M. to 11:00 P.M.
 - D. Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 24 & 25, 2016; for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 23, 2016 until Sunday evening, the 700 block of East 1st, the 100 block of East "H" Street beginning at 5:00 A.M., Saturday, September 24, 2016 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday, September 24, 2016 until after the parade, the 200 block of East "H" Street from East 1st to the alley between East 1st and East 2nd from 5:00 A.M. to 6:00 P.M. on Saturday, September 24, 2016 for a car show (IF NEEDED); to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on Saturday, September 24, 2016; the use of City Streets around Norris Park from the conclusion of the parade until 6:00 P.M. on Saturday, September 24, 2016 for a car show.
 - E. Approve and authorize the Mayor to sign the Certificate of Substantial Completion, Change Order No. 2-Final, and Pay Application No. 3-Final for the McCook Downtown Improvements 2015.

2. Regular Agenda.

- A. Receive and file a presentation from Brad Slaughter of Ameritas regarding the potential refinancing of SRF loans between the City of McCook and the Nebraska Department of Environmental Quality.
- B. Approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its second reading.
- C. Approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its second reading.
- D. Introduce and approve Ordinance No. 2016-2939 providing for the amendment of Appendix F, Solid Waste Collection Fees, of the City of McCook Code of Ordinances upon its first reading.
- E. Council Comments.

▪ Adjournment.

COMMUNITY DEVELOPMENT AGENCY

REGULAR MEETING

Monday - August 29, 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.*

1. Approve the minutes of the June 6, 2016 Community Development Agency regular meeting.
2. Approve Resolution No. CDA 2016-04 approving the amended Redevelopment contract between the Community Development Agency of the City of McCook, Nebraska and McCook Lodging, LLC.

▪ Adjournment.

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: 1A

Approve the minutes of the August 15, 2016 regular City Council meeting and the August 19, 2016 special City Council meeting.

BACKGROUND:

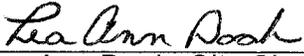
Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the August 15, 2016 regular City Council meeting and the August 19, 2016 special City Council meeting.

APPROVALS:



Lea Ann Doak, City Clerk

August 25, 2016

MCCOOK CITY COUNCIL
August 15, 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, Library Director Crocker, Utilities Director Dutcher, Fire Chief Harpham, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 11, 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. Invocation was provided by Jeff Donelan, of the Evangelical Free Church. 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.

There were no announcements or recognitions.

It was the consensus of the Council to consider Item 4 - Consent Agenda before consideration of Item 3.

4. Consent Agenda.

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

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to approve the minutes of the August 1, 2016 regular City Council meeting and the August 10, 2016 special City Council meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedin. NAY: None.

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

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to receive and file the claims for the month of July 2016 as published August 12, 2016. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

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 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

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.

Upon a motion by Councilmember Calvin, seconded by Councilmember Hepp, the Council voted to 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. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

3. Public Hearings and proposed FY 2016/2017 Annual Budget consideration.

A. Advertized Public Hearings:

- FY 2016/2017 Annual Budget

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the proposed FY 2016/2017 Annual Budget with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report prepared for the August 15, 2016 City Council meeting (1 page) and Exhibit #2 - Notice of Hearing published (1 page).

There being no one present to comment, upon a motion by Mayor Gonzales, 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.

- Set Final Tax Request at a different amount than the prior year

Upon a motion by Mayor Gonzales, seconded by Councilmember Calvin, the Council voted to recess as a City Council and convene a public hearing for the purpose of receiving public comment on setting the Final Tax Request at a different amount than the prior year with the City Attorney to act as hearing officer. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None.

The City Attorney offered and received into evidence Exhibit #1 - City Manager's Report prepared for the August 15, 2016 City Council meeting (1 page) and Exhibit #2 - Notice of Hearing published (1 page).

There being no one present to comment, upon a motion by Mayor Gonzales, 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. Introduce and approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its first reading.

Mayor Gonzales introduced Ordinance No. 2016-2937 by title. The Clerk read the Ordinance by title:

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.

Ordinance No. 2016-2937 was introduced and read by title only. Motion was made by Councilmember Weedon, seconded by Councilmember Hepp, to approve Ordinance No. 2016-2937 on its first reading.

City Manager Schneider reviewed the highlights of his proposed budget transmittal letter, noting that without utilizing approximately \$118,500 of reserve funds, projected expenses would be greater than projected revenue.

Discussion addressing the presented preliminary budget deficit of \$239,527 included sales tax revenue on the decline; the auditor's recommendation that the City maintain a reserve to cover an estimated 2 - 3 months operating costs; review of current occupation tax rates; possible occupation tax on cellular phones; raising the levy by \$.03, on the current valuation each cent would generate around \$35,000; staff noted that after review with our insurance consultants, the General Fund transfer to Health Insurance will be reduced by \$75,000 and that Police Salaries will be reduced by approximately \$11,000, due to cost of living being included for those employees under the union contract; the possible removal of one of the police vehicles (\$27,000), the Police transfer to radio equipment reserve (\$10,000), and the removal of the three lower priority Fire capital items (\$9,500).

It was the consensus of the Council to remove one police vehicle (\$27,000), the transfer to radio equipment (\$10,000), and the three lower priority Fire capital items (\$9,500), a total reduction of \$46,500.

The Mayor then stated the question: "Shall Ordinance No. 2016-2937 be approved on its first reading?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Hepp, Calvin, McDowell, Weedon. NAY: None. Motion carried.

- 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.

Councilmember Calvin introduced Ordinance No. 2016-2938 by title. The Clerk read the Ordinance by title:

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.

Ordinance No. 2016-2938 was introduced and read by title only. Motion was made by Councilmember Calvin, seconded by Councilmember Hepp, to approve Ordinance No. 2016-2938 on its first 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. 2016-2938 approved on its first reading.

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

Upon a motion by Councilmember Weedin, seconded by Mayor Gonzales, the Council voted to approve an increase of Restricted Funds Limit by an additional 1% for Unused Restricted Funds Authority. 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 third and final reading.

Considered upon its third and final 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 and thereafter Councilmember Calvin moved for final passage of the Ordinance, which motion was seconded by Councilmember Hepp. The Mayor then stated the question: "Shall Ordinance No. 2016-2936 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Gonzales, Calvin, Hepp, 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.

- B. Council Comments.

Councilmember McDowell stated that the Golf Tournament held on August 7 was a success and thanked city staff for all that they do to keep the parks in excellent shape. The whole day was a success, including all of the events held in Barnett Park in conjunction with the Hear Nebraska Concert. He thanked Ronda Graff and Matt Sehnert for all that they did to bring the concert to McCook.

- **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 7:20 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

MCCOOK CITY COUNCIL
August 19, 2016
1:00 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 1:00 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers McDowell, Weedin.

Absent: Councilmembers Calvin, Hepp; City Attorney Mustion.

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

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on August 18, 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. Regular Agenda.

- A. 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 September 10, 2016, from 4:00 P.M. to 11:59 P.M.

Upon a motion by Councilmember Weedin, seconded by Councilmember McDowell, 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 September 10, 2016, from 4:00 P.M. to 11:59 P.M.

▪ **Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 1:02 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: 1B

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for a mixer to be held at Wagner Chevrolet, 201 East "B" Street, October 12, 2016 from 4:00 P.M. to 1:00 A.M.

BACKGROUND:

The Chamber will be hosting this event. 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 the McCook Chamber of Commerce for a mixer to be held at Wagner Chevrolet, 201 East "B" Street, October 12, 2016 from 4:00 P.M. to 1:00 A.M.

APPROVALS:

Lea Ann Doak, City Clerk

August 23, 2016



Nathan A. Schneider, City Manager

August 23, 2016

August 12, 2016

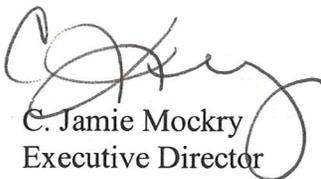
Mr. Nate Schneider
City Manager
P. O. Box 1059
McCook, NE 69001

Dear Nate and Council:

Please reserve time on the City Council agenda for your August 29, 2016 meeting to approve a request from the McCook Chamber of Commerce. We plan to have a mixer at Wagner Chevrolet, 201 East B, on Wednesday October 12, 2016 from 4 Pm to 1 Am. Enclosed please find the paperwork that is required.

Thank you for your consideration of this request.

Sincerely,

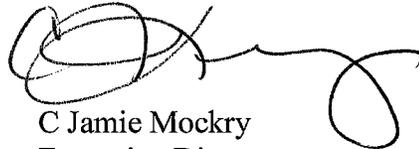


C. Jamie Mockry
Executive Director

AFFIDAVIT

I declare that the enclosed copy of the Federal Tax Return for the McCook Chamber of Commerce is a true and correct copy as filed with the IRS.

McCook Area Chamber of Commerce

A handwritten signature in black ink, appearing to read 'C Jamie Mockry', with a large, stylized flourish at the end.

C Jamie Mockry
Executive Director

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)

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: McCook Chamber of Commerce

ADDRESS: 203 West 2nd PO Box 337

CITY McCook ZIP 69001

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

BUILDING NAME Wagner Chevrolet

ADDRESS: 201 East B 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 02/13/16 10/12/16	Date	Date	Date	Date	Date
Hours From 400 pm	Hours From	Hours From	Hours From	Hours From	Hours From
To	To	To	To	To	To
100 AM					

- 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 Chamber networking and opening ceremonies to Heritage Days weekend

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 250 x 150
 (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? _____

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)

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 BYO
(includes wineries)

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

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 C Jamie Mockry

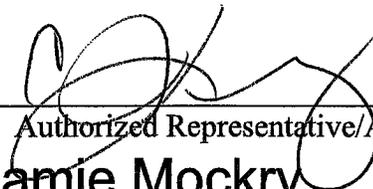
Signature of Event Supervisor 

Event Supervisor phone: Before 3083-345-3200 During 308-340-6332

Email address director@mccookchamber.org

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

Executive Director 8/12/2016
Title Date

C Jamie Mockry
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.

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.

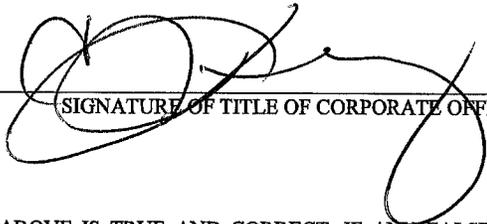
I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

McCook Chamber of Commerce

NAME OF CORPORATION

47-0233780

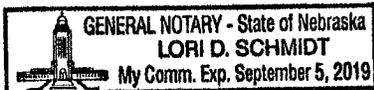
FEDERAL ID NUMBER


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 12th DAY OF

August, 2016.




NOTARY PUBLIC SIGNATURE & SEAL

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: 1C

Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for the Heritage Days opening ceremonies to be held at McCook National Bank, 220 Norris Avenue, on September 21, 2016 from 5:00 P.M. to 11:00 P.M.

BACKGROUND:

The Chamber will be hosting this event. 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 the McCook Chamber of Commerce for the Heritage Days opening ceremonies to be held at McCook National Bank, 220 Norris Avenue, on September 21, 2016 from 5:00 P.M. to 11:00 P.M.

APPROVALS:

Lea Ann Doak, City Clerk

August 23, 2016



Nathan A. Schneider, City Manager

August 23, 2016

AFFIDAVIT

I declare that the enclosed copy of the Federal Tax Return for the McCook Chamber of Commerce is a true and correct copy as filed with the IRS.

McCook Area Chamber of Commerce



C. Jamie Mockry
Executive Director

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.

