

MCCOOK CITY COUNCIL

REGULAR MEETING

**Monday, August 3, 2020
5:30 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Pledge of Allegiance.

Items.

1. Citizen's Comments.
2. Announcements & Recognitions.
3. Public Hearings.
 - A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held July 27, 2020.
 1. Adjourn the Public Hearing.
 - B. Receive and file the minutes of the April 27, 2020 Economic Development Plan Citizen's Advisory Review Committee meeting.
4. Consent Agenda.
 - A. Approve the minutes of the July 20, 2020 regular City Council meeting.
 - B. Receive and file the minutes of the March 11, 2020 Library Advisory Board and the June 2, 2020 Special Joint meeting of the McCook Public Library Foundation and the Library Advisory Board meeting.
 - C. Approve an application from Great Plains Communications to occupy City right of way on West "A" Street between West 9th and West 11th Streets, including service to 900 West "B" Street.
 - D. Approve an application from Great Plains Communications to occupy City right of way on East "F" Street from East 12th Street to the alley between Gemini Court and East 12th Street to supply fiber optic service to 506 East 12th Street.
 - E. Approve an application from Great Plains Communications to occupy City right of way in the alley north of West "O" Street to install fiber optic cable to 1505 North Highway 83.
 - F. Approve an application from Great Plains Communications to occupy City right of way on West "E" Street and the alley between West 3rd and West 4th Streets to connect existing cables.
 - G. Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the Red Willow County Fair Grounds Community Building, 1412 West

5th Street, on September 12, 2020 from 4:00 P.M. to 12:00 P.M.; shall be subject to comply with any Directed Health Measures in effect at the time of the event.

5. Regular Agenda.

- A. Approve the concept of the Birdella Nelson Technology Center located at the McCook Public Library, which includes accepting an endowment to be administered by the Nebraska Community Foundation, as well as authorizing the name of the center to be know as the Birdella Nelson Technology Center.
- B. Introduce and approve on its first reading Ordinance No. 2020-3008 creating Chapter 119: Sidewalk Cafes, appending the City of McCook Code of Ordinances.
 - 1. Chairperson asks Clerk to read Ordinance by title.
 - 2. Consider approval of Ordinance No. 2020-3008 upon its first reading.
- C. Receive and file a discussion regarding the FY20/21 budget.
- D. Council Comments.
- E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - McCook Professional Firefighters Association Local 2100.
 - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
 - 2. Close Executive Session.
- F. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.
 - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
 - 2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 3.A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held July 27, 2020.

ITEM: 3.B. Receive and file the minutes of the April 27, 2020 Economic Development Plan Citizen's Advisory Review Committee meeting.

BACKGROUND:

Quarterly Economic Development Plan Citizen's Advisory Review Committee meetings were held on July 27, 2020 and April 27, 2020. Per the City's Plan, a public hearing will be held to discuss the contents of the meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

July 29, 2020



Nathan A. Schneider, City Manager

July 29, 2020

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mayor and City Council of McCook, Nebraska will hold a public hearing on August 3, 2020 at 5:30 p.m. in the City Council Chambers of the McCook Municipal Center concerning the findings and suggestions of the Citizens Advisory Committee regarding the functions and progress of the economic development program for the City of McCook. Individuals requiring physical or sensory accommodations including interpreter services, braille, large print, or recorded materials, please contact the City Clerk at 308-345-2022

-s- Lea Ann Doak,
City Clerk-Treasurer

Publish: July 30, 2020

EXHIBIT #2

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AGENDA

**ECONOMIC DEVELOPMENT PLAN
CITIZEN'S ADVISORY REVIEW COMMITTEE**

QUARTERLY MEETING

MONDAY JULY 27, 2020

12:00 P.M.

**AT THE KEYSTONE BUSINESS CENTER
3RD FLOOR CONFERENCE ROOM**

CALL TO ORDER

*A Copy of the Open Meetings Act is posted and available for public review in the meeting room at the Keystone conference room.

- ITEM NO. 1** Review and approve minutes of April 27, 2020 meeting
- ITEM NO. 2** Review LB840 Economic Development Program quarterly reports
- ITEM NO. 3** Update of Revenues Collected to Date
- ITEM NO. 4** Economic Development Director Report
- ITEM NO. 5** Open discussion
- ITEM NO. 6** Next meeting date: October 26, 2020
- ITEM NO. 7** Adjournment

McCook Growth Fund (LB840) PROGRAM BALANCES (MEDC format)

Program Year 10/01/19 - 9/30/20

Balances as of 6/30/20

	<u>Beginning</u>	<u>YTD</u>	<u>YTD</u>	<u>Ending</u>	<u>Program</u>
	<u>Cash on Hand</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance</u>	<u>Total</u>
Loan & Grant Program	\$ 386,673.08	\$ 181,745.80	\$ 223,407.96	\$ 345,010.92	
Loan Repayments		\$ 71,782.02	\$ -	\$ 71,782.02	
Legal			\$ 187.50	\$ (187.50)	
Publishing			\$ 110.80	\$ (110.80)	
Miscellaneous		\$ 25.00		\$ 25.00	
Interest		\$ 888.51		\$ 888.51	
TOTAL					\$ 417,408.15
Ending Balance					<u><u>\$ 417,408.15</u></u>
MEDC Administration	\$ -	\$ 98,001.00	\$ 98,001.00	\$ -	

McCook Growth Fund (LB840) AVAILABLE FUNDS

Program Year 10/01/19 - 9/30/20

Balances as of 6/30/20

	Program Balance	Funds Allocated	Project Commitments	Available
Loan, Grants and Projects	<u>\$ 417,408.15</u>			
Infrastructure Improvement Grant				
Ravenswood Road Improvements		\$ 3,881.53		
Business Park Grant Clawback		\$ 55,000.00		
Fibert to the Home Incentive		\$ 150,000.00		
Housing				
Innovative Housing Fund Grant Match		\$ 20,000.00		
Workforce Housing Incentive Grant Program		\$ 60,000.00		
SWNCBC Down Payment Assistance + Rehab Match		\$5,000.00		
Early Childhood Education				
New Provider Scholarship/Startup Funds		\$17,150		
Business Assistance				
Digital Façade Program		\$10,500		
Total Reserved and Committed		<u>\$ 321,531.53</u>	\$ -	
Total Funds Available				<u><u>\$ 95,876.62</u></u>

McCook Growth Fund (LB840) Loan Status Report
06/30/2020

Current Loans	Loan Amount (a)	Late Payment Fees (b)	Interest Rate	Loan Term (Years)	Date Loan Made	Interest Earned (c)	Payments Made (d)	Loan Balance Remaining (a+b+c-d)	Loan Status
J and A Mullen, LLC	\$ 56,500.00	\$ -	3%	10	4/30/2020	\$ 145.91	\$ 545.61	\$ 56,100.30	Current
Early Morning Cackle, LLC	\$ 55,700.00	\$ 30.00	3%	10	3/1/2020	\$ 474.71	\$ 1,645.46	\$ 54,559.25	Current
Straight Align, LLC	\$ 50,000.00		3%	10	11/1/2019	\$ 974.84	\$ 3,862.40	\$ 47,112.44	Current
Anna & Tanner Powell Loan No. 1 (Aphrodite Hair Design)	\$ 17,550.00		3%	10	4/1/2019	\$585.39	\$2,372.44	\$ 15,762.95	Current
Anna & Tanner Powell Loan No. 2 (Aphrodite Hair Design)	\$ 18,285.00		3%	7	4/1/2019	\$594.96	\$3,382.54	\$ 15,497.42	Current
C5, LLC (Laundromat)	\$ 50,000.00		3%	10	2/1/2019	\$1,713.52	\$ 22,000.00	\$ 29,713.52	Current
Bailey Kool dba Head 2 Toe Spa	\$ 10,000.00		3%	5	5/1/2018	\$486.34	\$ 4,669.24	\$ 5,817.10	Current*
American Agricultural Laboratory	\$ 75,000.00		2%	10	2/5/2017	\$4,335.69	\$ 28,294.13	\$ 51,041.56	Current
MEDC North Pointe Phase I TIF Bond	\$ 208,000.00		0%	22	4/2/2015	\$0.00	\$ 56,723.66	\$ 151,276.34	Current
Clary Village Equity (Non-Recourse Loan - to be paid from residual cash flow)	\$ 120,000.00		4%	15	3/16/2015	\$25,937.53	\$ 20,480.19	\$ 125,457.34	**
MEDC Clary Village TIF	\$ 178,622.92		0%	17	3/16/2015	\$0.00	\$ 48,992.65	\$ 129,630.27	Current
East Ward Village (Non-Recourse Loan - to be paid from residual cash flow)	\$ 105,000.00		2%	15	7/11/2012	\$12,191.16	\$ 57,386.58	\$ 59,804.58	Current
Totals	\$ 944,657.92	\$ 30.00				\$47,440.05	\$250,354.90	\$ 741,773.07	

* May-July interest only payments due to the pandemic.

**No payments has been received for years 2018 and 2019. We are conducting a loan verification with Midwest Housing Equity Group that oversees the project and hope to have more information for Monday's meeting.

LB840 PROGRAM BALANCES
6/30/2020
Unaudited

	(C) BEGINNING CASH ON HAND 10/1/2019	(D) FY 19/20 ANTICIPATED RECEIPTS	(E) FY 19/20 YTD RECEIPTS	(F) FY 19/20 YTD EXPENDITURES	(G) ENDING PROGRAM BALANCES (C + E - F = G)
Motor Vehicle Sales Tax ** (**Not available to MEDC)	\$ 239,910.01	\$ 37,000.00	\$ 26,784.59	\$ 69,288.38	\$ 197,847.09
Interest			\$ 440.87		
Loan/Grant/Program	\$ 386,673.08	\$ 225,744.00	\$ 181,745.80	\$ 223,407.96	\$ 417,408.15
Loan Repayment		\$ 55,000.00	\$ 71,777.02		
Legal				\$ 187.50	
Publishing				\$ 110.80	
Miscellaneous			\$ 30.00		
Interest			\$ 888.51		
MEDC Administration	\$ -	\$ 130,668.00	\$ 98,001.00	\$ 98,001.00	\$ -
BALANCES	\$ 626,583.09	\$ 448,412.00	\$ 379,667.79	\$ 390,995.64	\$ <u>615,255.24</u>

