

McCook City Council
February 20, 2023
5:30 P.M. Central

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

Present: Mayor Taylor, Councilmembers Calvin, Rambali.

Absent: Councilmembers Weedon, Muehlenkamp.

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

Taylor: YEA, Calvin: YEA, Rambali: YEA, Muehlenkamp: ABSENT, Weedon: ABSENT
YEA: 3, NAY: 0, ABSENT: 2

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Library Director Crocker, Utilities Director Fawver, Firefighter/Paramedic Metcalf, Building Inspector Mooney, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Officer Willers.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 16, 2023, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Taylor announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Invocation was provided by Lisa Mensinger, Our Saviors Lutheran Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

1. Announcements & Recognitions.

There were no announcements or recognitions.

2. Presentation.

2.A. Presentation of the Annual Cashflow Analysis for the Water and Wastewater Utility Funds, as prepared by PFM Financial Advisors, LLC .

Matt Stoffel, PFM Financial Advisors, LLC., was present via Zoom. He reviewed the Water and

Wastewater Utility Funds Cashflow Analysis with the Council. A 6% rate increase as proposed for both Water and Sewer.

3. Consent Agenda.

Motion to approve the consent agenda. This motion, made by Calvin and seconded by Rambali, passed.

Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

- 3.A. Approve the minutes of the February 6, 2023 regular City Council meeting.
- 3.B. Adopt Resolution No. 2023-02, certifying that the City of McCook is considered to be capable of providing public transportation for its citizens for the two year grant period consisting of fiscal year July 1, 2023 to June 30, 2024 and fiscal year July 1, 2024 to June 30, 2025.
- 3.C. Receive and file the claims for the month of January 2023, published February 16, 2023.
- 3.D. Ratify the Mayor's appointments to the Economic Development Plan Citizen's Advisory Review Committee - reappointing Alexis Davidson and appointing Warren Jones - terms expire July 2025.
- 3.E. Approve the application for a Special Designated Liquor License submitted by Outlaws 1882 Saloon, Liquor License #IB-118114, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5th Street, on June 17, 2023 from 3:00 P.M. to 2:00 A.M.
- 3.F. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for their 8th Annual St. Patrick's Day Celebration to be held in the Citta' Deli parking lot, 110 West 1st Street, on March 18, 2023 from 8:00 A.M. to 6:00 P.M.
- 3.G. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for Membership Mixer Celebration to be held at Norris Alley, 406 Norris Avenue, on April 20, 2023, from 8:00 A.M. to 11:00 P.M.
- 3.H. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for an Alumni Meeting/Reception at the Keystone Business Center, 402 Norris Avenue, on March 30, 2023 from 4:00 P.M. to 10:00 P.M.
- 3.I. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for the MPCC Rodeo to be held at the Red Willow County Fairgrounds Kiplinger Arena, 1412 West 5th Street, on March 10, 2023

from 9:00 A.M. to 12:00 A.M. and March 11, 2023 from 9:00 A.M. to 12:00 A.M.

- 3.J. Accept the minutes of the October 18, 2022 Senior Center Advisory Board meeting.
- 3.K. Receive and file Topics for Consideration received January 1 through February 10, 2023.
- 3.L. Award bid for one (1) new 2023 ½ ton 4 X 4 Extended Cab pickup to Deveny Motors for \$42,500.00, that being the lowest responsible bid, to be utilized at the Water Treatment Plant.
- 3.M. Declare one (1) 2001 Surrey Fire Safety Trailer as Surplus Property to be disposed of in the appropriate legal manner.
- 3.N. Accept \$75,000 grant awarded through the Nebraska Department of Health and Human Services Nebraska Ambulance and Equipment Grant for the purchase of a new ambulance.
- 3.O. Authorize City of McCook staff to complete an application for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Planning Grant.
- 3.P. Receive and file letter from Karen K. Barrett, Tax Specialist for the Nebraska Department of Revenue, as a reminder that McCook's local sales and use tax rate will increase from 1.5% to 2% on April 1, 2023.

4. Regular Agenda.

- 4.A. Update regarding the swimming pool and ballpark projects.

City Manager Schneider gave an update of the pool and ballpark projects and reviewed various grant applications being prepared for the ballpark project.

The CCCFF grant application for \$562,000 is being finalized, the CMAR selection committee meets tomorrow to interview the four firms that submitted proposals and to select the firm to recommend to the Council; Austin McKillip of Cline Williams, the City's attorney preparing the agreement for transfer of the completed Ballpark Complex to the City, will be meeting with the City, the College Foundation, College, and the Benjamin's in mid-March; the RAISE grant was on the consent agenda tonight authorizing staff to proceed with the application; and Melissa Trueblood with NPPD, plans to have the impact study of the Ball Park will have on the community by mid-March.

- 4.B. Accept the Parks Advisory Board's recommendation to remove the rocket slide in Kelley Park due to the safety of the public and based on the "Public Playground Safety Handbook" published by the U.S. Consumer Product Safety Commission.