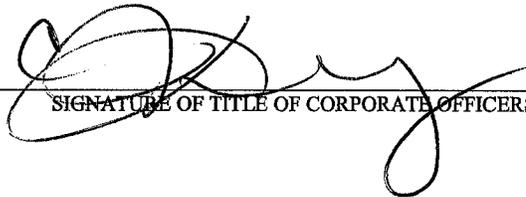
I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

McCook Chamber of Commerce

NAME OF CORPORATION

47-0233780

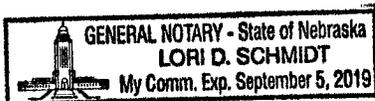
FEDERAL ID NUMBER


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 12th DAY OF

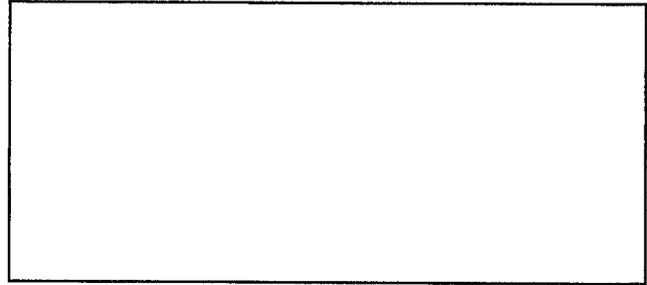
August, 2016.




NOTARY PUBLIC SIGNATURE & SEAL

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)



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: McCook Chamber of Commerce

ADDRESS: 203 West 2nd PO Box 337

CITY McCook ZIP 69001

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

BUILDING NAME McCook National Bank

ADDRESS: 220 Norris Avenue 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 9/21/2016	Date	Date	Date	Date	Date
Hours From 400 pm	Hours From	Hours From	Hours From	Hours From	Hours From
To 1100 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 Chamber networking and opening ceremonies to Heritage Days weekend

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 150 x 250
 (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? _____

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)

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 X Both ___ 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 C Jamie Mockry

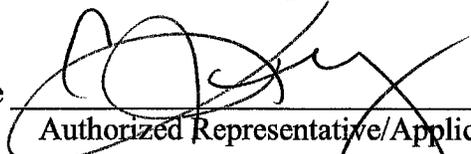
Signature of Event Supervisor 

Event Supervisor phone: Before 3083-345-3200 During 308-340-6332

Email address director@mccookchamber.org

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		Executive Director	8/12/2016
	Authorized Representative/Applicant	Title	Date
	<u>C Jamie Mockry</u>		
	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 29, 2016 CITY COUNCIL MEETING**

ITEM: 1D

Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 24 & 25, 2016;
for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 23, 2016 until Sunday evening, the 700 block of East 1st, the 100 block of East "H" Street beginning at 5:00 A.M., September 24, 2016 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 24, 2016 until after the parade, the 200 block of East "H" Street from East 1st to the alley between East 1st and East 2nd from 5:00 A.M. to 6:00 P.M. on Saturday, September 24, 2016 for a car show (IF NEEDED);
to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 24, 2016;
the use of City Streets around Norris Park from the conclusion of the parade until 6:00 P.M. on Saturday, September 24, 2016 for a car show.

BACKGROUND:

The McCook Area Chamber of Commerce requests permission to conduct their annual Heritage Days activities in McCook on September 23, 24, and 26, 2016.

The Chamber of Commerce requests to conduct a parade beginning at 10:00 A.M. on Saturday, September 24, 2016. The parade will necessitate the temporary closing of much of Norris Avenue and West "C" Street during the parade.

The Chamber of Commerce also requests the use of Norris Park and the bandshell, as well as the closing of the 700 block of East 1st Street, the 100 Block of East "H", the 100 block of East "G" Street and Norris Avenue from East "G" to East "H". The Chamber is also requesting the closing of the 100 block of West "G" street prior to the parade for the staging of parade entries. Overnight parking is also requested for the craft show vendors.

The Chamber of Commerce also requests the use of the area around Norris Park on Saturday for a car show which will begin following the parade and continue until 6:00 P.M on Saturday. In addition to the above street closing request, the Chamber would also like to reserve the right to close the 200 block of East "H" Street in case it is needed for the car show.

A certificate of Insurance Coverage has been requested.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

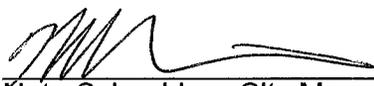
Approve the McCook Area Chamber of Commerce Heritage Days request for the use of Norris Park for the Arts & Crafts Show and the bandshell for entertainment on September 24 & 25, 2016;
for the closing of Norris Avenue from "G" Street to "H" Street - after the parade on Saturday until Sunday evening, the 100 block of East "G" Street beginning at 3:00 p.m. on Friday, September 23, 2016 until Sunday evening, the 700 block of East 1st, the 100 block of East "H" Street beginning at 5:00 A.M., September 24, 2016 until Sunday evening, the 100 block of West "G" street from 5:00 a.m. on Saturday September 24, 2016 until after the parade, the 200 block of East "H" Street from East 1st to the alley between East 1st and East 2nd from 5:00 A.M. to 6:00 P.M. on Saturday, September 24, 2016 for a car show (IF NEEDED);
to allow overnight parking for vendors around Norris Park; to conduct their parade on public streets on September 24, 2016;
the use of City Streets around Norris Park from the conclusion of the parade until 6:00 P.M. on Saturday, September 24, 2016 for a car show.

APPROVALS:



Kyle Potthoff, Public Works Director

August 24, 2016



Nate Schneider, City Manager

August 24, 2016

August 12, 2016

McCook City Council
Attn: Nate Schneider
P. O. Box 1059
McCook, NE 69001

Dear Nate Schneider and Council:

Please reserve time on the City Council agenda for your August 15 or 29, 2016 meeting to approve a request from the McCook Area Chamber of Commerce. We will be requesting permission for the following items during the Heritage Days which is scheduled for September 21-25.

1. We ask that the Council recommend approval of a request from the McCook Area Chamber of Commerce for the Heritage Days liquor license. We plan to have a mixer at McCook National Bank, 220 Norris Avenue, on Wednesday, September 21, 2016 from 5:00 to 7:30 p.m. Enclosed please find the paperwork you require.
2. The use of Norris Park for our annual Heritage Days Arts & Crafts Show as well as the Band Shell for entertainment on September 24 & 25. We will need use of the electricity at Norris Park as in past years for the food vendors and the entertainment including the sound system. We would also like to request the closing of East "G" Street from Norris Avenue to East 1st on Friday evening beginning at 3 p.m. so that our food vendors are able to set up. We further request the closing of the streets around Norris Park for September 24-25. Norris Avenue would be blocked off after the parade on Saturday and the remaining streets including "H", "G" and East 1st would be blocked off at 5:00 a.m. Saturday and remain closed throughout the weekend. Prior to the parade, we also request that G Street, between Norris Avenue and West 1st Street, be closed to vehicle parking. Also, due to the ever-growing car & tractor show, we would like to add a request to close East "H" Street to the alley between East 1st and East 2nd in the event that the other streets are filled and East 1st thru "I" Street. We also request overnight parking for the vendors on Norris Avenue that is closed off.

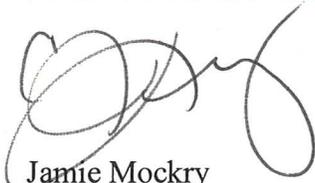
3. We also request permission to hold the annual parade. The parade will begin at 10:00 a.m. with the Flag Ceremony at the Norris Avenue flag pole at 9:45. The route is the same as last year's which begins at "F" street, proceeds South on Norris Avenue to "C" street and then West to 5th street. The parade will fall out and disband when they arrive at West 5th. We will also need to line parade entries on the side streets on both sides of Norris Avenue from "F" street North to "O" Street.

4. Our request includes permission to hold the Heritage Days Car Show and Tractor Show at Norris Park on Saturday, September 24, which will begin following the parade and continue until 4:00 p.m. The shows will be coordinated by Mike Towery and the Southwest Nebraska Tractor Club of McCook and will be located from Norris Avenue on East H Street to the alley between East 1st and East 2nd Street and on East 1st from the middle of East G and H Street thru "I" Street, of which are to be closed as per our request in Item #2 of this letter.

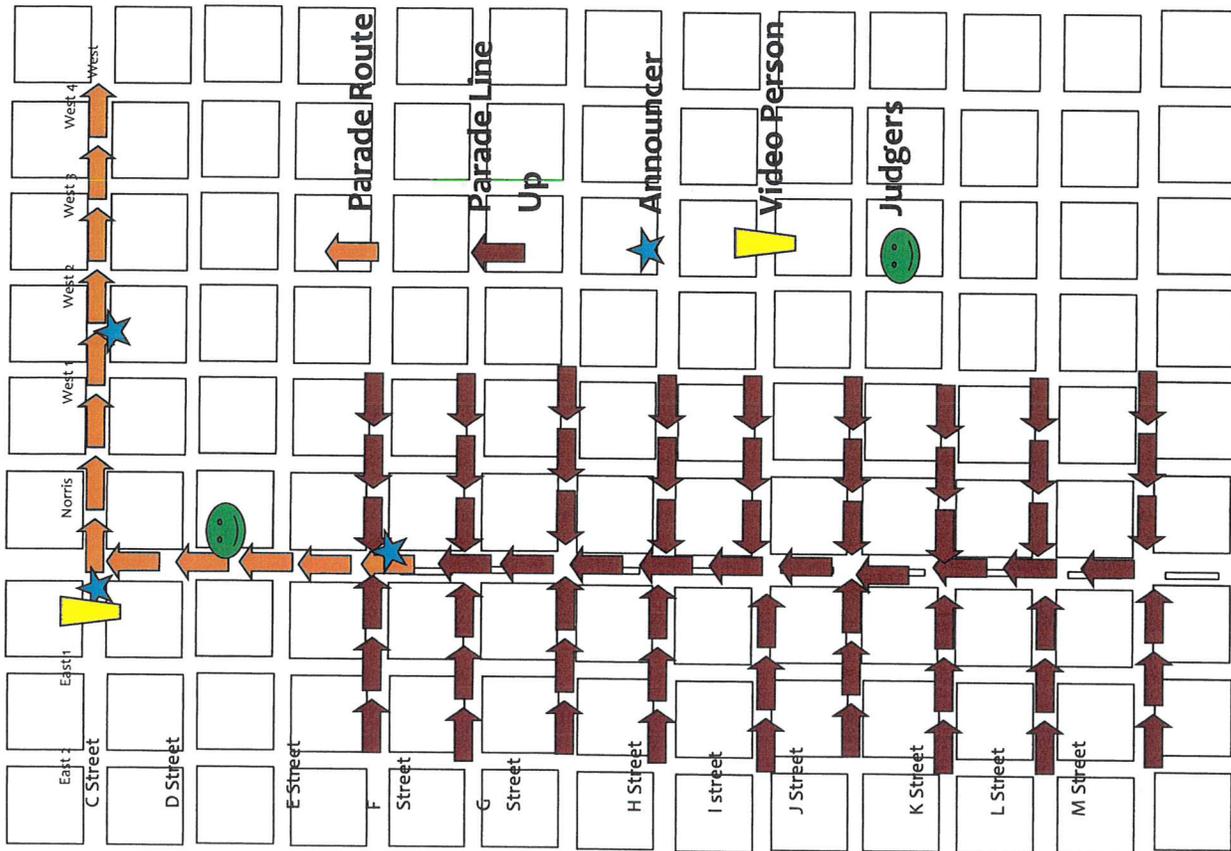
I will plan to attend the City Council meeting to answer any questions that may arise. However, if you have any questions regarding our request prior to the meeting, please contact me at the Chamber office at 345-3200.