CITY OF MCCOOK
LB840
RECEIPT REGISTER
10/01/2019 - 03/31/2020

	Total Receipt	Receipt Breakdown		
		MV Sales Tax	Loan/Grant Pro	MEDC Adm
10/21/19 Nebr Dept of Rev	\$ 33,898.52		\$ 23,009.52	\$ 10,889.00
11/21/19 Nebr Dept of Rev	\$ 31,132.98		\$ 20,243.98	\$ 10,889.00
12/20/19 Nebr Dept of Rev	\$ 31,229.80		\$ 20,340.80	\$ 10,889.00
10/21/19 MV - Nebr Dept of Rev	\$ 3,263.98	\$ 3,263.98		
11/21/19 MV - Nebr Dept of Rev	\$ 3,209.46	\$ 3,209.46		
12/20/19 MV - Nebr Dept of Rev	\$ 2,971.61	\$ 2,971.61		
10/31/19 Interest	\$ 151.79	\$ 151.79	\$ -	
11/30/19 Interest	\$ 139.97	\$ 2.07	\$ 137.90	
12/31/19 Interest	\$ 158.51	\$ -	\$ 158.51	
10/15/19 Clary - Loan Repayment	\$ 5,624.14		\$ 5,624.14	
10/04/19 C5 LLC - Loan Repay	\$ 500.00		\$ 500.00	
10/04/19 Powell - Loan Repay	\$ 411.07		\$ 411.07	
10/04/19 American Ag Lab - Loan Repay	\$ 690.10		\$ 690.10	
10/31/19 Kool - Loan Repay	\$ 180.00		\$ 180.00	
10/31/19 Kool - Loan Repay	\$ 180.00		\$ 180.00	
10/31/19 C5 LLC - Loan Repay	\$ 2,000.00		\$ 2,000.00	
11/13/19 C5 LLC - Loan Repay	\$ 500.00		\$ 500.00	
11/13/19 Str Align - Loan Repay	\$ 482.80		\$ 482.80	
11/13/19 Powell - Loan Repay	\$ 411.07		\$ 411.07	
11/13/19 American Ag Lab - Loan Repay	\$ 690.10		\$ 690.10	
12/13/19 C5 LLC - Loan Repay	\$ 2,000.00		\$ 2,000.00	
12/13/19 Kool - Loan Repay	\$ 180.00		\$ 180.00	
12/13/19 C5 LLC - Loan Repay	\$ 500.00		\$ 500.00	
12/13/19 C5 LLC - Loan Repay	\$ 1,500.00		\$ 1,500.00	
12/13/19 Str Align - Loan Repay	\$ 482.80		\$ 482.80	
12/13/19 American Ag Lab - Loan Repay	\$ 690.10		\$ 690.10	
12/13/19 Powell - Loan Repay	\$ 411.07		\$ 411.07	
01/21/20 Nebr Dept of Rev	\$ 22,129.55		\$ 11,240.55	\$ 10,889.00
02/20/20 Nebr Dept of Rev	\$ 45,472.48		\$ 34,583.48	\$ 10,889.00
03/20/20 Nebr Dept of Rev	\$ 28,559.41		\$ 17,670.41	\$ 10,889.00
01/21/20 MV - Nebr Dept of Rev	\$ 2,604.63	\$ 2,604.63		
02/20/20 MV - Nebr Dept of Rev	\$ 3,805.41	\$ 3,805.41		
03/20/20 MV - Nebr Dept of Rev	\$ 2,701.02	\$ 2,701.02		
01/31/20 Interest	\$ 155.60	\$ 151.15	\$ 4.45	
02/29/20 Interest	\$ 140.62		\$ 140.62	
03/31/20 Interest	\$ 160.43		\$ 160.43	
01/10/20 C5 LLC - Loan Repay	\$ 1,000.00		\$ 1,000.00	
01/10/20 C5 LLC - Loan Repay	\$ 500.00		\$ 500.00	
01/10/20 Powell - Loan Repay	\$ 411.07		\$ 411.07	
01/10/20 Str Align - Loan Repay	\$ 482.80		\$ 482.80	
01/10/20 American Ag Lab - Loan Repay	\$ 690.10		\$ 690.10	
01/10/20 Refund Closing Fees	\$ 25.00		\$ 25.00	
01/17/20 East Ward Village	\$ 8,180.00		\$ 8,180.00	
01/29/20 Kool - Loan Repay	\$ 180.00		\$ 180.00	
02/10/20 Kool - Loan Repay	\$ 180.00		\$ 180.00	
02/10/20 Powell - Loan Repay	\$ 411.07		\$ 411.07	
02/10/20 C5 LLC - Loan Repay	\$ 2,000.00		\$ 2,000.00	

02/10/20 C5 LLC - Loan Repay	\$	500.00		\$	500.00		
02/10/20 Str Align - Loan Repay	\$	482.80		\$	482.80		
02/10/20 American Ag Lab - Loan Repay	\$	690.10		\$	690.10		
03/04/20 C5 LLC - Loan Repay	\$	500.00		\$	500.00		
03/04/20 Powell - Loan Repay	\$	411.07		\$	411.07		
03/04/20 Kool - Loan Repay	\$	180.00		\$	180.00		
03/04/20 Str Align - Loan Repay	\$	482.80		\$	482.80		
03/04/20 American Ag Lab - Loan Repay	\$	690.10		\$	690.10		
04/21/20 Nebr Dept of Rev	\$	28,129.61		\$	17,240.61	\$	10,889.00
05/21/20 Nebr Dept of Rev	\$	28,796.85		\$	17,907.85	\$	10,889.00
06/21/20 Nebr Dept of Rev	\$	30,372.60		\$	19,483.60	\$	10,889.00
04/21/20 MV - Nebr Dept of Rev	\$	2,784.58	\$	2,784.58			
05/21/20 MV - Nebr Dept of Rev	\$	3,554.30	\$	3,554.30			
06/21/20 MV - Nebr Dept of Rev	\$	1,889.60	\$	1,889.60			
04/30/20 Interest	\$	141.69	\$	135.86	\$	5.83	
05/30/20 Interest	\$	129.17		\$	129.17		
06/30/20 Interest	\$	151.60		\$	151.60		
04/06/20 Kool - Loan Repay	\$	180.00		\$	180.00		
04/06/20 Powell - Loan Repay	\$	411.07		\$	411.07		
04/06/20 C5 LLC - Loan Repay	\$	500.00		\$	500.00		
04/06/20 C5 LLC - Loan Repay	\$	1,000.00		\$	1,000.00		
04/06/20 Str Align - Loan Repay	\$	482.80		\$	482.80		
04/06/20 American Ag Lab - Loan Repay	\$	690.10		\$	690.10		
05/05/20 Kool - Loan Repay	\$	14.55		\$	14.55		
05/05/20 Powell - Loan Repay	\$	411.07		\$	411.07		
05/05/20 C5 LLC - Loan Repay	\$	1,000.00		\$	1,000.00		
05/05/20 C5 LLC - Loan Repay	\$	1,000.00		\$	1,000.00		
05/05/20 C5 LLC - Loan Repay	\$	2,000.00		\$	2,000.00		
05/05/20 Str Align - Loan Repay	\$	482.80		\$	482.80		
05/05/20 American Ag Lab - Loan Repay	\$	690.10		\$	690.10		
05/18/20 EMC - Loan Repay	\$	538.22		\$	538.22		
06/05/20 Kool - Loan Repay	\$	15.00		\$	15.00		
06/05/20 Powell - Loan Repay	\$	411.07		\$	411.07		
06/05/20 C5 LLC - Loan Repay	\$	500.00		\$	500.00		
06/05/20 Mullen - Loan Repay	\$	545.61		\$	545.61		
06/05/20 Str Align - Loan Repay	\$	482.80		\$	482.80		
06/05/20 American Ag Lab - Loan Repay	\$	690.10		\$	690.10		
06/12/20 North Pointe - Loan Repay	\$	16,267.33		\$	16,267.33		
06/12/20 Clary - Loan Repayment	\$	4,513.37		\$	4,513.37		
06/22/20 EMC - Loan Repay	\$	568.62		\$	568.62		
06/22/20 EMC - Loan Repay	\$	538.62		\$	538.62		
06/26/20 Clary - Loan Repayment	\$	2,468.63		\$	2,468.63		
	\$	379,667.79	\$	27,225.46	\$	254,441.33	\$ 98,001.00 \$ 379,667.79

CITY OF MCCOOK
 LB840 FUND
 CHECK REGISTER
 10/01/2019 - 06/30/2020

PAYEE	DESCRIPTION	ACCT. NO.	DATE	CK NO.	AMOUNT
Straight Align, LLC	Loan	45 068 54465	10/1/2019	1298	\$ 50,000.00
In Fiscal Year 18/19				1299	\$ -
Void				1300	\$ -
BSB Construction	Ravenswood Rd	45 068 54465	10/16/2019	1301	\$ 9,011.02
		45 068 54835		1301	\$ 14,712.38
McCook Economic Development	Straight Align Loan Fees	45 068 54465	10/18/2019	1302	\$ 625.20
McCook Economic Development	Administration	45 068 54885	10/23/2019	1303	\$ 10,889.00
McCook Daily Gazette	Publishing	45 068 54020	11/13/2019	1304	\$ 13.20
McCook Economic Development	Administration	45 068 54885	11/13/2019	1305	\$ 10,889.00
McCook Economic Development	SWNCBC D/C Assistance PR	45 068 54465	11/26/2019	1306	\$ 5,000.00
McCook Daily Gazette	Notice of Meeting	45 068 54020	12/11/2019	1307	\$ 12.40
	Notice of Hearing Amend Plan	45 068 54020		1307	\$ 22.00
McCook Economic Development	Administration	45 068 54885	12/11/2019	1308	\$ 10,889.00
BSB Construction	Ravenswood Rd	45 068 54465	1/16/2020	1309	\$ 3,881.53
		45 068 54835		1309	\$ 11,295.39
BSB Construction	Ravenswood Rd	45 068 54465	11/20/2019	1310	\$ 10,629.62
		45 068 54835		1310	\$ 30,932.58
McCook Economic Development	Administration	45 068 54885	1/16/2020	1311	\$ 10,889.00
McCook Economic Development	Administration	45 068 54885	2/12/2020	1312	\$ 10,889.00
McCook Daily Gazette	Publishing	45 068 54020	2/12/2020	1313	\$ 12.00
W Design	Ravenswood Rd	45 068 54465	3/4/2020	1314	\$ 569.09
		45 068 54835		1314	\$ 11,708.03
Void				1315	
McCook Economic Development	Administration	45 068 54885	3/13/2020	1316	\$ 10,889.00
McCook Economic Development	Retail Strategies	45 068 54465	3/13/2020	1317	\$ 30,000.00
Early Morning Cackle, LLC	Loan	45 068 54465	3/18/2020	1318	\$ 55,700.00
McCook Economic Development	Administration	45 068 54885	4/15/2020	1319	\$ 10,889.00
McCook Economic Development	Loan Fees - EMC	45 068 54465	4/15/2020	1320	\$ 752.00
McCook Economic Development	Loan Fees - Str Align	45 068 54465	4/15/2020	1321	\$ 12.50
McCook Daily Gazette	Publishing	45 068 54020	4/15/2020	1322	\$ 12.00
MNB Cashiers Check	Mullen Loan	45 068 54465	4/28/2020	1323	\$ 56,500.00
McCook Daily Gazette	Publishing	45 068 54020	5/6/2020	1324	\$ 17.20
McCook Economic Development	Administration	45 068 54885	5/13/2020	1325	\$ 10,889.00
Mousel, Brooks, Schnelder	Legal	45 068 54030	6/3/2020	1326	\$ 187.50
McCook Economic Development	Administration	45 068 54885	6/10/2020	1327	\$ 10,889.00
McCook Economic Development	Loan Fees - Meisner	50 068 54465	6/10/2020	1328	\$ 125.00
McCook Economic Development	Loan Fees - Mullen	45 068 54465	6/10/2020	1329	\$ 602.00
McCook Daily Gazette	Publishing	45 068 54020	6/10/2020	1330	\$ 22.00
W Design	Ravenswood Rd	45 06854835	4/22/2020	57985	\$ 249.60
W Design	Ravenswood Rd	45 068 54835	5/1/2020		\$ 390.40
TOTAL					\$ 390,995.64
TOTAL BY PROGRAM					
	Publishing	45 068 54020			\$ 110.80
	Legal	45 068 54030			\$ 187.50
	LB840 Loan/Grant/Programs	45 068 54465			\$ 223,407.96
	LB840 Street Sales Tax Res	45 068 54835			\$ 69,288.38
	LB840 MEDC Administration	45 068 54885			\$ 98,001.00
TOTAL					\$ 390,995.64

**McCook Growth Fund (LB840) Economic Development Program
First Quarter Report
October 1, 2019-June 30, 2020**

Approved, but not yet completed or paid:

Workforce Housing Incentive Grant Program	2019	\$60,000.00
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One of the challenges new housing developers have is the cost to build makes it difficult to build and sell or rent a property for a profit. The board approved allocating \$60,000.00 for an incentive to encourage housing developers to build multiple housing units in McCook. The incentive would provide \$10,000 reimbursement for each living unit eligible. Basic requirements to apply include:

- New construction/build projects only for single-family, multi-family houses, townhomes or duplexes built for sale or lease.
- A developer must commit to constructing at least two new housing units.
- The homes cannot be owner-occupied.
- Homes must be located within the 2 mile city zoning area.
- Living units must be a minimum of 1,200 square feet with a one car garage.
- Homes cannot be TIF eligible (must be located outside a blight area).
- General contractors must apply and be approved by MEDC BEFORE construction begins on the project. Applications made after work commences may not receive benefits.
- The maximum sales price per home is \$275,000. Rental units cannot cost more than \$200,000 per unit to construct.

Ravenswood Infrastructure Grant	2018	\$3,881.53
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The MEDC board voted to contribute \$39,000 toward the grant to improve Ravenswood Road. Along with a contribution from the city, we received a \$137,500 grant from the Department of Transportation. This will open up three more industrial park lots.

Business Park Claw back	2019	\$55,000
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As a part of the Department of Transportation Grant, there is a claw back provision. If we don't create the number of jobs or capital investment required from the grant to improve the Ravenswood Road for business park access in five years, we are required to pay back part of the grant on a prorated basis. The total amount of the Department of Transportation portion of the grant was \$137,500 so the board has voted to hold in reserve 1/5 of that amount every year until the five year lookback is done.