Public Works Director reviewed the Parks Advisory Board's recommendation with the Council.

Motion to accept the Parks Advisory Board's recommendation to remove the rocket slide in Kelley Park due to the safety of the public and based on the "Public Playground Safety Handbook"

published by the U.S. Consumer Product Safety Commission. This motion, made by Calvin and seconded by Rambali, passed.

Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

4.C. Accept the proposal and quote from Tri City Signs for four entry signs located at each entrance into the City of McCook.

Perry Strombeck, Tri City Signs, was present to address questions from the Council.

Nadia Schoup, questioned whether the pole in the middle would cause issues; utilizing city employees and other funds for the installation, maintenance, and electricity for the sign; and that the lighted sign would be too bright to install in residential areas.

Public Works Potthoff clarified that none of the signs will be in a residential area.

Motion to accept the proposal and quote from Tri City Signs for four entry signs located at each entrance into the City of McCook. This motion, made by Calvin and seconded by Rambali, passed.
Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

4.D. Discussion regarding updating the City of McCook's comprehensive plan, zoning ordinance, and subdivision regulations.

City Manager Schneider reviewed the importance for municipalities to update their comprehensive plan every ten years, and the need for the City to update the current zoning and subdivision regulation ordinances. Staff will begin the process of issuing a RFP in the near future to start the process.

4.E. Ordinance No. 2023-3060 approving the zoning change request for Heritage Pointe Addition No. 3, a tract of land located in the S1/2 of the SE1/4 of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska; said zoning change to amend the current zoning designation from Residential Medium Density District (RM) and Agricultural District (AG), to Business Commercial District (BC).

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3060 by title.

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING MCCOOK ZONING ORDINANCE NO. 2016-2929 CHANGING THE ZONING CLASSIFICATION OF HERITAGE POINTE ADDITION NO. 3, TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, FROM RESIDENTIAL MEDIUM DENSITY (RM) AND AGRICULTURAL (AG) TO BUSINESS COMMERCIAL (BC) DISTRICT; 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. 2023-3060 has been read by title and I move to approve upon its third and final reading. This motion, made by Calvin and seconded by Rambali, passed.

Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

Mayor Taylor stated for the record that Ordinance No. 2023-3060 is declared lawfully passed and adopted upon publication as required by law.

4.F. Ordinance No. 2023-3061 approving the voluntary annexation of a tract of land located in the S1/2 of the SE1/4 of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said tract of land included in the parcel to be referred to as Heritage Pointe Addition No. 3.

City Manager Schneider informed the Council that an ordinance for annexation requires a super majority for approval. Due to the absence of two councilmembers, he recommended that consideration of the ordinance be moved to the next meeting.

Motion to move consideration of Ordinance No. 2023-3061 to the March 6, 2023 City Council meeting. This motion, made by Calvin and seconded by Rambali, passed.

Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

4.G. Ordinance No. 2023-3062 amending the City of McCook Code of Ordinances, pertaining to Contractor's License - Sections 150.400 - 150.412.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3062 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CITY OF MCCOOK CODE OF ORDINANCES, PERTAINING TO CONTRACTOR'S LICENSE, REPEALING CURRENT SECTIONS 150.400 - 150.412 AND INSERTING SECTIONS 150.400 - 150.414; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE..

Ordinance No. 2023-3062 has been read by title and I move to approve upon its second reading of three readings. This motion, made by Calvin and seconded by Rambali, passed.

Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

4.H. Ordinance No. 2023-3063 providing for an amendment of Chapter 38: Fee Schedule - Appendix M, Building Regulation Fees (Contractor's License); of the City of McCook Code of Ordinances.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3063 by title.

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. 2023-3063 has been read by title and I move to approve upon its second reading of three readings. This motion, made by Calvin and seconded by Rambali, passed.
Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

4.I. Ordinance No. 2023-3059 amending the City of McCook Code of Ordinances, Section 34.40 - Miscellaneous and Travel Expenditures.

Mayor Taylor asked the Clerk to read Ordinance No. 2023-3059 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CITY OF MCCOOK CODE OF ORDINANCES, SECTION 34.40 - MISCELLANEOUS AND TRAVEL EXPENDITURES; AMENDING SECTION (A)(1)(c) MEALS TRAVEL PER DIEM; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 2023-3059 has been read by title and I move to approve upon its third and final reading. This motion, made by Calvin and seconded by Rambali, passed.
Muehlenkamp: ABSENT, Weedin: ABSENT, Taylor: YEA, Calvin: YEA, Rambali: YEA
YEA: 3, NAY: 0, ABSENT: 2

Mayor Taylor stated for the record that Ordinance No. 2023-3059 is declared lawfully passed and adopted upon publication as required by law.

4.J. Council Comments.

The Mayor and Council thanked city staff on the wonderful job removing snow during the past storm, it is very sincerely appreciated.

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 6:55 P.M.

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

ATTEST:

Lea Ann Doak, City Clerk-Treasurer