Sincerely,

McCOOK AREA CHAMBER OF COMMERCE



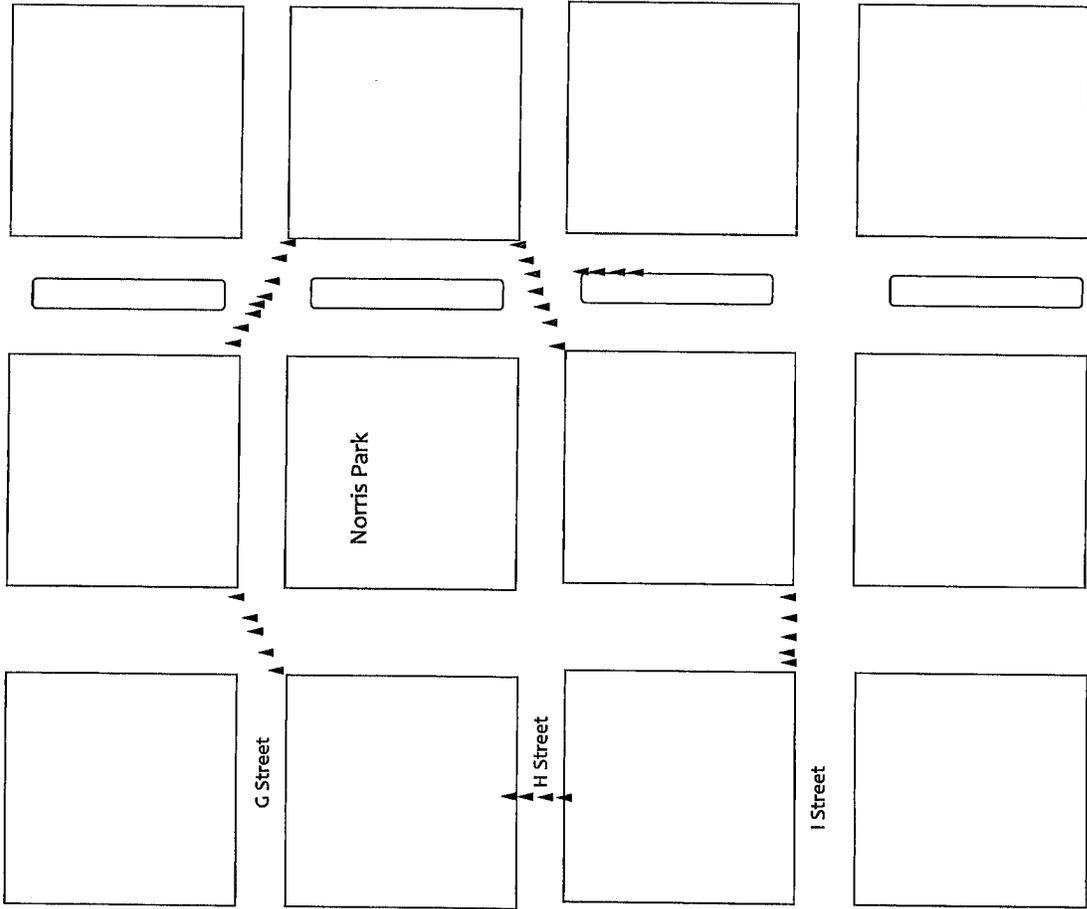
Jamie Mockry
Executive Director



F Street

East 1st

Norris



Form **990-EZ**

Short Form
Return of Organization Exempt From Income Tax
Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

2014

Department of the Treasury
Internal Revenue Service

Do not enter social security numbers on this form as it may be made public.
Information about Form 990-EZ and its instructions is at www.irs.gov/form990.

Open to Public Inspection

A For the 2014 calendar year, or tax year beginning 07/01/14, and ending 06/30/15

B Check if applicable: [] Address change, [] Name change, [] Initial return, [] Final return/terminated, [] Amended return, [] Application pending. C Name of organization: McCook Area Chamber of Commerce. D Employer identification number: 47-0233780. E Telephone number: 308-345-3200. F Group Exemption Number: []

G Accounting Method: [X] Cash, [] Accrual, Other (specify) []. H Check [X] if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF). I Website: aboutmccook.com. J Tax-exempt status (check only one) [] 501(c)(3), [X] 501(c)(6), [] 4947(a)(1) or [] 527.

K Form of organization: [X] Corporation, [] Trust, [] Association, [] Other. L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B) below) are \$500,000 or more, file Form 990 instead of Form 990-EZ. \$ 132,188

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)

Check if the organization used Schedule O to respond to any question in this Part I [X]

Table with 21 rows and 3 columns. Rows 1-9: Revenue. Rows 10-17: Expenses. Rows 18-21: Net Assets. Values include 72,729, 51,271, 1,688, 110, 110, 6,390, 132,188, 64,581, 12,586, 1,600, 77,932, 157,349, -25,161, 97,928, 72,767.

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: 1E

Approve and authorize the Mayor to sign the Certificate of Substantial Completion, Change Order No. 2-Final, and Pay Application Number 3-Final for the McCook Downtown Improvements 2015.

BACKGROUND:

These are the final documents for the Downtown Revitalization Community Development Block Grant Project. Grant funds were utilized for the East First Street downtown parking lot improvements and the Norris Avenue Walkway.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

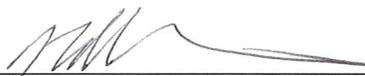
Approve and authorize the Mayor to sign the Certificate of Substantial Completion, Change Order No. 2-Final, and Pay Application Number 3-Final for the McCook Downtown Improvements 2015.

APPROVALS:



Kyle Potthoff, Public Works Director

August 24, 2016



Nathan A. Schneider, City Manager

August 24, 2016

CERTIFICATE OF SUBSTANTIAL COMPLETION

ENGINEER'S PROJECT NO.: 200-G1-018

PROJECT NAME: McCook Downtown Improvements 2015

CONTRACTOR: BSB Construction Inc.

CONTRACT FOR: \$373,877.25

AGREEMENT DATE: December 21, 2015

This Certificate of Substantial Completion applies to all work under the Contract Documents or to the following specified parts thereof:

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Amount</i>
1	Mobilization	1	L.S.	\$ 11,800.00	\$ 11,800.00
2	Common Earthwork				
	a. Excavation (E.Q.)	210	C.Y.	\$ 26.00	\$ 5,460.00
	b. Embankment (E.Q.)	40	C.Y.	\$ 48.00	\$ 1,920.00
	c. Planter Box Fill (E.Q.)	32	C.Y.	\$ 60.00	\$ 1,920.00
3	Overexcavate and Replace Unsuitable Base Material (if required)	100	C.Y.	\$ 17.00	\$ 1,700.00
4	Construct 6" Thick P.C. Concrete Pavement, Type 47B Modified	2030.5	S.Y.	\$ 41.25	\$ 83,758.13
5	Construct 6" Thick P.C. Concrete Sidewalk, Type 47B Modified	4190	S.F.	\$ 9.00	\$ 37,710.00
6	Construct Integral Curb	163	L.F.	\$ 23.00	\$ 3,749.00
7	Remove and Salvage Brick Pavers	36	S.Y.	\$ 42.00	\$ 1,512.00
8	Remove and Haul Concrete Pavement	216	S.Y.	\$ 15.50	\$ 3,348.00
9	Remove and Haul Asphalt Pavement	2022	S.Y.	\$ 5.00	\$ 10,110.00
10	Remove and Haul Curb and Gutter	213	L.F.	\$ 7.50	\$ 1,597.50
11	Remove and Haul Rock Surfacing	153	S.Y.	\$ 5.00	\$ 765.00
12	Remove and Haul Fence	25	L.F.	\$ 27.00	\$ 675.00
13	Remove and Replace 6" Concrete Pavement	7	S.Y.	\$ 88.00	\$ 616.00
14	Furnish and Install 24" Dia. Nyloplast Inline Drain w/ 15" Outlet	1	Each	\$ 1,385.00	\$ 1,385.00
15	Furnish and Install 8" Dia. Nyloplast Inline Drain w/4" Outlet	2	Each	\$ 430.00	\$ 860.00
16	Furnish and Install 4" Dia. Sch. 40 PVC	170	L.F.	\$ 24.50	\$ 4,165.00
17	Furnish and Install HDPE Pipe				
	a. 15" Diameter	3	L.F.	\$ 140.00	\$ 420.00
18	Construct Concrete Segmental Block Retaining Wall	1901	S.F.	\$ 16.75	\$ 31,841.75
19	Furnish and Install Geogrid Reinforcement	298	S.Y.	\$ 7.75	\$ 2,309.50
20	Furnish and Install Crushed Rock Foundation Course	581	L.F.	\$ 4.50	\$ 2,614.50
21	Furnish and Install 4" Diameter Perforated Drainage Pipe	460	L.F.	\$ 4.25	\$ 1,955.00
22	Furnish and Install Drainage & Infill Aggregate	66	C.Y.	\$ 62.00	\$ 4,092.00

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Amount</i>
23	Furnish and Install Aluminum Handrail	456	L.F.	\$ 110.25	\$ 50,274.00
24	Furnish and Install 3/4" Yard Hydrant	1	Each	\$ 557.00	\$ 557.00
25	Furnish and Install Sanitary Yard Hydrant	1	Each	\$ 1,324.00	\$ 1,324.00
26	Furnish and Install HDPE Service Line				
	a. 3/4'	8	L.F.	\$ 15.00	\$ 120.00
	b. 1"	216	L.F.	\$ 14.50	\$ 3,132.00
27	Furnish and Install 1" Service Connection	1	Each	\$ 300.00	\$ 300.00
28	Furnish and Install 1" Curb Stop and Box	2	Each	\$ 784.00	\$ 1,568.00
29	Furnish and Install Planter Box Irrigation System	1	Each	\$ 2,900.00	\$ 2,900.00
30	Furnish and Install Irrigation Pipe Sleeve	180	L.F.	\$ 7.50	\$ 1,350.00
31	Construct Concrete Bollard	2	Each	\$ 410.00	\$ 820.00
32	Furnish and Construct Parking Canopy	1	L.S.	\$ 53,800.00	\$ 53,800.00
33	Furnish and Apply				
	a. 4" White Stripe	1000	L.F.	\$ 1.75	\$ 1,750.00
	b. 4" Yellow Stripe	414	L.F.	\$ 2.00	\$ 828.00
	c. Accessibility Symbol	3	Each	\$ 200.00	\$ 600.00
34	Furnish and Install 1 1/2" Sch. 40 PVC Electrical Conduit	360	L.F.	\$ 4.50	\$ 1,620.00
35	Furnish and Install Pedestal Meter Mount with Breaker Box	1	Each	\$ 1,328.00	\$ 1,328.00
36	Furnish and Install 120 V GFCI Outlets Mounted In Lockable Boxes	4	Each	\$ 158.00	\$ 632.00
37	Furnish and Install Light Post	3	Each	\$ 5,956.00	\$ 17,868.00
38	Furnish and Install Electrical Wire	360	L.F.	\$ 4.25	\$ 1,530.00
39	Furnish and Install Electrical Pull Boxes	1	Each	\$ 365.00	\$ 365.00
40	Construct Downspout Modification	2	Each	\$ 250.00	\$ 500.00
41	Furnish and Apply Stucco Finish	1990	S.F.	\$ 11.50	\$ 22,885.00
42	Construct Accessible Ramp	1	L.S.	\$ 8,400.00	\$ 8,400.00
43	Remove and Haul Chain Link Fence	130	L.F.	\$ 4.50	\$ 585.00
44	Furnish and Install 4 Ft. Tall Chain Link Fence, Black PVC Coating	148	L.F.	\$ 67.00	\$ 9,916.00
A	Saw cut in south parking lot	143	L.F.	\$ 3.50	\$ 500.50
B	Construct 6" thick concrete in south parking lot	15.88	S.Y.	\$ 24.00	\$ 381.12
C	Remove & Haul existing concrete wall in south parking lot	143	L.F.	\$ 7.00	\$ 1,001.00
D	Remove sign base & pour back	1.33	S.Y.	\$ 40.00	\$ 53.20
E	Electrical Outlet additions- 3 additional on poles, and 1 more additional on canopy	1	L.S.	\$ 770.00	\$ 770.00
F	Construct Headwall for Pipe Outlet	1	L.S.	\$ 400.00	\$ 400.00
G	Canopy Column Length Adjustment	1	L.S.	\$ 2,440.00	\$ 2,440.00
H	Trench Drain and Associated Piping	1	L.S.	\$ 587.00	\$ 587.00
I	Basement Waterproofing	1	L.S.	\$ 412.00	\$ 412.00
TOTAL CONSTRUCTION COST					\$ 407,780.20

TO: BSB Construction Inc.