Housing Match **2019** **\$20,000**

This housing match is \$20,000 for an innovative housing grant proposal. The State of Nebraska had \$2,000,000 in housing trust fund left after the initial application round. The state opened up innovative housing proposals. We worked with Cambridge and Benkelman to put together a regional proposal that was awarded. The pool of money is to be used between the three communities for capital to build workforce housing. We have been awarded a \$405,000 grant for the innovative housing proposal.

Fiber to the Home Financing Incentive **2020** **\$150,000**

The McCook Economic Development Corporation Board has determined the availability of fiber to the home is essential to the future development of the community and the region. MEDC also recognizes the difficulty in building a fiber network to residential areas in rural communities. In an effort to assist with financing, MEDC offers the following finance program. MEDC will offer a \$150,000 loan at 1% annual interest with a 10 year term. As the company meets conditions set on the loan, they will be eligible for up to \$150,000 in financing from MEDC at 1% annual interest with a 10 year term for year 2 and year 3 of the expansion project. This could total \$450,000 in financing at 1% over three years.

Early Childhood Education New Provider Scholarship/Startup Funds **2019** **\$17,150**

The McCook Community 4 Kids Core Team has spent the last year analyzing the childcare environment around McCook, devising programs to improve childcare access, and raise money to fund the programs. The MEDC initiatives have gone towards funding education and start up expenses for childcare programs, providing an incentive for providers to increase the number of infants they serve, and to provide scholarships for students to complete early childhood education programs and work in the area of early childhood education.

SWNCBC DPA with Rehab Grant **2020** **\$5,000**

We partnered with Southwest Nebraska Community Betterment Corporation for a Down payment Assistance Program. We paid \$1,000 in grant writing and \$5,000 in matching funds and were able to award over \$70,000 in down payment assistance to 7 McCook households who closed on a primary residence. We are partnering with SWNCBC on their next grant that will provide down payment assistance and rehab money. It will be difficult to get a grant accepted this year and if it isn't the match will come back to us.

LB 840 Expenses in the 3rd Quarter

Loan, Grant, and Program Fund

Amanda Mullen Loan	2020	\$56,500
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This LB 840 gap loan helped in the financing of the purchase of Kingdom Kids for Amanda and Josh Mullen. They are looking to eventually expand the capacity of the facility to serve more children and it keeps an important business running with a successful transition.

Publishing and Legal Fees	2020	\$1,703.20
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This included publishing and legal fees for the last two LB 840 gap loans and the adjustment of an LB 840 loan during the pandemic.

Other Expenses

Program Administration and Operations	4/15/2020	\$10,889.00
Program Administration and Operations	5/13/2020	\$10,889.00
Program Administration and Operations	6/13/2020	\$10,889.00

**ECONOMIC DEVELOPMENT PLAN
CITIZEN'S ADVISORY REVIEW COMMITTEE
MEETING MINUTES**

Monday – July 27, 2020
12:00 P.M. at the Keystone Business Center
3rd Floor Conference Room

The Economic Development Plan Citizen's Advisory Review Committee of the City of McCook was called to order by Chairperson Sean Wolfe and began at 12:06 P.M.

A copy of the Open Meetings Act is posted on the City of McCook website and available for public review.

Present: Chairperson Sean Wolfe; Andy Long, MEDC; Nate Schneider, City Manager; Tracy Burkey, Recording Secretary; Members, Gary Wiemers, Leon Kuhlen. Via Zoom, Jordan Johnson, and Sarah Renner.

Absent: Members Jeanette Peters and Danielle Johnson.

(1) REVIEW AND APPROVE MINUTES OF APRIL 27, 2020 MEETING.

Kuhlen introduced a motion to approve the April 27, 2020 minutes; Wiemers seconded the motion. All members present voted in the affirmative. Motion passed. 7 VOTES YEA, 0 NAY, 2 ABSENT.

(2) REVIEW LB840 ECONOMIC DEVELOPMENT PROGRAM QUARTERLY REPORTS.

MEDC Director Long reviewed the McCook Growth Fund Program Balances and McCook Growth Fund Available Funds reports prepared by MEDC for the 03/1/20 - 06/30/20 quarter with the committee.

Workforce Housing Incentive Grant program is to encourage housing developers to build housing to buy or rent. The board approved allocating \$60,000 for an incentive to encourage housing developers to build multiple housing units in McCook. The incentive would provide \$10,000 reimbursement for each eligible living unit. The maximum sales price per home is \$275,000. Rental units cannot cost more than \$200,000 per unit to construct. Other restrictions apply.

The State of Nebraska had \$2,000,000 in housing trust fund left after the initial application round. The state opened up innovative housing proposals. We worked with Cambridge and Benkelman to put together a regional proposal that was awarded. The pool of money is to be used between the three communities for capital to build workforce housing. We have been awarded a \$405,000 grant for the innovative housing proposal. The first home is currently being constructed in Benkelman. McCook is planning on utilizing the program to build a home at West 9th and Q Street in the near future.

EXHIBIT #4

PAGE(S) - 3

The SWNCBC Down Payment Assistance and Rehab Grant has paid out \$850,000 in down payment grant money in the last year.

On the Fiber to the Home Financing Incentive, the EDC is in discussion with one of the three companies they received proposals from. If NPPD agrees with them using the power poles for the lines, the hope is that all residents in the city will have fiber available by end of 2021. Schneider talked to Stan Clouse, NPPD, he said that they will do their best to work with everyone to get fiber to the homes.

Three individuals have taken advantage of the Early Childhood Education jump start program that was offered. An infant incentive program is also going to be offered to encourage providers to take on more infants. A third program they are looking into will be the a preschool education grant.

(3) UPDATE OF REVENUES COLLECTED.

Long reviewed the McCook Growth Fund Loan Status Report and all loans are current. Long also reviewed the LB840 Program Balances report, receipt register and check register with the committee.

(4) ECONOMIC DEVELOPMENT DIRECTOR REPORT

Long stated that the MEDC is reviewing strategic initiatives to decide what direction they are wanting to head next. Workforce development and housing are two areas they are going to continue working on.

Long stated that the co-work space on the 4th floor of the Keystone is almost up and ready to go. Long stated this space can be utilized by persons wanting to work remotely, but not inside their homes. Long is hoping this facility is open within the next three months.

(5) OPEN DISCUSSION

Schneider discussed the effects CV-19 has had on sales tax revenues. April sales tax numbers were down 3.8%. The month of May is up from last year at the same time. Schneider said that the City had already set the 2019/2020 down 10% prior to the pandemic. Due to the cut in the budget it appears that the numbers are going to end up being right in line. However, other revenues are expected to be lower.

Wolfe asked if we had heard of any residents or business that have been pained from the CV-19 pandemic. Corporate business seem to be doing well, but the local businesses have not been so fortunate. Wolfe stressed that human interaction will be the key to lowering the spread of Covid.

Gary Wiemers is resigning effective immediately. Committee members thanked Gary for his participation in the committee and wished him well.

(6) NEXT MEETING DATE

Next meeting date will be October 26, 2020 at 12:00 PM at the Heritage Senior Center conference room.

(9) ADJOURNMENT

Meeting adjourned at 12:36 PM.

Tracy Burkey, Recording Secretary

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 4.A.

Approve the minutes of the July 14, 2020 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

July 29, 2020

McCook City Council
July 20, 2020
5:30 PM 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 Gonzales, Councilmembers Hepp, Calvin, Weedon, Muehlenkamp.

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, Public Works Director Potthoff, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 16, 2020, 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 Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

1. Citizen's Comments.

No one was present for Citizen's Comments.

2. Announcements & Recognitions.

City Manager Schneider announced that Civil Service Commission will be conducting the examination for Police Chief on July 11, 2020 at 8:00 A.M. and oral interviews at 1:00 P.M.

3. Public Hearings.

- 3.A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public

comment with respect to the proposed preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Gonzales and seconded by Weedon, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.

YEA: 5, NAY: 0

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 20, 2020 City Council meeting (2 pages), Exhibit #2 - Notice of Hearing published (2 pages); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); Exhibit #5 - Bishop Acres Third Subdivision Preliminary Plat (1 page); Exhibit #6 - minutes of the July 13, 2020 Planning Commission meeting (5 pages); and Exhibit #7 - Letter from the Craig A. Bennett, the Red Willow County Zoning Planning & Zoning Administrator, dated July 20, 2020, indicating that the Red Willow County Planning Commission met on July 15, 2020 and reviewed the Bishop Acres Third Subdivision and take no issue with the proposed subdivision.

City Manager Schneider reviewed the following information contained in Exhibit #1:

“An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6th P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook’s Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower.”

“The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stressed that before there is additional development of the Bishop tract, a comprehensive development plan needs to be designed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the City Council’s review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook’s Subdivision Regulations. All of the lots meet the size requirements required by McCook’s Zoning Code.”

“If approved, the preliminary plat would be filed with the City of McCook. It would not be filed

with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the owner believes a change is warranted due to development needs. The City of McCook can also ask that the preliminary plat be modified to meet McCook's needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date."

"As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress off of Road 716. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

"At the July 13, 2020 Planning Commission meeting, the Planning Commission voted unanimously to recommend approval of the preliminary plat and final plat."

Craig Bennett of Miller & Associates, was present to address questions from the Council.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Gonzales and seconded by Muehlenkamp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.

YEA: 5, NAY: 0

3.B. Approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to approve the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska. This motion, made by Gonzales and seconded by Muehlenkamp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.

YEA: 5, NAY: 0

3.C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment with respect the proposed final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision, with the City Attorney to act as hearing officer. This motion, made by Gonzales and seconded by Weedin, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 20, 2020 City Council meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); Exhibit #5 - Bishop Acres Third Subdivision Final Plat (1 page); Exhibit #6 - minutes of the July 13, 2020 Planning Commission meeting (5 pages); Exhibit #7 - proposed Resolution No. 2020-15 (1 page); and Exhibit #8 - Letter from the Craig A. Bennett, the Red Willow County Zoning Planning & Zoning Administrator, dated July 20, 2020, indicating that the Red Willow County Planning Commission met on July 15, 2020 and reviewed the Bishop Acres Third Subdivision and take not issue with the proposed subdivision.

City Manager Schneider noted that the owner has the possibility of selling the land with the tower located on it. Since the parcel has had a prior subdivision, it is necessary to create a new subdivision. Staff is comfortable with completing the final plat of Lot 1 at this time. Proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress off of Road 716. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement.

Craig Bennett of Miller and Associates, was present to address questions from the Council.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Gonzales and seconded by Muehlenkamp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

3.D. Adopt Resolution No. 2020-15 approving the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to adopt Resolution No. 2020-15 approving the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision. This motion, made by Weedon and seconded by Muehlenkamp, passed. Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

4. Consent Agenda.

Councilmember Muehlenkamp requested that Item F be removed from the Consent Agenda and placed on the Regular Agenda.

Motion to approve the remaining consent agenda. This motion, made by Weedon and seconded by Hepp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

- 4.A. Approve the minutes of the July 6, 2020 regular City Council meeting.
- 4.B. Approve the application for a Special Designated Liquor License submitted by JBN, Inc., dba Hi Times Liquor Mart 1, Liquor License #DK-100025, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on August 29, 2020 from 12:00 P.M. to 1:00 A.M.; and shall be subject to comply with any Directed Health Measures in effect at the time of the event.
- 4.C. Approve an application from Great Plains Communications to occupy city right of way on West "Q" Street and West 17th Street for the purpose of installing fiber optic cable to 1505 West 17th Street occupied by Esslinger's Home Improvement.
- 4.D. Receive and file the claims for the month of June 2020 as published July 9, 2020.
- 4.E. Adopt Resolution No. 2020-16 ratifying all City Council actions at virtual meetings, beginning April 6, 2020 through June 1, 2020, per Executive Orders No. 20-03 and No. 20-24.
- 4.G. Receive and file the Financial Report for the period ending June 30, 2020.
- 4.H. Receive and file the minutes of the July 13, 2020 Planning Commission meeting.

5. Regular Agenda.

- 4.F. Approve the request from the Prairie Roots Festival Committee for the use of Barnett Park, including the west shelter house, electricity, use of additional picnic tables, benches and trash cans for their Fifth Annual Prairie Roots Festival on Saturday, August 22, 2020; and that they

shall be subject to comply with any Directed Health Measures in effect at the time of the event.

Councilmember Muehlenkamp informed that the event would not be happening this year.

Motion to approve the request from the Prairie Roots Festival Committee for the use of Barnett Park, including the west shelter house, electricity, use of additional picnic tables, benches and trash cans for their Fifth Annual Prairie Roots Festival on Saturday, August 22, 2020; and that they shall be subject to comply with any Directed Health Measures in effect at the time of the event. This motion, made by Muehlenkamp and seconded by Calvin, Failed.

Gonzales: NAY, Hepp: NAY, Calvin: NAY, Weedin: NAY, Muehlenkamp: NAY

YEA: 0, NAY: 5

5.A. Receive and file a presentation from Craig Bennett of Miller and Associates regarding annexation processes.

Craig Bennett of Miller and Associates presented information regarding the annexation process.

Council discussion included possible areas to annex; how to pay for the necessary infrastructure; and how does the City ever grows if we are land locked by continuing to develop areas without providing the infrastructure.

Kurt Vosburg, Chair of the Planning Commission, stated that he and fellow Commission member Dale Dueland have the same concerns with how the City ever grows if we are land locked by continuing to develop areas without providing the infrastructure.

5.B. Receive and file a presentation from Andy Long of the McCook Economic Development Corporation regarding the creation of the Birdella Nelson Technology Center in the McCook Public Library.

Andy Long of the McCook Economic Development Corporation presented information regarding the creation of the Birdella Nelson Technology Center in the McCook Public Library.

Senator Ben Nelson, was present via telephone to address his plans regarding the proposed technology center in honor of his mother Birdella Nelson.

5.C. Council Comments.

Councilmembers recognized city staff and Nebraska Public Power for all that they did in the aftermath of the recent storm.

5.D. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57.

Motion to go into executive session for the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57 at 7:34 P.M. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

Mayor Gonzales stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to collective bargaining - the Fraternal Order of Police Lodge 57. The Council will reconvene in public session following this closed session.

Motion to come out of executive session at 8:16 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

5.E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to collective bargaining - McCook Professional Firefighters Association Local 2100.

Motion to go into executive session for the protection of public interest for a strategy session with respect to collective bargaining - McCook Professional Firefighters Association Local 2100 at 8:17 P.M. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

Mayor Gonzales stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to collective bargaining - the McCook Professional Firefighters Association Local 2100. The Council will reconvene in public session following this closed session.

Motion to come out of executive session at 8:26 P.M. This motion, made by Calvin and seconded by Hepp, passed.

Gonzales: YEA, Hepp: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA.
YEA: 5, NAY: 0

Adjournment.

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:27 P.M.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 4.B.

RECOMMENDATION:

Receive and file the minutes of the March 11, 2020 Library Advisory Board and the June 2, 2020 Special Joint meeting of the McCook Public Library Foundation and the Library Advisory Board meeting.

BACKGROUND:

Receive minutes from the various board and commission meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

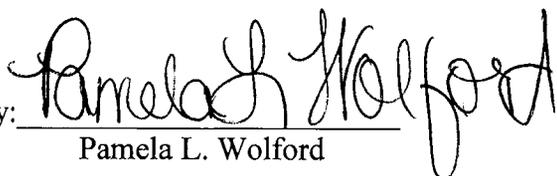
July 29, 2020

McCook Public Library Advisory Board Meeting Minutes
March 11, 2020 at 4:00 PM CDT

A copy of the Open Meetings Act is posted by the white board on the west wall of the meeting room in the library basement.

1. **Call to order / attendance:** Mary Dueland called the meeting to order with Jody Crocker, Kevin Cochran, Staci Blomstedt, Sharon Bohling, and Pam in attendance.
2. **Opportunity for Comments from the Public:** No patrons were in attendance; thus, no public comment.
3. **Read and Approve January 2020 meeting minutes:** A motion was made by Staci to accept the minutes as read with a second by Kevin. They were accepted 5-0.
4. **Open discussion from board members on items not on the agenda:** None
5. **Director's Report and update on upcoming activities:** Mary will finish up tutoring in two weeks due to the arrival of the Innovation Studio. Terrific Tuesdays will be done at the end of this month. The HVAC project is underway with some progress inn removal and machines on order. Jody is hosting a mini garage sale upstairs to get rid of items the library will not need. There will be new shelving downstairs to match the furniture upstairs. This will be paid for by the Library Foundation. National Library Week will have the theme: "Find Your Place at the Library" during April 19-25. Children's Book Week is May 4-10 with the theme "Read, Dream, Share". The 1,000 Books Celebration will be April 28; invitations have not gone out. Summer Reading theme is "Imagine Your Story"; Jody is anxious to get started on preparations.
6. **Unfinished Business:** Library policies regarding the Library Innovation Studio were distributed prior to the last meeting. Jody stressed that patrons must be trained before operating the machines. Board members can choose to be trained on any machines. The Studio will be here in April through mid-September. The board approved the policies as stated.
7. **New Business:** The Corona Virus threat involves our library. Our stuffed animals, puzzles as well as any toys will be sanitized. If the threat gets bad enough, the library would be shut down.
8. **Set date for next board meeting:** The next meeting will be Wednesday, May 13 at 4 PM.
9. **Meeting adjournment:** The meeting was adjourned at 4:41 PM

Secretary: _____


Pamela L. Wolford

**Agenda for the Special Joint Meeting
McCook Public Library Foundation and Advisory Boards
June 2, 2020 - 5:00**

Call the meeting to order/Attendance:

The meeting was called together by president Mary Dueland. It was a joint meeting between the McCook Community Foundation, McCook Library Foundation Board, and the McCook Library Advisory Board. Those present were E. Ben Nelson, Andy Long, Denise Garey, Mary Dueland, Jody Crocker, Bernie Wood, Sean Wolfe, Sharon Bohling, Jason Loop, Nancy Mousel, Kevin Cochran, Staci Blomstedt, and Pam Wolford.

Minutes

The minutes for the Library Board meeting of March 11, 2020 meeting minutes were shared. Kevin Cochran made a motion to approve with a second by Staci Blomstedt to approve as read.

Next was the reading and approval of the Library Foundation minutes of the January 16, 2020 meeting. A motion to approve was made and seconded.

New Business

The library has been offered a Donation Opportunity. Andy Long gave an overview of the donation that Senator Ben Nelson would like to give to the library in honor of his mother; it is to be called the Birdella Nelson Technology Center. Senator Nelson would like to give this money as an endowment to be used for the library into the future. He would like the money to be continuous and substantial with research into what can help our library become technologically up-to-date. Decisions are intended to be made locally with no strings attached.

Andy spoke about how the McCook Community Foundation Fund Advisory Committee will invest the money and be part of future decisions along with the Library Foundation and the Library Advisory Boards. This gift will not replace the funds the city provides. This is intended to improve the library beyond what would normally be budgeted. This donation will have to go before the City Council for acceptance and approval of the name of the Center honoring Senator Nelson's mother.

Denise Garey addressed the idea of the endowment via an Excel spreadsheet so we were able to see fund growth and potential yearly benefit to the library.

Open Discussion between Boards included clarification of how the financial decisions would be made going forward. The Library Director would request funds from the MCFB Board then the Library Board oversight committee will approve or deny the request(s).

The Committee that has been meeting would like to take the donation opportunity to the City Council as soon as possible. Kevin Cochran made the motion to accept the money. Sean Wolfe seconded the motion. The motion carried 10-0.

Old Business

Director's Report: Jody has requested an additional \$5000 from the Foundation to pay for the Summer Reading program. The money will cover individual packets for children to participate due to complications from the COVID 19 pandemic. This was moved by Nancy Mousel and seconded by Bernie Wood.

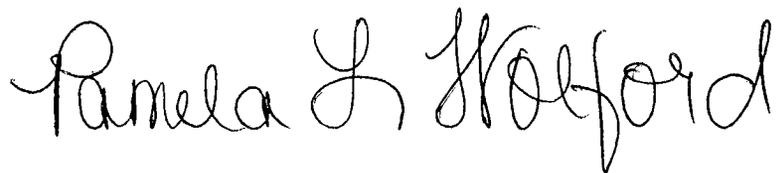
Sean Wolfe gave a Foundation treasurer's report. He will make the money available per Jody's request.

The wall was not removed for HVAC installation which is good news. This should be completed and the library open by June 15 if all goes as scheduled. There are currently 180 kids registered for Summer Reading. All activities so far will be outside until cleaning is complete; individual packets will be made for the children who are signed up.

Prior to the library opening, Jody will be sharing the social distancing rules and regulations via email going forward with all Board members. Curbside service will continue as long as it is necessary.

Next Meeting(s)

Library Advisory Board and Library Foundation Board will meet jointly on Thursday, July 16, 2020 at 4:30 at the library.

A handwritten signature in black ink that reads "Pamela L. Wolford". The signature is written in a cursive style with a large, prominent 'P' and 'W'.

CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING

ITEM: 4.C.

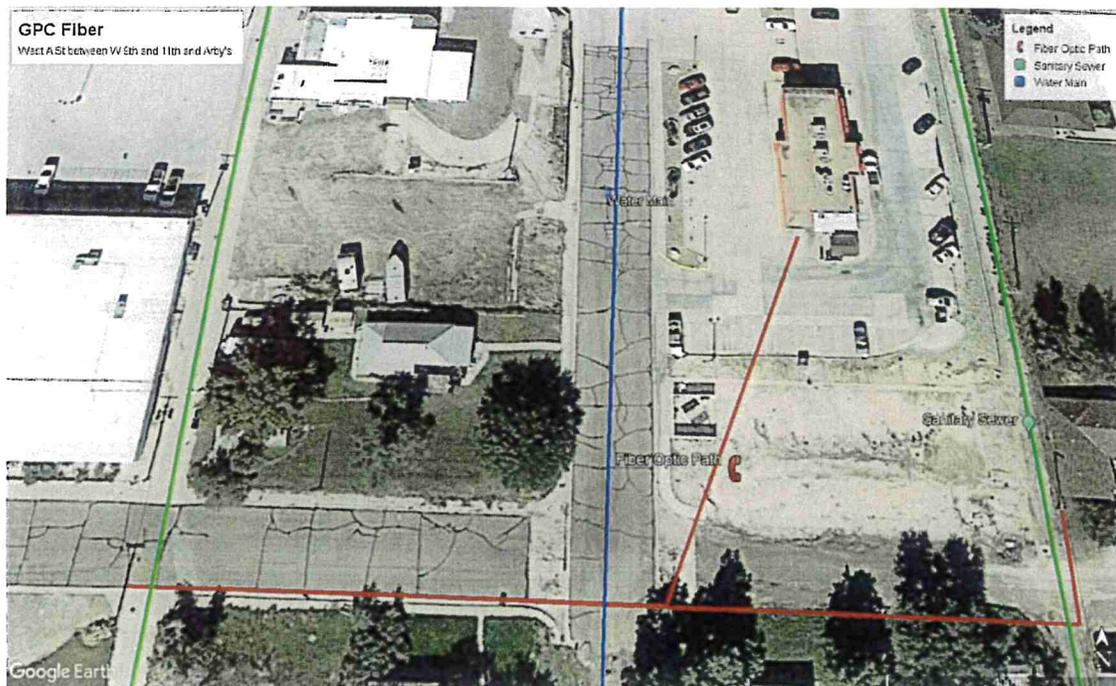
RECOMMENDATION:

APPROVE AN APPLICATION FROM GREAT PLAINS COMMUNICATIONS TO OCCUPY CITY RIGHT OF WAY ON WEST A STREET BETWEEN WEST 9TH AND WEST 11TH STREETS INCLUDING SERVICE TO 900 WEST B STREET

BACKGROUND:

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City right-of-way to connect existing aerial cables using underground cable. The existing cable located on a NPPD electrical pole in the alley between West 9th and West 10th north of West A Street will see a line bored from this location south approximately 45 feet to the south side of West A Street. At this point the path will turn west, remaining on the south side of West A, and run approximately 400 feet to a pole at the alley between West 11th and West 12th.

Along the east west run the cable will branch off at a ground level vault (near W A & 10th) and go north to provide service to Arby's Restaurant at 900 West B Street. The Arby's connection will cross West A Street running north. Once across West A, the route will enter private property and continue to the rear of the building.