AND TO: City of McCook

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR, and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on:

Date of Completion: August 18, 2016

The following documents are attached to and made a part of this Certificate:

FINAL PAY ESTIMATE
CHANGE ORDER #2

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on this ____ day of _____, in the year 2016.

**MILLER & ASSOCIATES
CONSULTING ENGINEERS, P.C.**

By _____

The CONTRACTOR accepts this Certificate of Substantial Completion on the ____ day of _____, in the year 2016.

BSB CONSTRUCTION INC.

By _____

The OWNER accepts this Certificate of Substantial Completion on the ____ day of _____, in the year 2016.

CITY OF MCCOOK

By _____

Order No. 2-FINAL
 Effective Date: 8/18/2016
 Agreement Date: 12/21/2015
 Project No. 200-G1-018

NAME OF PROJECT: McCook Downtown Improvements 2015

OWNER: City of McCook

CONTRACTOR: BSB Construction Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

CHANGE ORDER NO. 2-FINAL

ITEM NO.	DESCRIPTION	CONTRACT/INSTALLED QUANTITY			DIFFERENCE	UNIT PRICE	ADD/ DEDUCT
2	Common Earthwork a. Excavation (E.Q.)	162	210	C.Y.	48	\$ 26.00	\$ 1,248.00
4	Construct 6" Thick P.C. Concrete Pavement, Type 47B Modified	2000	2030.5	S.Y.	30.5	\$ 41.25	\$ 1,258.13
5	Construct 6" Thick P.C. Concrete Sidewalk, Type 47B Modified	3400	4190	S.F.	790	\$ 9.00	\$ 7,110.00
6	Construct Integral Curb	340	163	L.F.	-177	\$ 23.00	\$ (4,071.00)
8	Remove and Haul Concrete Pavement	95	216	S.Y.	121	\$ 15.50	\$ 1,875.50
9	Remove and Haul Asphalt Pavement	3290	2022	S.Y.	-1268	\$ 5.00	\$ (6,340.00)
10	Remove and Haul Curb and Gutter	200	213	L.F.	13	\$ 7.50	\$ 97.50
11	Remove and Haul Rock Surfacing	160	153	S.Y.	-7	\$ 5.00	\$ (35.00)
16	Furnish and Install 4" Dia. Sch. 40 PVC	60	170	L.F.	110	\$ 24.50	\$ 2,695.00
18	Construct Concrete Segmental Block Retaining Wall	1583	1901	S.F.	318	\$ 16.75	\$ 5,326.50
19	Furnish and Install Geogrid Reinforcement	196	298	S.Y.	102	\$ 7.75	\$ 790.50
21	Furnish and Install 4" Diameter Perforated Drainage Pipe	449	460	L.F.	11	\$ 4.25	\$ 46.75
22	Furnish and Install Drainage & Infill Aggregate	60	66	C.Y.	6	\$ 62.00	\$ 372.00
23	Furnish and Install Aluminum Handrail	301	456	L.F.	155	\$ 110.25	\$ 17,088.75
26	Furnish and Install HDPE Service Line b. 1"	245	216	L.F.	-29	\$ 14.50	\$ (420.50)

ITEM NO.	DESCRIPTION	CONTRACT/INSTALLED QUANTITY			DIFFERENCE	UNIT PRICE	ADD/ DEDUCT
31	Construct Concrete Bollard	3	2	Each	-1	\$ 410.00	\$ (410.00)
39	Furnish and Install Electrical Pull Boxes	3	1	Each	-2	\$ 365.00	\$ (730.00)
40	Construct Downspout Modification	1	2	Each	1	\$ 250.00	\$ 250.00
44	Furnish and Install 4 Ft. Tall Chain Link Fence, Black PVC Coating	130	148	L.F.	18	\$ 67.00	\$ 1,206.00
H	Trench Drain and Associated Piping	0	1	L.S.	1	\$ 587.00	\$ 587.00
I	Basement Waterproofing	0	1	L.S.	1	\$ 412.00	\$ 412.00
TOTAL ADJUSTED CHANGE ORDER PRICE							\$ 28,357.13

JUSTIFICATION: To adjust contract quantities to actual quantities installed.

Change to CONTRACT PRICE:

ORIGINAL CONTRACT PRICE:	\$ 373,877.25
Net increase resulting from previous CHANGE ORDER	\$ 5,545.82
Net increase resulting from this CHANGE ORDER:	\$ 28,357.13
The new CONTRACT PRICE including this CHANGE ORDER will be:	\$ 407,780.20

Change to CONTRACT TIME:

The CONTRACT TIME will be increased to reflect a completion date of August 18, 2016

Approvals Required: To be effective, this order must be approved as required by the General Conditions.

Approved by: _____, **BSB CONSTRUCTION INC.**

Approved by: _____, **CITY OF MCCOOK**

Approved by: _____, **MILLER & ASSOCIATES**

APPLICATION FOR PAYMENT

PROJECT: McCook Downtown Improvements 2015

ENGINEER: Miller & Associates, Consulting Engineers, P.C.

ENGINEER'S PROJECT NO. M&A # 200-G1-018

CONTRACTOR: BSB Construction Inc.

CONTRACT FOR: McCook Downtown Improvements 2015

APPLICATION DATE: 08/18/16

APPLICATION NO.: 3-Final

FOR WORK ACCOMPLISHED THROUGH THE DATE OF: August 18, 2016

TO: (OWNER) City of McCook
 PO Box 1059
 505 West C Street
 McCook, NE 69001

CHANGE ORDER SUMMARY:

Continuation sheets are attached.

Change orders approved in previous month by Owner.

Application is made for payment, as shown below in connection with the Contract.

The present status of the account is as follows:

ORIGINAL CONTRACT PRICE.....	\$	373,877.25
Net Change by Change Orders & Written Amendments	\$	33,902.95
CURRENT CONTRACT PRICE.....	\$	407,780.20
TOTAL COMPLETED & STORED TO DATE.....	\$	407,780.20
LESS RETAINAGE : 0%	\$	-
TOTAL COMPLETED & STORED TO DATE LESS RETAINAGE	\$	407,780.20
LESS PREVIOUS APPLICATION FOR PAYMENT.....	\$	344,368.71
AMOUNT DUE THIS APPLICATION.....	\$	63,411.49

CO #	DATE	ADDITIONS	DEDUCTIONS
1	6/6/16	\$5,545.82	
2	8/18/16	\$28,357.13	
3			
4			
5			
TOTAL		\$33,902.95	
NET CHANGE		\$33,902.95	

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract referred to above have been applied to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1-2, inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract.

ENGINEER: MILLER & ASSOCIATES

By: _____

<input type="checkbox"/>	Owner
<input type="checkbox"/>	Contractor
<input type="checkbox"/>	Engineer
<input type="checkbox"/>	CDBG

OWNER: CITY OF McCOOK

BY: _____

CONTRACTOR: BSB CONSTRUCTION, INC.

By: _____ Date: _____

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET

APPLICATION NUMBER: 3-Final

APPLICATION DATE: 8/18/16

FOR WORK ACCOMPLISHED THROUGH : 8/18/16

ENGINEER'S PROJECT #: 200-G1-018

ITEM NO.	DESCRIPTION OF WORK	ESTIMATED QUANTITY	UNIT	UNIT PRICE	QUANTITY COMPLETED TO DATE	TOTAL COMPLETED	STORED TO DATE	TOTAL COMPLETED AND STORED TO DATE
1	Mobilization							
2	Common Earthwork	1	L.S.	\$ 11,800.00	1	\$ 11,800.00		\$ 11,800.00
	a. Excavation (E.Q.)							
	b. Embankment (E.Q.)	162	C.Y.	\$ 26.00	210	\$ 5,460.00		\$ 5,460.00
	c. Planter Box Fill (E.Q.)	40	C.Y.	\$ 48.00	40	\$ 1,920.00		\$ 1,920.00
	Overexcavate and Replace Unsuitable Base Material (if required)	32	C.Y.	\$ 60.00	32	\$ 1,920.00		\$ 1,920.00
3	Construct 6" Thick P.C. Concrete Pavement, Type 47B Modified	100	C.Y.	\$ 17.00	100	\$ 1,700.00		\$ 1,700.00
4	Construct 6" Thick P.C. Concrete Sidewalk, Type 47B Modified	2000	S.Y.	\$ 41.25	2030.5	\$ 83,758.13		\$ 83,758.13
5	Construct Integral Curb	3400	S.F.	\$ 9.00	4190	\$ 37,710.00		\$ 37,710.00
6	Remove and Salvage Brick Pavers	340	L.F.	\$ 23.00	163	\$ 3,749.00		\$ 3,749.00
7	Remove and Haul Concrete Pavement	36	S.Y.	\$ 42.00	36	\$ 1,512.00		\$ 1,512.00
8	Remove and Haul Asphalt Pavement	95	S.Y.	\$ 15.50	216	\$ 3,348.00		\$ 3,348.00
9	Remove and Haul Curb and Gutter	3290	S.Y.	\$ 5.00	2022	\$ 10,110.00		\$ 10,110.00
10	Remove and Haul Rock Surfacing	200	L.F.	\$ 7.50	213	\$ 1,597.50		\$ 1,597.50
11	Remove and Haul Fence	160	S.Y.	\$ 5.00	153	\$ 765.00		\$ 765.00
12	Remove and Replace 6" Concrete Pavement	25	L.F.	\$ 27.00	25	\$ 675.00		\$ 675.00
13	Furnish and Install 24" Dia. Nyloplast Inline Drain w/ 15" Outlet	7	S.Y.	\$ 88.00	7	\$ 616.00		\$ 616.00
14	Furnish and Install 8" Dia. Nyloplast Inline Drain w/4" Outlet	1	Each	\$ 1,385.00	1	\$ 1,385.00		\$ 1,385.00
15	Furnish and Install 4" Dia. Sch. 40 PVC	2	Each	\$ 430.00	2	\$ 860.00		\$ 860.00
16	Furnish and Install HDPE Pipe	60	L.F.	\$ 24.50	170	\$ 4,165.00		\$ 4,165.00
	a. 15" Diameter							
	Construct Concrete Segmental Block Retaining Wall	3	L.F.	\$ 140.00	3	\$ 420.00		\$ 420.00
18	Furnish and Install Geogrid Reinforcement	1583	S.F.	\$ 16.75	1901	\$ 31,841.75		\$ 31,841.75
19	Furnish and Install Crushed Rock Foundation Course	196	S.Y.	\$ 7.75	298	\$ 2,309.50		\$ 2,309.50
20		581	L.F.	\$ 4.50	581	\$ 2,614.50		\$ 2,614.50