FISCAL IMPACT: None, Great Plains Communications has a performance fee on deposit with the City of McCook.

APPROVALS:



Jesse Dutcher Utilities Dir.

July 29, 2020



Kyle Potthoff, Public Works Dir.

July 29, 2020



Nate Schneider, City Manager

July 29, 2020



P.O. BOX 1059 • 505 WEST C • McCook, NE 69001-1059 • PHONE (308) 345-2022 • FAX (308) 345-1461

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME Great Plains Communications DATE: 7-29-2020
ADDRESS: 1009 West B St. PHONE: 402-278-2325
FAX: 308-364-9060 START DATE: August 2020 FINISH DATE: September 2020

A CASH BOND IS REQUIRED FOR ALL RIGHT-OF-WAY ENCROACHMENTS

Type: (circle)
Over-Cross
<u>Under-Cross</u>
Occupy
Miscellaneous

With a: (circle)
Water Line
Sewer Line
Gas Line
Telephone Line
<u>(Underground) Aerial</u>
Tree Trimming/Removal
Grading
Other
Electric Line
(Underground Aerial)

Location: Beginning _____ feet (East West North South) of Intersection _____
and ending (East West North South) _____ feet of Intersection
Map attached

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the City of McCook. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the City of McCook. The Applicant may cancel the permit with written notification at any time prior to beginning work on right-of-way.

Performance Guarantee: (Make Payable to City of McCook)

Amount: \$ _____ Check No. _____ Or FID No. _____

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

NOTE: Please provide a location plan for over-cross or under-cross of location to occupy City of McCook right-of-way. When your project requires engineering plans, please submit four sets of plans, no larger than 18"x24". The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, sleeves, cuts and fills, erosion control measures, etc., when applicable. City of McCook Municipal Code §94.34.

Bauer
Applicant's Signature

Recommended By _____

Date _____

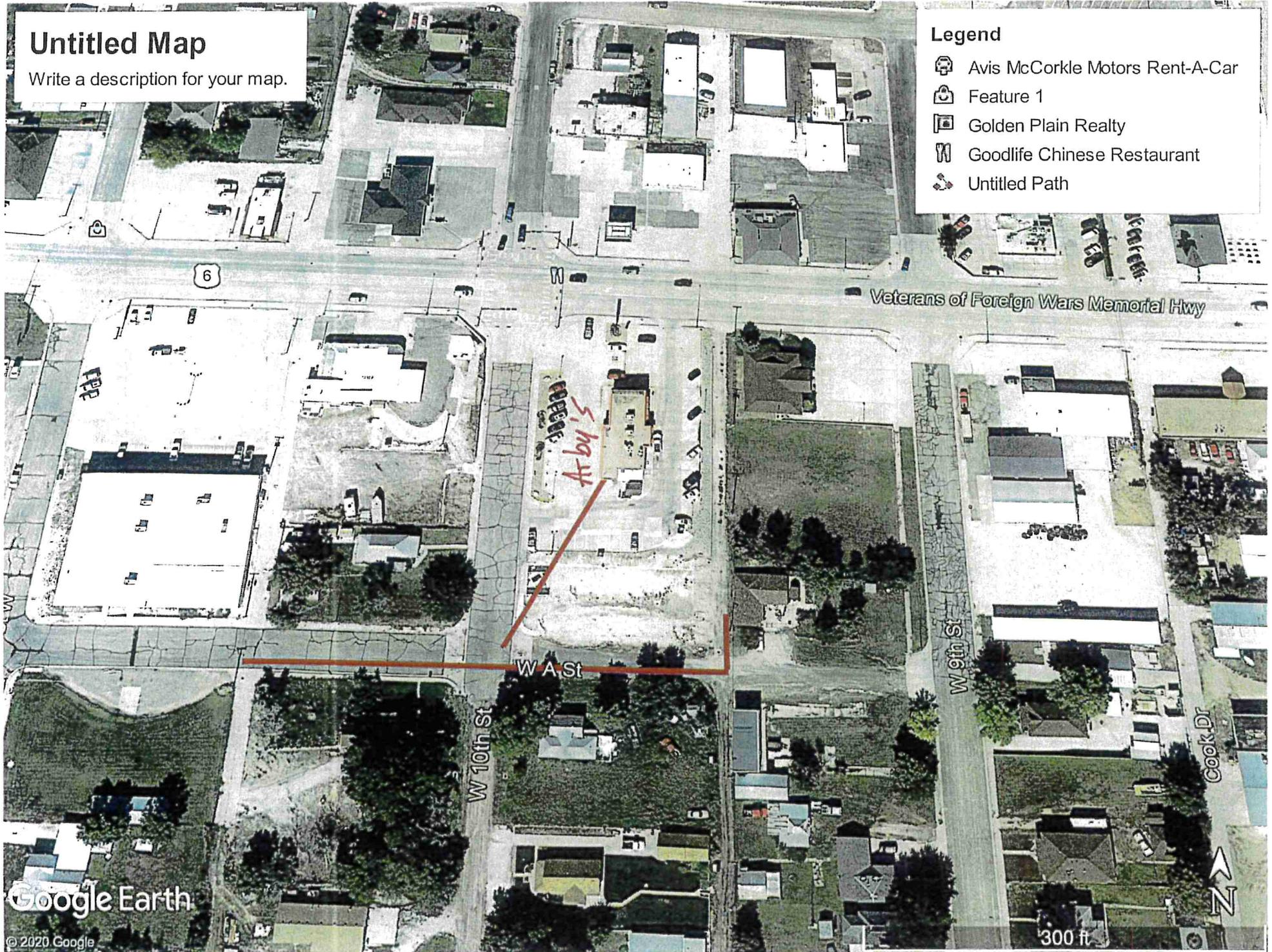
Director of Public Works Approval _____

Untitled Map

Write a description for your map.

Legend

-  Avis McCorkle Motors Rent-A-Car
-  Feature 1
-  Golden Plain Realty
-  Goodlife Chinese Restaurant
-  Untitled Path



CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING

ITEM: 4.D.

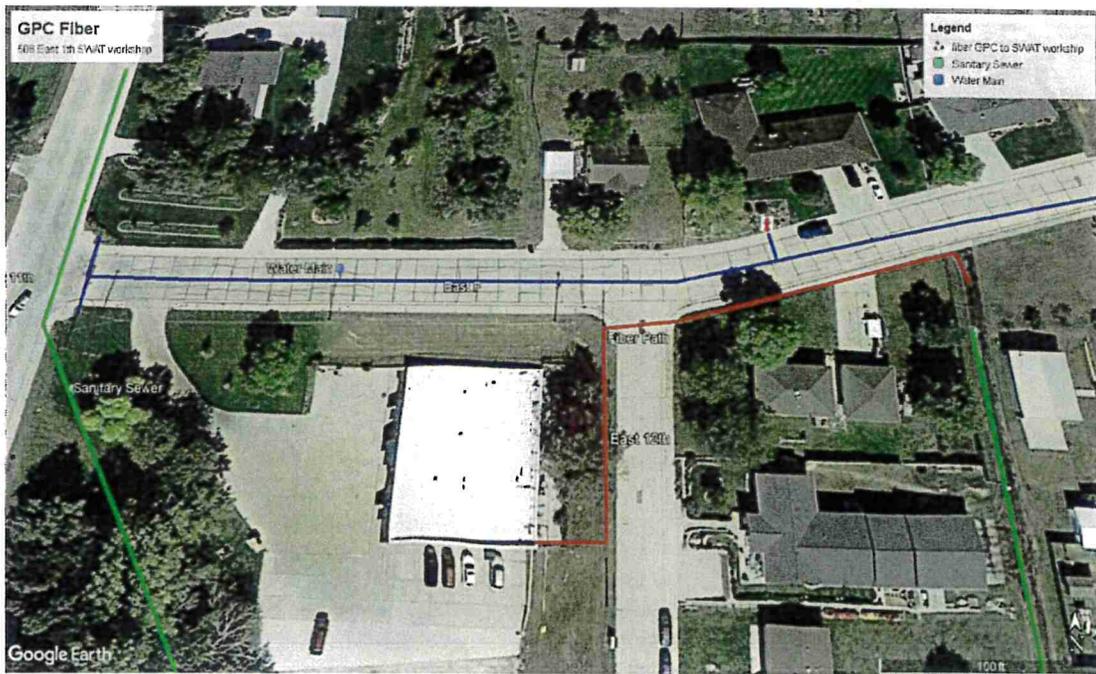
RECOMMENDATION:

APPROVE AN APPLICATION FROM GREAT PLAINS COMMUNICATIONS TO OCCUPY CITY RIGHT OF WAY ON EAST "F" STREET FROM EAST 12TH TO THE ALLEY BETWEEN GEMINI COURT AND EAST 12TH TO SUPPLY FIBER OPTIC SERVICE TO 506 EAST 12TH

BACKGROUND:

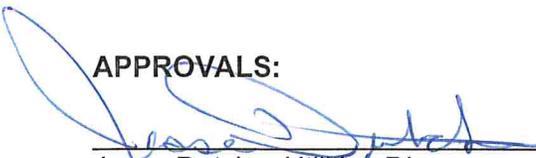
Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City right-of-way to extend fiber optic cable service to Southwest Area Training Services workshop located at 506 East 12th Street.

The new cable will extend from an existing connection on the south side of the street between East 12th and Gemini Court. From the origination point, it will run west approximately 220 feet (behind south curb) along East "F" Street then turning south on East 12th for an approximate distance of 140 feet where it will turn west on to private property and into the building.



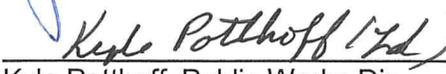
FISCAL IMPACT: None, Great Plains Communications has a performance fee on deposit with the City of McCook.

APPROVALS:



Jesse Dutcher Utilities Dir.

July 29, 2020



Kyle Potthoff, Public Works Dir.

July 29, 2020



Nate Schneider, City Manager

July 29, 2020



P.O. BOX 1059 • 505 WEST C • McCook, NE 69001-1059 • PHONE (308) 345-2022 • FAX (308) 345-1461

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 7-16-2020
ADDRESS: 1009 West B Street PHONE: 402-278-2325
FAX: 308-777-2003 START DATE: July 2020 FINISH DATE: August 2020

A CASH BOND IS REQUIRED FOR ALL RIGHT-OF-WAY ENCROACHMENTS

Type: (circle) Over-Cross <u>Under-Cross</u> <u>Occupy</u> Miscellaneous	With a: (circle) Water Line Sewer Line <u>Gas Line</u> <u>Telephone Line</u> (<u>Underground</u> Aerial)	Tree Trimming/Removal Grading Other Electric Line (Underground Aerial)
--	--	--

Location: Beginning _____ feet (East West North South) of Intersection _____
and ending (East West North South) _____ feet of Intersection
Map Attached

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the City of McCook. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the City of McCook. The Applicant may cancel the permit with written notification at any time prior to beginning work on right-of-way.

Performance Guarantee: (Make Payable to City of McCook)

Amount: \$ _____ Check No. _____ Or FID No. _____

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

NOTE: Please provide a location plan for over-cross or under-cross of location to occupy City of McCook right-of-way. When your project requires engineering plans, please submit four sets of plans, no larger than 18"x24". The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, sleeves, cuts and fills, erosion control measures, etc., when applicable. City of McCook Municipal Code §94.34.