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET

APPLICATION NUMBER: 3-Final

APPLICATION DATE: 8/18/16

FOR WORK ACCOMPLISHED THROUGH : 8/18/16

ENGINEER'S PROJECT #: 200-G1-018

ITEM NO.	DESCRIPTION OF WORK	ESTIMATED QUANTITY	UNIT	UNIT PRICE	QUANTITY COMPLETED TO DATE	TOTAL COMPLETED	STORED TO DATE	TOTAL COMPLETED AND STORED TO DATE
21	Furnish and Install 4" Diameter Perforated Drainage Pipe	449	L.F.	\$ 4.25	460	\$ 1,955.00		\$ 1,955.00
22	Furnish and Install Drainage & Infill Aggregate	60	C.Y.	\$ 62.00	66	\$ 4,092.00		\$ 4,092.00
23	Furnish and Install Aluminum Handrail	301	L.F.	\$ 110.25	456	\$ 50,274.00		\$ 50,274.00
24	Furnish and Install 3/4" Yard Hydrant	1	Each	\$ 557.00	1	\$ 557.00		\$ 557.00
25	Furnish and Install Sanitary Yard Hydrant	1	Each	\$ 1,324.00	1	\$ 1,324.00		\$ 1,324.00
26	Furnish and Install HDPE Service Line							
	a. 3/4"	8	L.F.	\$ 15.00	8	\$ 120.00		\$ 120.00
	b. 1"	245	L.F.	\$ 14.50	216	\$ 3,132.00		\$ 3,132.00
27	Furnish and Install 1" Service Connection	1	Each	\$ 300.00	1	\$ 300.00		\$ 300.00
28	Furnish and Install 1" Curb Stop and Box	2	Each	\$ 784.00	2	\$ 1,568.00		\$ 1,568.00
29	Furnish and Install Planter Box Irrigation System	1	Each	\$ 2,900.00	1	\$ 2,900.00		\$ 2,900.00
30	Furnish and Install Irrigation Pipe Sleeve	180	L.F.	\$ 7.50	180	\$ 1,350.00		\$ 1,350.00
31	Construct Concrete Bollard	3	Each	\$ 410.00	2	\$ 820.00		\$ 820.00
32	Furnish and Construct Parking Canopy	1	L.S.	\$ 53,800.00	1	\$ 53,800.00		\$ 53,800.00
33	Furnish and Apply							
	a. 4" White Stripe	1000	L.F.	\$ 1.75	1000	\$ 1,750.00		\$ 1,750.00
	b. 4" Yellow Stripe	414	L.F.	\$ 2.00	414	\$ 828.00		\$ 828.00
	c. Accessibility Symbol	3	Each	\$ 200.00	3	\$ 600.00		\$ 600.00
34	Furnish and Install 1 1/2" Sch. 40 PVC Electrical Conduit	360	L.F.	\$ 4.50	360	\$ 1,620.00		\$ 1,620.00
35	Furnish and Install Pedestal Meter Mount with Breaker Box	1	Each	\$ 1,328.00	1	\$ 1,328.00		\$ 1,328.00
36	Furnish and Install 120 V GFCI Outlets Mounted In Lockable Boxes	4	Each	\$ 158.00	4	\$ 632.00		\$ 632.00
37	Furnish and Install Light Post	3	Each	\$ 5,956.00	3	\$ 17,868.00		\$ 17,868.00
38	Furnish and Install Electrical Wire	360	L.F.	\$ 4.25	360	\$ 1,530.00		\$ 1,530.00
39	Furnish and Install Electrical Pull Boxes	3	Each	\$ 365.00	1	\$ 365.00		\$ 365.00
40	Construct Downspout Modification	1	Each	\$ 250.00	2	\$ 500.00		\$ 500.00
41	Furnish and Apply Stucco Finish	1990	S.F.	\$ 11.50	1990	\$ 22,885.00		\$ 22,885.00
42	Construct Accessible Ramp	1	L.S.	\$ 8,400.00	1	\$ 8,400.00		\$ 8,400.00
43	Remove and Haul Chain Link Fence	130	L.F.	\$ 4.50	130	\$ 585.00		\$ 585.00

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET

APPLICATION NUMBER: 3-Final

APPLICATION DATE: 8/18/16

FOR WORK ACCOMPLISHED THROUGH : 8/18/16

ENGINEER'S PROJECT #: 200-G1-018

ITEM NO.	DESCRIPTION OF WORK	ESTIMATED QUANTITY	UNIT	UNIT PRICE	QUANTITY COMPLETED TO DATE	TOTAL COMPLETED	STORED TO DATE	TOTAL COMPLETED AND STORED TO DATE
44	Furnish and Install 4 Ft. Tall Chain Link Fence, Black PVC Coating	130	L.F.	\$ 67.00	148	\$ 9,916.00		\$ 9,916.00
A	Saw cut in south parking lot	143	L.F.	\$ 3.50	143	\$ 500.50		\$ 500.50
B.	Construct 6" thick concrete in south parking lot	15.88	S.Y.	\$ 24.00	15.88	\$ 381.12		\$ 381.12
C	Remove & Haul existing concrete wall in south parking lot	143	L.F.	\$ 7.00	143	\$ 1,001.00		\$ 1,001.00
D	Remove sign base & pour back	1.33	S.Y.	\$ 40.00	1.33	\$ 53.20		\$ 53.20
E.	Electrical Outlet additions- 3 additional on poles, and 1 more additional on canopy	1	L.S.	\$ 770.00	1	\$ 770.00		\$ 770.00
F.	Construct Headwall for Pipe Outlet	1	L.S.	\$ 400.00	1	\$ 400.00		\$ 400.00
G.	Canopy Column Length Adjustment	1	L.S.	\$ 2,440.00	1	\$ 2,440.00		\$ 2,440.00
H.	Trench Drain and Associated Piping	0	L.S.	\$ 587.00	1	\$ 587.00		\$ 587.00
I.	Basement Waterproofing	0	L.S.	\$ 412.00	1	\$ 412.00		\$ 412.00
Total						\$ 407,780.20		\$ 407,780.20

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM NO. 2A Receive and file a presentation from Brad Slaughter of Ameritas regarding the potential refinancing of SRF loans between the City of McCook and the Nebraska Department of Environmental Quality.

BACKGROUND:

Currently, the City has four outstanding loans with NDEQ, two of which funded past water system improvements and two funding past sewer system improvements. The two sewer loans have an outstanding principal balance of \$127,130 and \$2,155,000, respectively. The smaller loan is at a rate of 3.5%, with the larger loan outstanding at 4%. The City also has \$6,735,000 in water debt outstanding at a rate of 3.8%; the remaining water loan contains a loan clause not allowing for refinance until a later date (2019).

We propose refinancing these three notes into one Combined Utilities Revenue Bond. By refinancing these three loans into one bond, we can drop the effective rate on the debt from a range of 3.5%-4% to around 2.8%-2.9%. This decreased interest expense will generate over \$700,000 in savings. We would look to market bonds in September, after the Council would take formal action to refinance at its meeting on September 6th. The Nebraska Department of Environmental Quality is in full support of the City's actions to refinance this outstanding debt. By paying the City's loans off early, NDEQ will be provided with funds which can then be provided to other communities in the state attempting to locate financing.

RECOMMENDATIONS:

ITEM NO. 2A Receive and file a presentation from Brad Slaughter of Ameritas regarding the potential refinancing of SRF loans between the City of McCook and the Nebraska Department of Environmental Quality.

APPROVALS:


Nathan A. Schneider, City Manager

August 24, 2016


Lea Ann Doak, City Clerk

August 24, 2016

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: 2B

Approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016/2017 upon its second reading.

BACKGROUND:

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

A \$.03 increase in the levy, times the new valuation an additional \$111,032 is generated in Ad Valorem Tax - as indicated on page 17 of the attachments. After the adjustments approved at the August 15 meeting, the shortage went from a negative \$239,527 to a positive \$4,498.

Attachments - GENERAL FUND:

- P. 17 - adjustment to Ad Valorem Tax for \$.03 increase in levy times the new valuation.
- P. 34 - change in police salaries from the removal of cost of living included for personnel cover by the police union contract
- P. 36 - removal of the \$10,000 for transfer to Police Equipment Reserve and removal of one police vehicle in the amount of \$27,000
- P. 45 - removal of SCBA Quick Release Brackets - \$2,000, Nozzles - \$4,000, and Paratech Vehicle Stabilization Kit - \$3,500
- P. 84 - \$75,000 reduction in transfer to Health Operating
- P. 85 - General Fund Total Expenditures indicating that Revenue Over/ (Under) went from (\$239,527) to \$4,498 with the above changes

INTERNAL SERVICE FUND:

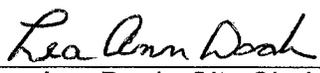
- P. 186 and P. 189 - changes to revenues and expenditures due to the reduction in the transfer from General Fund by \$75,000

**FISCAL
IMPACT:** None.

RECOMMENDATION:

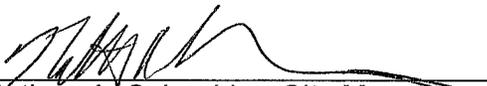
Approve Ordinance No. 2016-2937 providing for the adoption of the budget for FY 2016-2017 upon its second reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 24, 2016



Nathan A. Schneider, City Manager

August 24, 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

**CERTIFICATION OF TAXABLE VALUE
And VALUE ATTRIBUTABLE TO GROWTH**

{format for all political subdivisions other than
a) sanitary improvement districts in existence five years or less.
b) community colleges, and c) school districts}

TAX YEAR 2016

(certification required on or before August 20th, of each year)

TO : CITY OF MCCOOK GEN

TAXABLE VALUE LOCATED IN THE COUNTY OF RED WILLOW COUNTY

Name of Political Subdivision	Subdivision Type (e.g. city, fire, NRD)	Value attributable to Growth	Total Taxable Value
CITY OF MCCOOK GEN	CITY/VILLAGE	1,735,815	356,161,484

**Value attributable to growth is determined pursuant to section 13-518 which includes real and personal property and annexation, if applicable.*

I Sandra K Kotschwar, Red Willow County Assessor hereby certify that the valuation listed herein is to the best of my knowledge and belief, the true and accurate taxable valuation for the current year, pursuant to Neb. Rev. Stat. 13-509 and 13-518.

Sandra K. Kotschwar

(signature of county assessor)

8/17/16

(date)

CC: County Clerk, Red Willow County

CC: County Clerk where district is headquartered, if different county, Red Willow

Vote to political subdivision: A copy of the Certification of Value must be attached to your budget document.

Guideline form provided by Nebraska Depr. of Revenue Property Assessment Division, Rev. 2016

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND

DEPARTMENTAL REVENUES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(-----) 2015-2016 CURRENT BUDGET	(-----) 2015-2016 Y-T-D ACTUAL	(-----) 2015-2016 PROJECTED YEAR END	(-----) 2016-2017 REQUESTED BUDGET	(-----) 2016-2017 PROPOSED BUDGET
GENERAL REVENUE =====								
TAXES								
10-000-41000 AD VALOREM TAX	953,332	1,008,656	1,106,332	1,132,128	778,285	1,065,000	1,132,128	1,243,160
10-000-41010 GENERAL OCCUPATION TAXES	7,607	7,200	6,913	7,000	6,995	7,000	7,000	7,000
10-000-41020 CABLE TV FRANCHISE TAX	42,310	29,465	37,579	35,000	36,806	35,000	35,000	35,000
10-000-41030 HOMESTEAD ALLOCATION	45,251	42,925	46,102	0	52,773	50,000	0	0
10-000-41040 STATE-AID TO CITIES	0	0	0	0	0	0	0	0
10-000-41060 TELEPHONE OCCUPATION TAX	26,704	32,938	21,909	15,000	18,256	15,000	15,000	15,000
10-000-41065 MOBILE TELECOMM OCC TAX	0	0	0	0	0	0	0	0
10-000-41090 PUBLIC POWER IN-LIEU OF TAXES	95,194	102,481	109,532	95,000	110,054	110,000	100,000	100,000
10-000-41100 PRO-RATE MOTOR VEHICLE	4,332	4,171	4,134	4,000	4,186	4,000	4,000	4,000
10-000-41110 NATURAL GAS FRANCHISE TAX	30,327	31,363	55,222	30,000	53,274	42,000	30,000	30,000
10-000-41130 MOTOR VEHICLE (LOCAL)	161,719	164,827	176,380	150,000	156,892	165,000	160,000	160,000
10-000-41140 MUNICIPAL EQUALIZATION FUND	346,464	365,153	338,562	340,000	289,778	340,000	345,000	345,000
10-000-41160 SALES TAX	679,880	775,106	800,877	736,667	694,119	736,667	736,667	736,667
10-000-41170 MOTOR VEHICLE SALES TAX	<u>190,510</u>	<u>200,873</u>	<u>213,273</u>	<u>190,000</u>	<u>167,772</u>	<u>190,000</u>	<u>190,000</u>	<u>190,000</u>
TOTAL TAXES	2,583,632	2,765,158	2,916,816	2,734,795	2,369,190	2,759,667	2,754,795	2,865,827
LICENSES PERMITS & FEES								
10-000-42000 BUILDING PERMITS	32,297	28,566	42,805	25,000	25,451	25,000	25,000	25,000
10-000-42010 AMBULANCE FEES	269,588	280,551	302,670	275,000	291,294	290,000	280,000	280,000
10-000-42040 ALARM FEES	5,575	5,050	5,651	5,200	5,835	5,835	5,200	5,200
10-000-42060 MONUMENT PERMITS	1,140	1,140	1,410	1,000	1,410	1,300	1,000	1,000
10-000-42100 OTHER PERMITS	4,906	2,640	4,190	3,000	2,535	2,500	3,000	3,000
10-000-42120 FIREWORKS PERMITS	375	525	300	450	525	450	450	450

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CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND
 POLICE

DEPARTMENTAL EXPENDITURES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(-----) 2015-2016 (-----) CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	(-----) 2016-2017 (-----) REQUESTED BUDGET	PROPOSED BUDGET
<u>PERSONAL SERVICES</u>								
10-005-51010 SALARIES	952,092	991,766	1,003,803	1,077,008	949,911	1,041,000	1,101,575	1,090,082
10-005-51025 HOLIDAY PAY	37,460	40,428	42,836	45,000	33,381	45,000	45,000	45,000
10-005-51040 PENSION	58,710	64,085	66,004	74,159	66,358	72,000	81,660	81,660
10-005-51050 OVERTIME	24,255	17,493	18,529	18,500	21,510	24,000	20,000	20,000
10-005-51070 SOCIAL SECURITY	74,257	77,253	78,362	88,000	73,390	84,000	90,000	90,000
10-005-51100 AIRPORT SECURITY	17,008	1,038	0	15,000	0	5,000	15,000	15,000
TOTAL PERSONAL SERVICES	1,163,782	1,192,062	1,209,534	1,317,667	1,144,550	1,271,000	1,353,235	1,341,742
<u>SUPPLIES</u>								
10-005-52010 OFFICE SUPPLIES	4,527	3,290	3,728	4,500	3,853	4,500	4,500	4,500
10-005-52130 CLOTHING ALLOWANCE	6,266	5,007	6,751	8,000	5,324	8,000	8,000	8,000
10-005-52260 BUILDING MAINTENANCE & SUPPLI	3,386	2,250	1,964	3,000	1,941	2,500	3,000	3,000
10-005-52290 R & M RADIO	6,140	3,333	2,818	4,000	4,901	4,400	4,000	4,000
10-005-52430 VEHICLE REPAIRS	7,055	4,077	9,870	8,000	8,874	8,000	8,000	8,000
10-005-52450 VEHICLE EXPENSE	37,371	54,158	24,954	40,000	18,281	20,000	30,000	30,000
10-005-52470 TIRES, CHAINS, & BATTERIES	2,207	2,512	1,735	3,250	1,433	2,500	3,250	3,250
10-005-52510 PRISONER CARE	2,327	0	0	0	0	0	0	0
10-005-52515 TESTING/EXAMS/MEDICAL	0	642	733	5,000	0	3,000	5,000	5,000
10-005-52550 JAIL SUPPLIES	696	0	0	0	0	0	0	0
10-005-52560 PHOTOS & AMMUNITION	3,024	4,398	3,829	4,500	3,490	4,500	4,500	4,500
10-005-52650 TRAINING SUPPLIES	0	0	0	500	500	500	500	500
10-005-52750 POLICE EQUIPMENT	0	0	6,772	7,100	0	7,100	14,640	14,640
TOTAL SUPPLIES	72,999	79,667	63,153	87,850	48,597	65,000	85,390	85,390

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND
 POLICE

DEPARTMENTAL EXPENDITURES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016			2016-2017	
				CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET	PROPOSED BUDGET
10-005-54950 TRAINING	3,584	3,870	3,685	4,000	2,887	4,000	4,000	4,000
10-005-54965 EMPLOYEE EVALUATIONS/PHYSICAL	707	120	525	750	270	750	750	750
TOTAL OTHER SERVICES & CHARGES	122,014	126,937	132,097	142,084	111,715	133,167	143,010	143,010
<u>BUDGETED TRANSFERS</u>								
10-005-55010 TRANS POLICE RADIO EQUIP RESE	10,000	10,000	0	0	0	0	10,000	0
TOTAL BUDGETED TRANSFERS	10,000	10,000	0	0	0	0	10,000	0
<u>CAPITAL OUTLAY</u>								
10-005-56030 OTHER IMPROVEMENTS	0	0	0	0	0	0	0	0
10-005-56040 MACHINERY & EQUIPMENT	54,656	1,759	6,200	63,000	71,406	71,406	70,800	43,800
POLICE VEHICLE	1 27,000.00						70,800	
BALLISTIC VESTS	0 0.00						27,000	
TOTAL CAPITAL OUTLAY	54,656	1,759	6,200	63,000	71,406	71,406	16,800	43,800
TOTAL POLICE	1,423,451	1,410,424	1,410,985	1,610,601	1,376,268	1,540,573	1,662,435	1,613,942

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND
 FIRE

DEPARTMENTAL EXPENDITURES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(-----) 2015-2016 CURRENT BUDGET	(-----) 2015-2016 Y-T-D ACTUAL	(-----) 2015-2016 PROJECTED YEAR END	(-----) 2016-2017 REQUESTED BUDGET	(-----) 2016-2017 PROPOSED BUDGET
<u>CAPITAL OUTLAY</u>								
10-010-56030 OTHER IMPROVEMENTS	0	0	6,264	0	0	0	0	0
10-010-56030052 OTHER IMPROVEMENTS	0	0	0	0	0	0	0	0
10-010-56040 MACHINERY & EQUIPMENT	29,083	41,497	13,500	112,000	43,276	57,000	92,400	82,900
MINI PUMPER LEASE PAY #	0	0.00					13,500	
TURN OUT GEAR (5 SETS)	0	0.00					10,000	
SCBA QUICK RELEASE BRAC	0	0.00					0	
NOZZLES	0	0.00					0	
FIREFIGHTER RADIO-FEMA	0	0.00					50,000	
SUPERVAC FAN	0	0.00					2,700	
PARATECH VEH STABEL KIT	0	0.00					0	
HOSE REPLACEMENT	0	0.00					6,700	
TOTAL CAPITAL OUTLAY	29,083	41,497	19,764	112,000	43,276	57,000	92,400	82,900
TOTAL FIRE	809,983	878,888	919,417	1,082,570	899,755	991,908	1,089,107	1,079,607

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND
 HEALTH OPERATING

DEPARTMENTAL EXPENDITURES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(----- CURRENT BUDGET	2015-2016 Y-T-D ACTUAL	(----- PROJECTED YEAR END	(----- 2016-2017 REQUESTED BUDGET	(----- PROPOSED BUDGET
<u>PERSONAL SERVICES</u>								
10-071-51060 HEALTH OPERATING TRANSFER	<u>455,434</u>	<u>488,434</u>	<u>527,400</u>	<u>527,400</u>	<u>439,500</u>	<u>527,400</u>	<u>527,400</u>	<u>452,400</u>
TOTAL PERSONAL SERVICES	455,434	488,434	527,400	527,400	439,500	527,400	527,400	452,400
TOTAL HEALTH OPERATING	455,434	488,434	527,400	527,400	439,500	527,400	527,400	452,400

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

10 -GENERAL FUND
 RESERVES/CO TREASURER BAL

DEPARTMENTAL EXPENDITURES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(-----) CURRENT BUDGET	2015-2016 Y-T-D ACTUAL	(-----) PROJECTED YEAR END	(-----) 2016-2017 REQUESTED BUDGET	(-----) PROPOSED BUDGET
<u>OTHER SERVICES & CHARGES</u>								
10-073-54115 CEMETERY FUTURE LAND ACQUISIT	0	0	0	0	0	0	0	0
10-073-54670 HWY/STREET RESERVE	0	0	0	0	0	0	0	0
10-073-54680 POOL/BATHHOUSE RESERVE	0	7,000	0	23,249	0	0	0	0
10-073-54690 LIBRARY RESERVE	0	0	0	0	0	0	23,249	23,249
10-073-54710 COUNTY TREASURER BALANCE	0	0	0	108,029	0	0	0	0
10-073-54860 BALL PARK RESERVE	0	0	3,008	27,772	0	0	41,631	41,631
10-073-54875 PENSION FORFEITURES RESERVE	345	1,927	2,229	41,095	36,084	40,000	27,772	27,772
10-073-54880 FIRE EQUIPMENT REPLACEMENT	842	6,428	0	0	0	0	17,487	17,487
10-073-54890 AMBULANCE REPLACEMENT	1,067	4,266	0	0	0	0	0	0
10-073-54905 POLICE RADIO EQUIP RESERVE	13,899	0	1,590	39,511	0	0	0	0
10-073-54910 SENIOR CENTER BLDG MTN RESERV	0	0	0	7,000	0	0	39,511	39,511
10-073-54925 GENERAL FUND RESERVE	0	0	0	650,000	0	0	7,000	7,000
10-073-54960 KELLEY PARK RESTROOM RESERVE	0	0	0	0	0	0	725,000	725,000
10-073-54975 AUDITORIUM/COUNCIL CHAMBERS R	<u>93,682</u>	<u>4,208</u>	<u>33</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL OTHER SERVICES & CHARGES	109,835	23,829	6,861	896,656	36,084	40,000	952	952
TOTAL RESERVES/CO TREASURER BAL	109,835	23,829	6,861	896,656	36,084	40,000	882,602	882,602
TOTAL EXPENDITURES	<u>6,114,293</u>	<u>6,903,869</u>	<u>6,881,727</u>	<u>8,380,834</u>	<u>5,903,930</u>	<u>6,912,638</u>	<u>8,294,178</u>	<u>8,161,185</u>
REVENUE OVER/(UNDER) EXPENDITURES	(62,532)	24,056	171,458	54,610	(604,067)	1,802,907	(239,527)	4,498

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

65 -INTERNAL SERVICE FUND

DEPARTMENTAL REVENUES	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	(----- 2015-2016 -----) CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	(----- 2016-2017 -----) REQUESTED BUDGET	PROPOSED BUDGET
<u>SELF INSURED HEALTH INSUR</u>								
<u>INTERGOVERNMENTAL REVENUES</u>								
65-082-43220 COBRA PREM ASST PAYMENT	4,681	0	0	0	0	0	0	0
TOTAL INTERGOVERNMENTAL REVENUES	4,681	0	0	0	0	0	0	0
<u>USE OF MONEY & PROPERTY</u>								
65-082-46000 INTEREST EARNINGS	1,392	1,033	1,736	0	2,357	2,500	0	0
TOTAL USE OF MONEY & PROPERTY	1,392	1,033	1,736	0	2,357	2,500	0	0
<u>INTERFUND TRANSFERS</u>								
65-082-47010 GENERAL	455,434	488,434	623,400	623,400	519,500	623,400	623,400	548,400
65-082-47170 WATER	103,350	107,575	124,800	124,800	104,000	124,800	124,800	124,800
65-082-47190 SEWER	87,450	91,025	105,600	105,600	88,000	105,600	105,600	105,600
65-082-47200 SOLID WASTE	127,200	148,951	172,800	172,800	144,000	172,800	172,800	172,800
65-082-47260 ELECTRIC UTILITY	410,000	375,000	375,000	375,000	312,500	375,000	375,000	375,000
65-082-47280 EMERGENCY	0	0	0	0	0	0	0	0
65-082-47300 COPS - RESOURCE OFFICER	0	0	0	0	0	0	0	0
65-082-47350 PUBLIC TRANSIT	31,800	33,100	38,400	38,400	32,000	38,400	38,400	38,400
TOTAL INTERFUND TRANSFERS	1,215,234	1,244,085	1,440,000	1,440,000	1,200,000	1,440,000	1,440,000	1,365,000
<u>OTHER REVENUE</u>								
65-082-48000 CASH ON HAND	0	0	0	332,519	0	287,490	434,825	434,825
65-082-48070 MISCELLANEOUS	0	0	0	0	0	0	0	0
65-082-48110 EMPLOYEE INSURANCE PREMIUMS	88,875	87,345	113,278	113,000	102,719	111,300	113,000	113,000
65-082-48220 EMPLOYEE ADDL INSURANCE PREMS	0	0	0	0	0	0	0	0
65-082-48890 STOP LOSS REIMBURSEMENT	0	0	248,926	0	361,852	529,994	0	0
TOTAL OTHER REVENUE	88,875	87,345	362,204	445,519	464,571	928,784	547,825	547,825
TOTAL SELF INSURED HEALTH INSUR	1,310,182	1,332,463	1,803,940	1,885,519	1,666,928	2,371,284	1,987,825	1,912,825