[Signature]
Applicant's Signature

Recommended By _____

Date _____

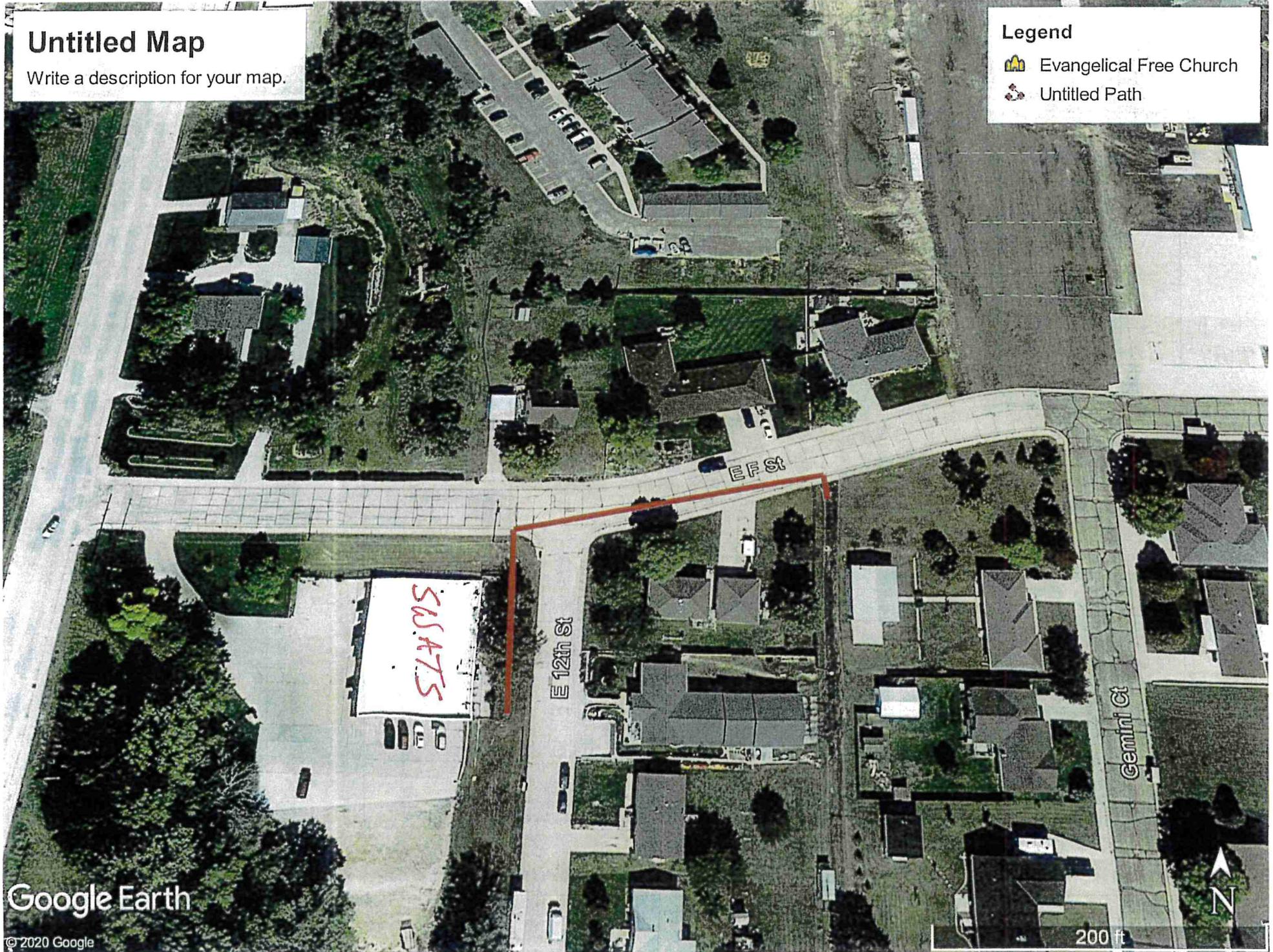
Director of Public Works Approval _____

Untitled Map

Write a description for your map.

Legend

-  Evangelical Free Church
-  Untitled Path



Google Earth

© 2020 Google

200 ft

N

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 4.E.

**RECOMMENDATION:
APPROVE AN APPLICATION FROM GREAT PLAINS COMMUNICATIONS TO OCCUPY CITY RIGHT OF WAY IN THE ALLEY NORTH OF WEST "O" STREET TO INSTALL FIBER OPTIC CABLE TO 1505 NORTH HIGHWAY 83**

BACKGROUND:
Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City right-of-way to connect fiber optic cable to the Gary Thompson Agency at 1505 North Highway 83.

The new fiber cable will connect to an existing ground level vault located in the unimproved alley north of West O Street. The cable will run from the middle of the alley west, approximately 15 feet where continues on private property to the rear of the building at 1505 N 83.



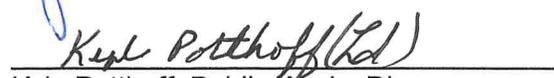
FISCAL IMPACT: None, Great Plains Communications has a performance fee on deposit with the City of McCook.

APPROVALS:



Jesse Dutcher Utilities Dir.

July 29, 2020



Kyle Potthoff, Public Works Dir.

July 29, 2020



Nate Schneider, City Manager

July 29, 2020



P.O. BOX 1059 • 505 WEST C • McCook, NE 69001-1059 • PHONE (308) 345-2022 • FAX (308) 345-1461

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 7-29-2020
ADDRESS: 1009 WEST B ST. PHONE: 402-278-2325
FAX: 308-364-9060 START DATE: August 2020 FINISH DATE: September 2020

A CASH BOND IS REQUIRED FOR ALL RIGHT-OF-WAY ENCROACHMENTS

Type: (circle) Over-Cross <input checked="" type="radio"/> Under-Cross <input checked="" type="radio"/> Occupy Miscellaneous	With a: (circle) Water Line Sewer Line Gas Line Telephone Line <input checked="" type="radio"/> (Underground) <input type="radio"/> Aerial	Tree Trimming/Removal Grading Other Electric Line (Underground Aerial)
---	--	--

Location: Beginning _____ feet (East West North South) of Intersection _____
and ending (East West North South) _____ feet of Intersection
Map attached

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the City of McCook. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the City of McCook. The Applicant may cancel the permit with written notification at any time prior to beginning work on right-of-way.

Performance Guarantee: (Make Payable to City of McCook)

Amount: \$ _____ Check No. _____ Or FID No. _____

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

NOTE: Please provide a location plan for over-cross or under-cross of location to occupy City of McCook right-of-way. When your project requires engineering plans, please submit four sets of plans, no larger than 18"x24". The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, sleeves, cuts and fills, erosion control measures, etc., when applicable. City of McCook Municipal Code §94.34.

Ray [Signature]
Applicant's Signature

Recommended By _____

Date _____

Director of Public Works Approval _____

Untitled Map

Write a description for your map.

Legend

-  Avis McCorkle Motors Rent-A-Car
-  Feature 1
-  Golden Plain Realty
-  Goodlife Chinese Restaurant
-  Untitled Path



CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING

ITEM: 4.F.

RECOMMENDATION:

APPROVE AN APPLICATION FROM GREAT PLAINS COMMUNICATIONS TO OCCUPY CITY RIGHT OF WAY ON WEST E STREET AND THE ALLEY BETWEEN WEST 3RD AND WEST 4TH TO CONNECT EXISTING CABLES.

BACKGROUND:

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City right-of-way to connect existing aerial cables in the alley between West 3rd and West 4th Streets to an existing Aerial fiber cable on West E Street.

The new fiber cable will be installed underground between the existing cables in the alley and on West E, because the current poles in this area will not support the additional load of the new cable.



FISCAL IMPACT: None, Great Plains Communications has a performance fee on deposit with the City of McCook.

APPROVALS:



Jesse Dutcher Utilities Dir.

July 29, 2020



Kyle Potthoff, Public Works Dir.

July 29, 2020



Nate Schneider, City Manager

July 29, 2020



P.O. BOX 1059 • 505 WEST C • McCook, NE 69001-1059 • PHONE (308) 345-2022 • FAX (308) 345-1461

APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 7-29-2020
ADDRESS: 1009 West B St. PHONE: 402-278-2325
FAX: 308-364-9060 START DATE: August 2020 FINISH DATE: September 2020

A CASH BOND IS REQUIRED FOR ALL RIGHT-OF-WAY ENCROACHMENTS

Type: (circle) Over-Cross <u>Under-Cross</u> Occupy Miscellaneous	With a: (circle) Water Line Sewer Line Gas Line <u>Telephone Line</u> (Underground) Aerial	Tree Trimming/Removal Grading Other Electric Line (Underground) Aerial
--	--	--

Location: Beginning _____ feet (East West North South) of Intersection _____
and ending (East West North South) _____ feet of Intersection
Map attached

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the City of McCook. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the City of McCook. The Applicant may cancel the permit with written notification at any time prior to beginning work on right-of-way.

Performance Guarantee: (Make Payable to City of McCook)

Amount: \$ _____ Check No. _____ Or FID No. _____

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

NOTE: Please provide a location plan for over-cross or under-cross of location to occupy City of McCook right-of-way. When your project requires engineering plans, please submit four sets of plans, no larger than 18"x24". The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, sleeves, cuts and fills, erosion control measures, etc., when applicable. City of McCook Municipal Code §94.34.

Baw...
Applicant's Signature

Recommended By _____

Date _____

Director of Public Works Approval _____

Untitled Map

Write a description for your map.

Legend

-  Evangelical Free Church
-  Untitled Path



Google Earth

© 2020 Google

300 ft

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 4.G.

Approve the application for a Special Designated Liquor License submitted by Loop Brewing Company, Liquor License #LK-093351, for a wedding reception to be held at the Red Willow County Fair Grounds Community Building, 1412 West 5th Street, on September 12, 2020 from 4:00 P.M. to 12:00 P.M.; shall be subject to comply with any Directed Health Measures in effect at the time of the event.

BACKGROUND:

Loops will be catering 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.

APPROVALS:



Lea Ann Doak, City Clerk

July 30, 2020



Nathan A. Schneider, City Manager

July 30, 2020

**Special Designated License
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions
Late applications are non-refundable and will be rejected

Loop Brewing Company LLC
Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

404 West A Street McCook Ne, 69001
Retail Liquor License Address or Non-Profit Business Address

LK- 93351
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only
Event Date(s): 9-12-2020

Event Start Time(s): 4pm

Event End Time(s): 12am

Alternate Date: X

Alternate Location Building & Address: _____

Event Building Name: Red Willow Community Building

Event Street Address/City: 1412 West 5th McCook Ne,

Indoor area to be licensed in length & width: 60 x 120

Outdoor area to be licensed in length & width: X X X (Diagram Form #109 must be attached)

Type of Event: Wedding Estimate # of attendees: 125

Type of alcohol to be served: Beer X Wine X Distilled Spirits X
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Adam Siegfried Event Contact Phone Number: 308-340-2400

Event Contact Email: lappemilrestaurantllc@yahoo.com

*Signature Authorized Representative: [Signature] Printed Name Adam Siegfried

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.

*Retail licensee – Must be signed by a member listed on permanent license
*Non-Profit Organization – Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of _____ OR County of _____ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature Date

**CITY MANAGER'S REPORT
AUGUST 3, 2020 CITY COUNCIL MEETING**

ITEM: 5.A. Approve the concept of the Birdella Nelson Technology Center located at the McCook Public Library, which includes accepting an endowment to be administered by the Nebraska Community Foundation, as well as authorizing the name of the center to be known as the Birdella Nelson Technology Center.

BACKGROUND:

At the July 20th City Council meeting, Senator Ben Nelson and Andy Long made a presentation regarding the creation of an endowment to fund a technology center at the McCook Public Library. The endowment would be used for providing cutting edge technology tools. Through the creation of this endowment, the citizens of McCook and Southwest Nebraska will be able access the latest technology to develop themselves and interact with the world. A mission statement for the technology center is included with this report.

Council action is being requested to accept the endowment, which will be administered by the Nebraska Community Foundation and directed by local entities (the hierarchy is detailed in the attached mission statement). Additionally, Council would need to approve naming the technology center the Birdella Nelson Technology Center. The name of the library would continue to be the McCook Public Library.

FISCAL IMPACT:

\$500,000 endowment for technology, not to be used to supplement the general fund.

RECOMMENDATIONS:

Approve the concept of the Birdella Nelson Technology Center located at the McCook Public Library, which includes accepting an endowment to be administered by the Nebraska Community Foundation, as well as authorizing the name of the center to be known as the Birdella Nelson Technology Center.



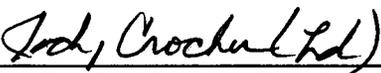
Lea Ann Doak, City Clerk

July 30, 2020



Nathan A. Schneider, City Manager

July 30, 2020



Jody Crocker, Library Director

July 30, 2020

Birdella Nelson Technology Center

Senator Nelson's mother, Birdella, taught him how to read before he entered kindergarten. He credits this as giving him a huge leg up when he started school. It provided the opportunity for him to be successful in school and created a foundation to allow him to achieve success in public and private spheres.