TOTAL REVENUES

1,368,611

1,385,317

1,854,520

1,931,719

1,701,400

2,371,284

1,987,825

1,912,825

1,912,825

CITY OF MCCOOK
 PROPOSED BUDGET WORKSHEET
 AS OF: SEPTEMBER 30TH, 2016

65 -INTERNAL SERVICE FUND
 SELF INSURED HEALTH INSUR

DEPARTMENTAL EXPENDITURES	(----- 2015-2016 -----)(----- 2016-2017 -----)							
	2012-2013 ACTUAL	2013-2014 ACTUAL	2014-2015 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET	PROPOSED BUDGET
<u>OTHER SERVICES & CHARGES</u>								
65-082-54055 RESERVE	0	0	0	323,519	0	0	410,825	335,825
65-082-54220 INSURANCE - CLAIMS	1,023,618	1,033,703	1,105,513	1,150,000	1,257,770	1,014,747	1,150,000	1,150,000
65-082-54230 HEALTH PREMIUMS	313,199	337,669	355,704	400,000	318,105	375,000	405,000	405,000
65-082-54240 LIFE PREMIUMS	0	0	1,605	0	5,985	9,600	10,000	10,000
65-082-54245 EMPLOYEE ADDL INSURANCE PREMS	0	0	0	0	0	0	0	0
65-082-54255 HEALTH CARE COSTS	0	0	10,284	12,000	7,118	7,118	12,000	12,000
65-082-54275 STOP LOSS CLAIMS	0	0	221,763	0	0	529,994	0	0
65-082-54285 LASERED CLAIMANTS	0	0	0	0	0	0	0	0
65-082-54470 EMPLOYEE VACCINATIONS	0	0	0	0	0	0	0	0
65-082-54640 MISCELLANEOUS	0	0	0	0	0	0	0	0
TOTAL OTHER SERVICES & CHARGES	1,336,817	1,371,372	1,694,868	1,885,519	1,588,977	1,936,459	1,987,825	1,912,825
TOTAL SELF INSURED HEALTH INSUR	1,336,817	1,371,372	1,694,868	1,885,519	1,588,977	1,936,459	1,987,825	1,912,825
TOTAL EXPENDITURES	1,399,491	1,424,211	1,742,402	1,981,719	1,634,739	1,985,318	2,086,552	2,011,552
REVENUE OVER/(UNDER) EXPENDITURES	(30,879)	(38,895)	112,136	0	81,023	437,352	0	0

**CITY MANAGER'S REPORT
AUGUST 29, 2016 CITY COUNCIL MEETING**

ITEM: **2C**

Approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its second reading.

BACKGROUND:

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

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve Ordinance No. 2016-2938 providing for the adoption of the 2016/2017 Fiscal Year Employee Classification Pay Plan upon its second reading.

APPROVALS:



Lea Ann Doak, City Clerk

August 24, 2016



Nathan A. Schneider, City Manager

August 24, 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 29, 2016 CITY COUNCIL MEETING**

ITEM: 2D

Introduce and approve Ordinance No. 2016-2939 providing for the amendment of Appendix F, Solid Waste Collection Fees, of the City of McCook Code of Ordinances upon its first reading.

BACKGROUND:

This Ordinance provides for the increase to the solid waste collection fees as included in the proposed FY 2016-2017 budget.

The fee for Residential Trash Collection will increase from \$21.50 to \$22.50 per month which includes a \$2.00/month recycling fee to help support the recycling program. The last increase was in October 2014 where the fee increased from \$19.00/month to \$21.50/month. The 2014 increase included an increase in the recycling fee from \$1.00 to \$2.00/month.

The fee for Household/Commercial Waste will increase from \$60.00/ton to \$62.00/ton. The last increase was in October 2014 where the fee increased from \$57.50 to \$60.00.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Introduce and approve Ordinance No. 2016-2939 providing for the amendment of Appendix F, Solid Waste Collection Fees, of the City of McCook Code of Ordinances upon its first reading.

APPROVALS:



Kyle Potthoff, Director of Public Works

August 24, 2016



Nathan A. Schneider, City Manager

August 24, 2016

ORDINANCE NO. 2016-2939

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2014-2909 AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION 1. That Appendix F, Solid Waste Collection Fees, of the City of McCook, Nebraska Code of Ordinances, shall be and is hereby amended to read as follows:

**APPENDIX F: SOLID WASTE COLLECTION FEES
SOLID WASTE COLLECTION FEES**

(A) In order to pay for the cost of operation and maintenance of the Transfer Station and to provide funds necessary for equipment and future land acquisition, the following fees are hereby established in compliance with Section 55.02:

(1) All residents of the corporate limits of the City of McCook shall not be charged a fee at the Transfer Station for any refuse or debris that is generated on their own residential property and personally delivered to the Transfer Station. Except as provided in Section E of this Appendix, residents and nonresidents delivering construction, demolition, or remodeling and all persons hauling for hire, commercial, contract for commercial tree trimmers, lawn caretakers, or nonresidents of the City of McCook shall be assessed according to the Solid Waste Collection schedule of fees.

(2) The City will operate in accordance with Nebraska Department of Environmental Quality's *Title 132 Integrated Solid Waste Management* regulations.

(B) (1) *Solid Waste Collection schedule of fees.* See Chapter 38, Fee Schedule.

Household/Commercial Waste No Yard Waste	\$.031000 per pound (\$62.00 per ton) minimum charge - \$5.00
Yard Waste Only	\$.011675 per pound (\$23.35 per ton) minimum charge - \$5.00
Non Solid Waste Scale Fee	\$5.00

(2) *Solid Waste Collection payment due.* Payment of the above fee(s) is due and payable upon entrance into the Transfer Station.

(C) *Fee for U-Load-It Clean-up program.* A fee of fifty dollars (\$50.00) for the use of a city truck is hereby provided for use of the City's U-Load-It Clean-Up Program. Scale fees will be charged according to the above schedule as outlined in Sections A and B of the Appendix.

(D) *Solid Waste Collection/Disposal fee.*

(1) All residential units within the corporate City Limits shall be charged a monthly solid waste collection/disposal fee of \$20.50 and a monthly recycling fee of \$2.00.

(2) All residential units within the corporate City Limits may request an additional container to be used for yard waste only, and shall be charged a monthly disposal fee of \$5.00 per month, effective April 1, 2002, during those months that yard waste is banned from Landfills.

(3) Tracts of land or buildings containing three (3) or more residential units may choose alternative solid waste collection/disposal methods upon the approval of the City Manager.

(4) All solid waste collection/disposal fees prescribed by this Appendix shall be a lien upon the premises and real estate for which the service is supplied and if not paid when due such charge shall be certified to the City Treasurer and may be recovered by the City in an action at law and it may be certified to the County Clerk and assessed against said real estate and premises served and be collected and returned in the same manner as other City taxes are certified, assessed, collected and returned.

(5) Bills for solid waste collection/disposal fees charged pursuant to this Appendix shall be rendered at the same time that bills are rendered for water service, and all collection/disposal fees levied by this Appendix which are not paid at or before water service charges are required to be paid, shall be deemed delinquent and the water service of such user may be discontinued.

(E) *Waiver of fees for affordable housing projects.* Disposal fees shall be waived for the deposit at the Transfer Station of solid waste that was generated by the remodeling or clean up of a residential dwelling located within the corporate limits of the City of McCook using funds provided by the Nebraska Department of Economic Development pursuant to the Nebraska Affordable Housing Trust Fund Act.

(F) *Partial waiver of fees for demolition of certain residential dwelling units.* Thirty percent of the total disposal fees shall be waived for the deposit at the Transfer Station of solid waste generated by the demolition of a residential dwelling unit located within the corporate limits of the City of McCook along with an accessory detached garage if the requirements set forth in this subsection are satisfied. In order to qualify for such partial waiver of disposal fees, the owner of the dwelling unit must apply in writing to the Building Inspector of the City for a partial waiver of fees at least 14 days prior to commencement of the demolition work and must establish to the satisfaction of the Building Inspector that:

(1) The owner received written confirmation from the Building Inspector that the demolition qualifies for a partial waiver of disposal fees prior to commencing with the demolition work;

(2) all asbestos and other hazardous materials were abated and removed from the structures prior to commencing demolition work in accordance with all federal, state, and local laws;

(3) the dwelling unit has been abandoned for a continuous period of at least twelve (12) months prior to submission of the application for partial waiver of fees as shown by water, gas or electric utility records;

(4) the dwelling unit is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy such that it is unreasonable to repair the structure;

(5) there is no reimbursement for disposal fees available from any other source such as homeowner's insurance; and

(6) the owner obtained a permit authorizing such demolition from the City of McCook prior to commencement of the demolition work.

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 October 1, 2016 and from and after its passage, approval and publication in pamphlet form according to law.

PASSED AND APPROVED THIS _____ day of _____, 2016.

-s- Michael D. Gonzales
Mayor

ATTEST:

-s- Lea Ann Doak
City Clerk

SOLID WASTE FEE HISTORY

TRANSFER STATION FEES	OLD RATE	NEW RATE	DOLLAR INCREASE	% INCREASE
PROPOSED: OCTOBER 1, 2016	\$60.00	\$62.00	\$2.00	3.33%
OCTOBER 1, 2015	No Increase	No Increase	No Increase	No Increase
OCTOBER 1, 2014	\$57.50	\$60.00	\$2.50	4.35%
OCTOBER 1, 2013	\$57.00	\$57.50	\$0.50	0.88%
OCTOBER 1, 2009	\$56.00	\$57.00	\$1.00	1.79%
OCTOBER 1, 2008	\$54.68	\$56.00	\$1.32	2.41%
OCTOBER 1, 2005	\$46.68	\$54.68	\$8.00	17.14%
OCTOBER 1, 2001	\$38.58	\$46.68	\$8.10	21.00%
NOVEMBER 1, 1997	\$36.41	\$38.58	\$2.17	5.96%

RESIDENTIAL FEES	OLD RATE	NEW RATE	DOLLAR INCREASE	% INCREASE
PROPOSED: OCTOBER 1, 2016	\$21.50	\$22.50	\$1.00	4.65%
OCTOBER 1, 2015	\$21.50	\$21.50	NO INCREASE	0.00%
OCTOBER 1, 2014	\$19.00	\$21.50	\$2.50	13.16%
OCTOBER 1, 2013	\$18.50	\$19.00	\$0.50	2.70%
OCTOBER 1, 2009	\$17.00	\$18.50	\$1.50	8.82%
OCTOBER 1, 2008	\$15.50	\$17.00	\$1.50	9.68%
OCTOBER 1, 2005	\$14.50	\$15.50	\$1.00	6.90%
OCTOBER 1, 2001	\$12.00	\$14.50	\$2.50	20.83%
JANUARY 1998	\$9.75	\$12.00	\$2.25	23.08%
JANUARY 1997	\$7.00	\$9.75	\$2.75	39.29%

Includes \$1.00 increase to help support the recycling department

Includes \$2.00 Recycling Fee

**CITY MANAGER'S REPORT
AUGUST 29, 2016 COMMUNITY DEVELOPMENT AGENCY MEETING**

ITEM: **CDA 1**

Approve the minutes of the June 6, 2016 regular Community Development Agency meeting.

BACKGROUND:

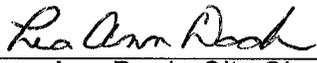
Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the June 6, 2016 regular Community Development Agency meeting.

APPROVALS:



Lea Ann Doak, City Clerk

August 25, 2016

**MCCOOK COMMUNITY DEVELOPMENT AGENCY
REGULAR MEETING**

MINUTES

Monday - June 6, 2016

6:30 P.M. - City Council Chambers

A regular meeting of the Community Development Agency of the City of McCook, Nebraska was held on Monday, June 6, 2016, in the City Council Chambers at the McCook Municipal Center, 505 West "C" Street, McCook, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act. Each member of Agency was also given advance notice of the meeting as acknowledged. Additionally, reasonable efforts were made to provide advance notice of the time, date and place of the meeting to all news media requesting the same.

Mayor Gonzales presided and City Clerk Doak recorded the proceedings. The meeting was called to order at 7:08 P.M., following adjournment of the City Council meeting, and on roll call the following Agency Members were present: Gonzales, Hepp, Calvin, Weedin; the following Agency Members were absent: McDowell. A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Mayor publicly announced that a copy of the Open Meetings Act is posted by the entrance to the Council Chambers and is available for public review.

1. Approve the minutes of the May 16, 2016 Community Development Agency regular meeting.

Upon a motion by Agency Member Weedin, seconded by Agency Member Calvin, the Agency voted to approve the minutes of the May 16, 2016 Community Development Agency regular meeting. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, Weedin. NAY: None. ABSENT: McDowell.

2. Approve Resolution No. CDA 2016-03 authorizing and providing for the issuance of a tax increment revenue bond, note or other obligation and authorizing the administration of said tax increment revenue bond process, said authorization including the approval of a Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and the McCook Economic Development Corporation as well as for the approval of a Promissory Note between the Community Development Agency, the McCook Economic Development Corporation and Quillan Courts, L.L.C. evidencing ownership of the bond.

Upon a motion by Agency Member Gonzales, seconded by Agency Member Calvin, the Agency voted to approve Resolution No. CDA 2016-03 authorizing and providing for the issuance of a tax increment revenue bond, note or other obligation and authorizing the administration of said tax increment revenue bond process, said authorization including the approval of a Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and the McCook Economic Development Corporation as well as for the approval of a Promissory Note

between the Community Development Agency, the McCook Economic Development Corporation and Quillan Courts, L.L.C. evidencing ownership of the bond. The motion passed upon the following roll call vote: YEA: Gonzales, Hepp, Calvin, Weedin. NAY: None. ABSENT: McDowell.

3. Adjournment.

There being no further business to come before the Agency, Mayor Gonzales declared the meeting adjourned at 7:22 P.M.

Lea Ann Doak
Recording Secretary

**CITY MANAGER'S REPORT
AUGUST 29, 2016 MCCOOK COMMUNITY DEVELOPMENT AGENCY MEETING**

ITEM NO. ___ Approve Resolution No. CDA 2016-___ approving the amended Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and McCook Lodging, L.L.C.
CDA 2

BACKGROUND:

At the March 21st McCook Community Development Agency meeting, a Redevelopment Contract between the Community Development Agency and McCook Lodging, L.L.C. was approved. McCook Lodging, L.L.C. has secured financing as part of the project. In order to make sure the terms of the Contract match the obligations of the parties, operative dates must be changed from July to November. No other elements of the Contract are being modified.

RECOMMENDATIONS:

ITEM NO. ___ Approve Resolution No. CDA 2016-___ approving the amended Redevelopment Contract between the Community Development Agency of the City of McCook, Nebraska and McCook Lodging, L.L.C.
CDA 2

APPROVALS:



August 23, 2016

Nathan A. Schneider, City Manager



August 23, 2016

Lea Ann Doak, City Clerk

RESOLUTION NO. CDA 2016-04

A RESOLUTION OF THE CITY OF MCCOOK, NEBRASKA, ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, ACTING AS THE GOVERNING BODY OF THE COMMUNITY DEVELOPMENT AGENCY OF SAID CITY; AUTHORIZING AND PROVIDING FOR THE ADDENDUM TO THE REDEVELOPMENT CONTRACT ENTERED INTO MARCH 21, 2016 WITH MCCOOK LODGING, LLC, A NEBRASKA LIMITED LIABILITY COMPANY; TAKING OTHER ACTIONS AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING; PROVIDING FOR THIS RESOLUTION TO TAKE EFFECT; AND RELATED MATTERS.

BE IT RESOLVED by the Mayor and Council of the City of McCook, Nebraska, acting as the governing body of the Community Development Agency of the City of McCook, Nebraska, as follows:

Section 1. The Addendum to Redevelopment Contract between the Agency and the Redeveloper in the form presented is hereby approved. Notice of such contract addendum shall be given immediately by the Agency's Secretary to the Mayor and Council of the City of McCook and such contract proposal shall be executed and delivered by the Agency. The Mayor (or in his absence, the President of the Council), acting as the Agency's chairperson (or Vice-Chairperson), is hereby authorized to execute and deliver the Redevelopment Contract, in substantially the form presented but with any such changes as such executing officer shall determine appropriate, on behalf of the Agency.

Section 2. Any Resolution of the City, or the Agency and any part of any resolution, inconsistent with this Resolution is hereby repealed to the extent of such inconsistency.

Section 3. This Resolution shall take effect and be in full force from and after its passage by the Council and approval by the Mayor, acting as the Community Development Agency of the City.

Section 4. This Resolution shall be in force and take effect from and after its adoption as provided by law.

Passed and Approved this 29th day of August, 2016.

(SEAL)

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk

ADDENDUM TO REDEVELOPMENT CONTRACT

THIS ADDENDUM TO REDEVELOPMENT CONTRACT (the "Addendum") is entered into as of _____, 2016, between the Community Development Agency of the City of McCook, Nebraska ("Agency") and McCook Lodging, LLC, a Nebraska limited liability company ("Redeveloper").

RECITALS:

WHEREAS, Agency and Redeveloper are parties to that certain Redevelopment Contract dated March 21, 2016, as amended (the "Redevelopment Contract"); and

WHEREAS, the Agency and Redeveloper desire to amend the Development Agreement as provided herein;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree that the Redevelopment Contract shall be amended as follows:

Section 3.02 Issuance of Indebtedness.

The Agency shall authorize the issuance of the Indebtedness in the form and stated principal amount and bearing interest and being subject to such terms and conditions as are specified in the Resolution and this Redevelopment Contract; provided, at all times the maximum amount of the Indebtedness shall be limited to the lesser of (i) the stated face amount of the Indebtedness, or (ii) the sum of all Project Costs incurred by the Redeveloper as set forth on Exhibit D. No Indebtedness will be issued until Redeveloper has; (i) acquired fee title to the Redevelopment Project Property; (ii) become obligated for construction of the additions and improvements forming a part of the Project as described in the Plan; and (iii) delivered to the City Clerk, the funds and penal bond as provided in Sections 4.05 and 4.06.

Prior to November 15, 2016, or as soon thereafter as the Redeveloper has complied with the terms of this Redevelopment Contract, the Agency shall issue one Tax Increment Development Revenue Bond, in one taxable series, in a maximum principal amount of One Million Four Hundred Thousand and no/100 Dollars (\$1,400,000.00), in substantially the form shown on the attached Exhibit C ("TIF Bond"), for net funds available to be purchased by Redeveloper ("TIF Bond Purchaser"), in a written form acceptable to Agency's attorney, and receive Bond proceeds from the TIF Bond Purchaser in said amount. At the option of the Agency, the Agency shall make a grant to Redeveloper in such amount, and such grant shall offset TIF Bond Purchaser's obligation to purchase the TIF Bond. Subject to the terms of the Agreement and the Resolution, the Agency's Treasurer on behalf of the Agency shall have the Agency to determine the timing of issuing the Indebtedness and all the other necessary details of the Indebtedness.

The Redeveloper agrees to purchase the Indebtedness at a price equal to the principal amount thereof, in a private placement satisfactory to the Agency as to its terms and participants

(including any pledgee thereof). Neither the Agency nor the City shall have any obligation to provide for the sale of the Indebtedness. It is the sole responsibility of the Redeveloper to effect the sale of the indebtedness by purchasing the Indebtedness in accordance with the terms of this Redevelopment Contract and the Resolution. Redeveloper acknowledges that it is its understanding and the Agency's understanding that interest on the Indebtedness will be includable in gross income for federal income tax purposes and subject to Nebraska State income taxation.

Section 6.02 Additional Remedies of Agency.

In the event that (each such event an "event of default"):

(a) the Redeveloper, or its successor in interest, shall fail to commence the construction of the improvements included in the Project Costs on or before November 1, 2016, or shall abandon construction work related to the Project Costs, once commenced, for any period of 180 days, excepting delays caused by inclement weather,

(b) the Redeveloper, shall fail to pay real estate taxes or assessments on the Redevelopment Project Property owned by the Redeveloper or any part thereof when due; and

(c) there is a violation of any other provisions of this Redevelopment Contract, and such failure or action by the Redeveloper has not been cured within 90 days following written notice from Agency, then the Redeveloper shall be in default of the Redevelopment Contract.

In the event of such failure to perform, breach or default occurs and is not cured in the period herein provided, the parties agree that the damages caused to the Agency would be difficult to determine with certainty and that a reasonable estimation of the amount of damages that could be incurred is that amount of the grant to Redeveloper pursuant to Section 3.04 of this Redevelopment Contract, less any reductions in the principal amount of the indebtedness, plus interest on such amounts as provided herein (the "**Liquidated Damages Amount**"). Upon the occurrence of an event of default, the Liquidated Damages Amount shall be paid by Redeveloper to Agency within 30 days of demand from Agency given to the Redeveloper.

Interest shall accrue on the Liquidated Damages Amount at the rate of three percent (3%) per annum and interest shall commence from the date that the Agency gives notice to the Redeveloper demanding payment.

Payment of the Liquidated Damages Amount shall not relieve Redeveloper of its obligation to pay real estate taxes or assessments with respect to the Redevelopment Project Property and the Project.

Redeveloper, on or before contracting for work included within the Project Costs, shall furnish to the Agency copies of labor and materials payment bonds and performance

bonds for each contract entered into by Redeveloper related to Project Costs. Each such bond shall show the Agency and the City as well as the Redeveloper as beneficiary of any such bond, as and to the extent commercially obtainable (as determined in the discretion of the Agency). In addition, the Redeveloper shall provide a penal bond with good and sufficient surety to be approved by the Agency, conditioned that the Redeveloper shall at all times promptly make payments of all amounts lawfully due to all persons supplying or furnishing to any contractor or his or her subcontractors (for each contract entered into by Redeveloper related to Project Costs) with labor or materials performed or used in the prosecution of the work provided for in such contract, and will indemnify and save harmless the Agency to the extent of any payments in connection with the carrying out of such contracts which the Agency may be required to make under the law.

ENTIRE AGREEMENT. Except as modified hereby, the Redevelopment Contract remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the day and year written below their signature.

ATTEST:

COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF MCCOOK, NEBRASKA

Secretary

BY: _____
Chairman

McCook Lodging, LLC

BY: _____
Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF RED WILLOW)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016, by Michael Gonzales and Lea Ann Doak, Chairman and Secretary, respectively, of the Community Development Agency of the City of McCook, Nebraska, on behalf of the Agency.

Notary Public

STATE OF NEBRASKA)
) *ss.*
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016, by Kirti Trivedi, manager of McCook Lodging, LLC, on behalf of the limited liability company.

Notary Public