A part of this love of reading was developed through the McCook Library. Senator Nelson still remembers receiving his first library card from Librarian, Millicent Slaby and the Senator still remembers his library card #. Senator Nelson would like to honor his mother's contribution to his development and the role reading and a love of learning that the library helped foster contributed to his success.

Libraries are undergoing a transformation into centers of active learning. The library is a place where people of all walks of life can access the latest technology to develop themselves and interact with the world. These tools are becoming essentials for success in today's economy. Libraries are community hubs. They provide a free access to a wealth of information that often cannot be found elsewhere. This helps connect people to the world, but also people to other people.

This is a challenge for smaller communities as with infrastructure costs continuing to increase and public funding not growing. The addition of an endowment for the library can provide the additional funds needed to enhance what the City of McCook provides.

Purpose. This Account is a permanent endowment in memory of Birdella Nelson for the purpose of supporting the McCook Public Library in McCook, Nebraska. Endowment payout uses include, but are not limited to, programs, activities, and technology that will enhance the knowledge, skills, and quality of life of residents of the McCook area. Funds from this Account may not be used for ongoing operational expenses – which are typically supported by the City of McCook – but are intended to finance projects and programs that will help the Library achieve a margin of excellence.

Vision: The Vision of the endowment is to provide additional opportunities to the community, with an emphasis on the youth around technology through new equipment and programming. The endowment should be used to help create opportunities for community members to learn how to use the tools that will be needed to succeed on a global and local basis in the 21st century.

Expectations: The expectation of the endowment is to be used for the tools and programming to enhance technology improvements for the library. The funds can also be used for emergency expenses the library needs if there are capital expenses that are above and beyond normal maintenance. The Library Director, along with the Library Foundation Board will present their wishes to a committee convened by the McCook Community Foundation Fund that includes McCook Community Foundation Fund Advisory Committee members and Library Foundation Board members. This committee could also include partners from youth, public schools, and the college.

The proposed initial makeup of the committee would be the following:

Andy Long - MCFF

Mary Dueland – Library Board & Library Foundation Board

Kevin Cochran – Library Board

Sean Wolfe – Library Foundation Board

Joel Bednar – Technology & Central Elementary Principal

Dennis Berry - MCFF

Tesa Nelson – Youth YCR

Tucker Gillespie – Youth YCR

The expectation of the city would be to maintain funding with appropriate increases to library operations, upkeep, and staffing. It is also important the city provides funding for staff training to be able to provide services and training on the new technology so it can be used to benefit the community.

Naming: The McCook Public Library is and will be the name of the facility. The Birdella Nelson Technology Center will be listed as a separate name indicating the space will be a place for advanced technology tools and programming, inside of the McCook Public Library. We would plan to add signage to the outside of the building in two locations to indicate that it is the McCook Public Library and the Birdella Nelson Technology Center. This would include below the current McCook Public Library sign on the south side and a new sign above the north east entrance of the library.

Partnerships: There are also hopes that this will help increase partnerships between the library, public schools, college, and McCook Community Foundation Fund Advisory Committee. These entities and more could work to build upon the tools and training used at the library to improve the overall technological knowledge and skills of the entire community.

Council Action: I believe we need the council to support this concept and be willing to accept the annual endowment and willing to include the name of Birdella Nelson Technology Center as a part of the library.

Lea Ann Doak

From: Nate Schneider <nshneider@cityofmccook.com> on behalf of Nate Schneider
Sent: Thursday, July 23, 2020 9:05 AM
To: 'Andy Long'; 'Lea Ann Doak'
Subject: RE: Library for Next Council Meeting

Thanks, Andy. I agree --- those would be the two items we would want the Council to approve. I'll call you next week as we start working on the packet.

Nate

From: Andy Long
Sent: Wednesday, July 22, 2020 3:07 PM
To: 'Nate Schneider' <nshneider@cityofmccook.com>; 'Lea Ann Doak' <ldoak@cityofmccook.com>
Subject: Library for Next Council Meeting

Nate and Lea Ann,

Here's an overview on the Birdella Nelson Technology Center. I think we would need the council to O.K. naming part of the center the Birdella Nelson Technology Center and O.K. accepting the endowment every year based on this concept. Senator Nelson is also interested in adding signage to the library honoring his mother. We talked initially about having the Birdella Nelson Technology Center listed under McCook Public Library and doing something similar on the north side. Senator Nelson told me he will make sure the cost to add Birdella Nelson Technology Center is covered.

Is there more information you'll need for the council meeting? Let me know if you have other questions.

Thanks,
Andy Long
McCook Economic Development Corporation
308-345-1200

Lea Ann Doak

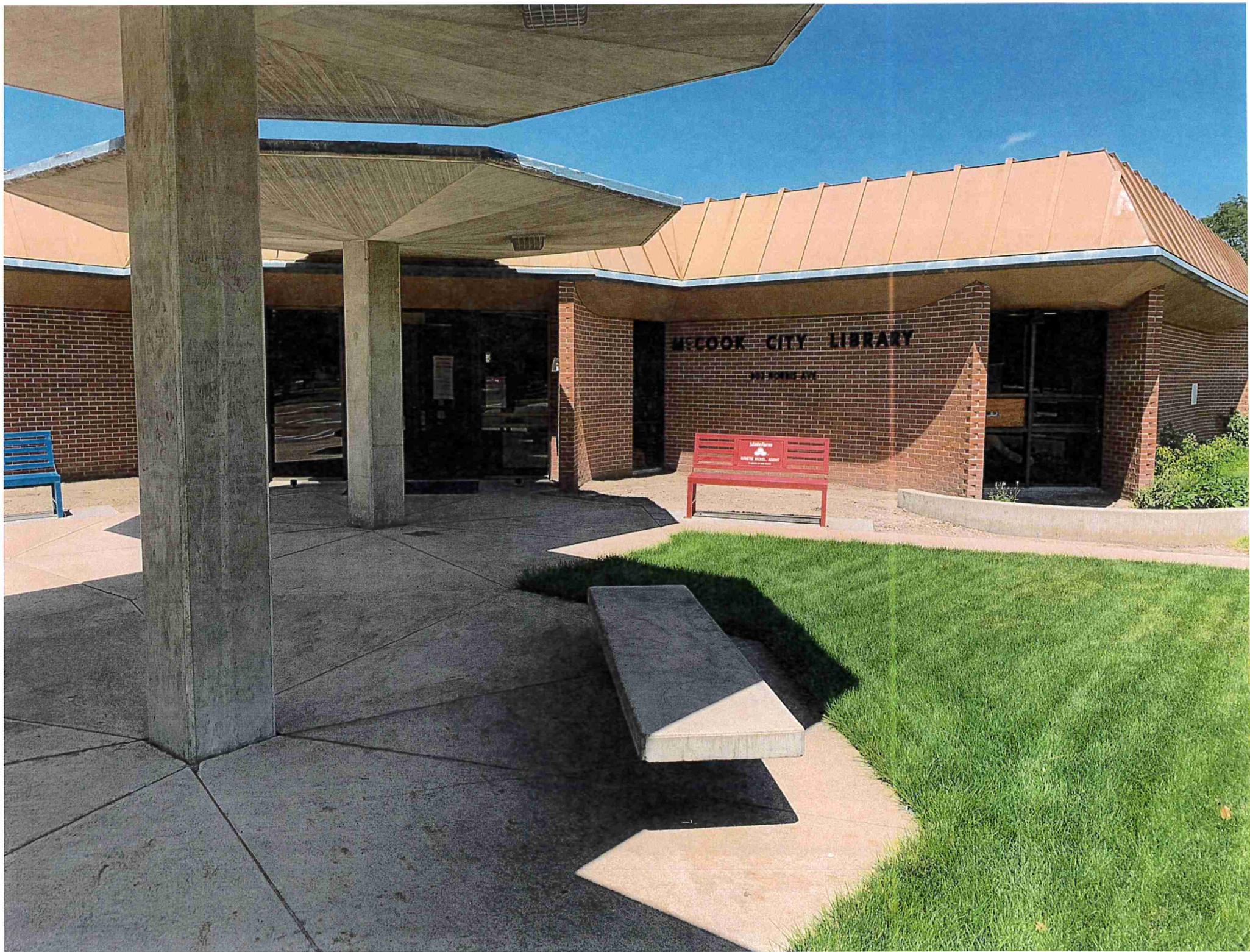
From: Andy Long <andy@mccookne.org> on behalf of Andy Long
Sent: Wednesday, July 22, 2020 3:07 PM
To: 'Nate Schneider'; 'Lea Ann Doak'
Subject: Library for Next Council Meeting
Attachments: Birdella Nelson Technology Center overview.docx; library south side.jpg; library north side.jpg

Nate and Lea Ann,

Here's an overview on the Birdella Nelson Technology Center. I think we would need the council to O.K. naming part of the center the Birdella Nelson Technology Center and O.K. accepting the endowment every year based on this concept. Senator Nelson is also interested in adding signage to the library honoring his mother. We talked initially about having the Birdella Nelson Technology Center listed under McCook Public Library and doing something similar on the north side. Senator Nelson told me he will make sure the cost to add Birdella Nelson Technology Center is covered.

Is there more information you'll need for the council meeting? Let me know if you have other questions.

Thanks,
Andy Long
McCook Economic Development Corporation
308-345-1200





CITY MANAGER'S REPORT
AUGUST 3 2020 MCCOOK CITY COUNCIL MEETING

ITEM **5.B.** Approve Ordinance No. 2020-3008 on first reading creating Chapter 119: Sidewalk Cafes, appending the City of McCook Code of Ordinances.

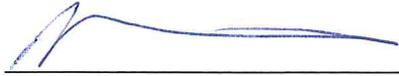
BACKGROUND:

At the July 6th Council Meeting, the agenda included a discussion item regarding sidewalk cafes. Specifically, the discussion included the possibility of allowing local restaurants to serve alcohol on city right of ways as part of their food service business. Many localities allow restaurants to occupy city right of ways for outdoor dining, some of which include provisions for the consumption of alcohol. During the discussion, the council indicated to Staff that it was comfortable bringing a final ordinance forward for consideration.

Attached to this report is an ordinance that would allow for Sidewalk Cafes to use city right of way for the purposes of service and consumption of food and beverages by patrons. Staff modeled the proposed ordinance after ordinances adopted by Lincoln and Hastings. The proposed ordinance is similar to the sample ordinance Staff developed for the July 6th Council Meeting. There are some changes being proposed for the final ordinance, modifying a few provisions of the example ordinance. The changes were prompted by a discussion with Matt and Shelly Sehnert and Jamie Mockry on July 21st. In particular, the final ordinance differs from the example ordinance in the following ways:

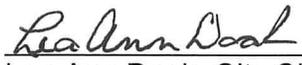
- It gives the licensee the ability to apply for an exception to extend operating hours from 11:00 p.m. to 2:00 a.m. for a specific purpose (ex. a wedding rehearsal dinner).
- It contemplates a gate or chain access to allow for ingress/egress for specific purposes (ie. fire exit, handicap accessibility, or maintenance purposes).
- It allows for the Council to permit entertainment within a sidewalk café (including live and non-live entertainment).
- It changes the height of the fencing to 42 inches in order to meet OSHA standards. Along those same lines, it permits corner posts to exceed 42 inches to allow for decorative rope lights.

APPROVALS:



Nathan A. Schneider, City Manager

July 30, 2020



Lea Ann Doak, City Clerk

July 30, 2020



Isaac Brown, Chief of Police

June 28, 2020

ORDINANCE NO. 2020-3008

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CITY OF MCCOOK CODE OF ORDINANCES, TITLE XI: BUSINESS REGULATIONS; ADDING CHAPTER 119: SIDEWALK CAFÉS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

SECTION 1. That City of McCook Code of Ordinances, Title XI: Business Regulations, Chapter 119: Sidewalk Cafés, shall be added to read as follows:

CHAPTER 119: SIDEWALK CAFÉS

Section

- 119.01 Sidewalk Café Definition
- 119.02 Sidewalk Cafés Authorized
- 119.03 Sidewalk Café Requirements
- 119.04 License Applications
- 119.05 Granting of License
- 119.06 Criteria for Issuance and Removal
- 119.07 Conditions of License
- 119.08 Transfer of License
- 119.09 Expiration of License
- 119.10 Suspension or Revocation of License
- 119.11 License Fee

§ 119.01 SIDEWALK CAFÉ DEFINITION.

A grouping of tables, chairs and related items located wholly or partially within a public sidewalk or right-of-way for the purposes of service and consumption of food and beverages by patrons, when located immediately adjacent to a food and beverage service establishment having a common operator.

§ 119.02 SIDEWALK CAFÉS AUTHORIZED.

Sidewalk cafés with or without service of alcohol may be located on public sidewalks subject to a license issued by the McCook City Council pursuant to this section.

§ 119.03 SIDEWALK CAFÉ REQUIREMENTS.

Installation and operation of all sidewalk cafés are subject to the following requirements and sidewalk cafés serving intoxicating liquor, beer or wine are subject to the applicable requirements of Chapter 111.

(A) Sidewalk cafés may only be installed and operated during the hours of operation of the food service establishment provided that no sidewalk café may be operated after the hour of 11:00 p.m. A licensee may apply to the McCook

City Council for an exception to extend the operating hours from 11:00 p.m. to 2:00 a.m. The exception shall be issued on a case by case basis. An application to extend the hours must be presented to the City Clerk three weeks prior to the event requiring the exception. The City Council may further restrict the hours of operation of a sidewalk café based upon the proximity to residential dwelling units, and upon considerations relating to the safety, repose and welfare of residents, businesses and other uses near the establishment. Furniture and fixtures may be stored overnight within the sidewalk café area provided the licensee shall ensure all items are stored and secured in a neat and orderly manner.

(B) All sidewalk cafés must abut and be operated as part of the food service establishment operated by the applicant and shall have delineated limits separating the sidewalk café from the travelled portion of the sidewalk. Sidewalk cafés serving intoxicating liquor, beer or wine must have a visually appealing barrier made of fencing or planters surrounding the entire sidewalk café area which must be compact and contiguous with the enclosed portion of the licensed premises. The barrier shall be continuous, except for that portion used as an opening for ingress and egress. The opening can be in the form of a gate or a visually appealing chain. The gate or chain shall remain closed and shall only be used for the purpose of a fire exit, handicap accessibility, or maintenance purposes. No licensee shall expand a sidewalk café without first obtaining an amended sidewalk café license covering the additional space.

(C) Only food or beverages for immediate consumption may be offered for sale and no alcoholic beverages may be dispensed from within the sidewalk café. The licensee shall provide food service in all sidewalk café areas during all hours of operation. Food service may consist of less than a full menu, but shall at all times offer a substantial choice of main courses, other food items, and non-alcoholic beverages. Glassware may be used in the service of food and beverages but only to the extent such use does not create a safety hazard for patrons or the public in adjacent areas and the licensee is responsible to immediately remove any broken glass from the premises.

(D) No licensee shall allow entertainment within a sidewalk café, including non-live entertainment such as radio, taped music and television, unless the same is expressly approved in writing by the City Council, and in no event shall noise be generated that would unreasonably annoy or interfere with neighboring property owners or occupants or the public.

(E) No sidewalk café may: (i) unduly restrict the safe usage of any roadway or the sidewalk by the public after taking into consideration the locations of obstructions, vehicular traffic and other impediments to the passage of vehicles and pedestrians; (ii) be located within ten (10) feet of any traffic signal, crosswalk or pedestrian curb cut; or (iii) adjoin any premises other than the applicant's food service establishment. All signs, including sandwich boards, must comply with city zoning regulations governing signs and no signs may be placed in a manner that would obstruct a pedestrian sidewalk the licensee is otherwise required to keep clear and unobstructed.

(F) No advertising shall be permitted on or in any sidewalk café or any extension thereof except to identify the product and/or the name of the vendor, and shall in all respects comply with all city zoning regulations governing signs.

(G) Fencing and planters shall be visually appealing and constructed of high-quality, durable materials maintained in good condition and shall not be permanently attached to the sidewalk or right-of-way without first obtaining permission from the City Council. Fencing and planters shall not exceed forty-two (42) inches in height, provided live plants may extend to a height of not more than six (6) feet, all as measured from the surface of the sidewalk or right-of-way. Corner posts may exceed forty-two (42) inches if approved by the City Council. Planters must include live plants and must be well maintained at all times.

(H) No umbrella, canopy, or similar device in any sidewalk café shall be more than six and one-half feet above ground level without approval from the city.

(I) A clear, unobstructed passageway not less than six feet in width at all points, entirely across the frontage of the property occupied by the occupant parallel to the line of the street and generally in the line of pedestrian traffic, shall be maintained at all times, except as follows:

a. If the city shall find special circumstances involving site characteristics or the flow of pedestrian traffic at such location, the conditions of approval may require a passageway greater than six feet or may prohibit operation of the sidewalk café for certain specified periods.

(J) Sidewalk cafés shall be handicap accessible and shall be installed in a manner complying with all ADA requirements and shall provide for a minimum of six (6) feet of clear, unobstructed pedestrian walkway between all obstructions and the sidewalk curb. No employee or server may obstruct pedestrian walkways at any time.

(K) No sidewalk café shall be installed or operated, and no license shall be issued, for any location where the same is prohibited by state or local law and the ownership, operation and maintenance of all sidewalk cafés shall be subject to all applicable laws, ordinances and regulations.

(L) The licensee shall maintain the sidewalk café in a clean and sanitary condition and shall be responsible to remove all trash and litter generated by the operation of the sidewalk café within a reasonable distance from the area. The licensee shall be responsible for all costs of repairing any damage to the sidewalk or other public property caused by the use of the sidewalk or public property as a sidewalk café. If the City Council approves any improvements to the sidewalk or right-of-way necessary for the licensee to operate a sidewalk café, the costs of such improvements plus any administrative costs shall be paid for in advance by the licensee.

(M) All sidewalk café licensees must at all times maintain commercial liability insurance covering the licensed premises and the sidewalk café area with minimum policy limits for bodily injury or death of not less than \$1,000,000 per occurrence and \$1,000,000 annual aggregate, and for property damage of not less than \$50,000. Proof of the required liability insurance shall be in the form of a certificate of insurance or some other form acceptable to the City Attorney and City Clerk. All liability insurance policies required herein shall name the city as any additional insured and shall provide that there shall be no cancellation of the policy for any cause, by the insured or by the insurance company, without

first giving 10-days' written notice to the city, addressed to the City Clerk. Operation of a sidewalk café or liquor sales by a licensee without required liability insurance coverage shall be grounds for immediate suspension or revocation of the license. In addition, the licensee shall indemnify and hold harmless the city, the city's public officials, employees and agents from any loss, costs, damages and expenses arising out of the use, design, operation or maintenance of the sidewalk café. These insurance and indemnification requirements shall be memorialized in a license agreement signed by the licensee prior to the initial issuance of the sidewalk café license and upon any renewal thereof, but failure of the city and the licensee to execute such a license agreement shall not alleviate the licensee of its insurance and indemnification obligations hereunder.

(N) The city shall retain the right to remove or cause to be removed any tables, chairs, furnishings, planters, fencing or other obstructions from the sidewalk or public right-of-way as necessary to access public utilities and facilities, during community civic festivals, celebrations and other events, or if the city reasonably determines any such item or items create an unreasonable risk to public health or safety. The city shall endeavor to give reasonable advance notice to the licensee that items need to be removed or relocated.

§ 119.04 LICENSE APPLICATIONS.

An applicant for a sidewalk café license shall file an application on forms provided by the City Clerk which shall include, in addition to any other information required by the city, the following:

(A) The business name, address, phone number and contact person.

(B) A site plan of the proposed sidewalk café drawn to scale covering the entire area between the curb and building showing locations of the property lines, curbs, all streets in front of and adjacent to the property, all sidewalk dimensions measured from the building face to the curb, all existing facilities and obstructions within the right-of-way, the proposed location of all sidewalk café fixtures, including but not limited to, tables, chairs, umbrellas, planters, fencing, barricades, lighting, and heaters, and the proposed limits of the sidewalk café.

(C) Photographs and manufacturer specifications for all proposed sidewalk café furniture and fixtures.

(D) Description and locations of any sound, television or video systems proposed for the sidewalk café.

(E) Description of all food and beverages that will be served within the sidewalk café and the proposed hours of operation.

(F) Description of all points of access between the building and the sidewalk café and exterior areas.

(G) Description of ingress and egress arrangements, including those necessary to provide handicap accessibility and control of persons entering and leaving the premises to prevent consumption of alcohol by minors and to ensure safety of moveable seating arrangements.

(H) Description of all physical improvements to be constructed to accommodate the sidewalk café.

(I) An insurance commitment or binder securing all insurance coverage required under this chapter and Chapter 111, if applicable, on the sidewalk café areas and meeting all requirements for naming the city as an additional insured.

(J) Any other information known to the applicant that may reasonably impact the issuance of the license including, but not limited to, objections to the proposed sidewalk café raised by neighboring property owners or the public, obstructions or other factors that may interfere with pedestrian travel on the affected sidewalk area, or conditions that may impact public health or safety if the sidewalk café license is issued.

Upon submission of a complete application, the City Clerk shall place the application upon the agenda of the next available City Council meeting for which proper notice as required by this section can be given. A public hearing on the application shall be required for all initial sidewalk café applications, all subsequent applications proposing modifications to a sidewalk café site plan, and whenever the city determines a public hearing is necessary to determine whether the criteria for granting a sidewalk café license are satisfied. When applicable, the City Clerk shall cause notice of the public hearing to be given in the same manner as prescribed for special use permits.

§ 119.05 GRANTING OF LICENSE.

Following the required public hearing, if any, the City Council may grant or deny the license or refer the matter to any commission or committee for further study.

§ 119.06 CRITERIA FOR ISSUANCE AND RENEWAL.

No sidewalk café license may be issued or renewed if the results of the investigation or other evidence given to the City Council through any means, shows to the satisfaction of the Council, that the issuance or renewal would not be in the public's interest. The Council shall make written findings, certifying the sidewalk café will comply with the following criteria.

(A) The design and operation satisfy the applicable requirements of this chapter and will be in harmony with the purpose and intent of city zoning regulations.

(B) The design and operation will not unreasonably interfere with or annoy users of neighboring residential, commercial or public property.

(C) The design and operation will not unreasonably interfere with pedestrian or vehicular traffic or access to any public street, utility or other facilities.

(D) Where liquor, wine or beer will be served, the licensed premises is compact and contiguous with the premises licensed under Chapter 111 and the design and operation will safeguard against consumption of alcohol by minors.

§ 119.07 CONDITIONS OF LICENSE.

Every license issued pursuant to this chapter shall be subject to the conditions of this section and all other sections of this chapter and any other applicable ordinance of the city, state law, or federal law, and shall include the following conditions.

(A) *Posting.* The license shall be posted in a conspicuous place in the licensed establishment at all times.

(B) *Additional Conditions.* The Council may, upon a finding of necessity, place the conditions and restrictions upon the license as it, at its discretion, may deem reasonable and justified to protect the public interest.

(C) *Licenses Limited to Certain Areas.* Sidewalk Café licenses shall be limited to the record owners of business property abutting public space in the following area: Beginning at the intersection of East "E" Street and Norris Avenue, west to the intersection of West 2nd Street and East "E" Street, south to the intersection of West 2nd Street and West "A" Street, east to the intersection of West "A" Street and Norris Avenue, north to the point of beginning.

(D) *Inspection by Peace Officers or Health Officials.* All sidewalk cafés shall be subject to compliance inspections and no licensee or employee of a licensee shall hinder or prevent a peace officer, health officer, building official, fire official, or any other employee so designated by the City Council or City Manager from entering upon and inspecting the licensed premises during business hours, without a search warrant.

(E) *Responsibility of Licensee.* Every licensee, whether actually present on the licensed premises or not, shall be responsible for the conduct of the licensed premises and shall maintain conditions of sobriety and order on the licensed premises.

§ 119.08 TRANSFER OF LICENSE.

No license issued pursuant to this chapter shall be transferrable to another person or entity nor may any such license be transferred to a different location.

§ 119.09 EXPIRATION OF LICENSE.

Every license issued under this chapter shall renew from year to year so long as the intended use is made of the premises; provided, however, the maximum term of the license shall be ten (10) years, unless specifically renewed by the City Council.

§ 119.10 SUSPENSION OR REVOCATION OF LICENSE.

The City Council may suspend, revoke or deny renewal of any sidewalk café license upon the violation of any license condition or of any provision or condition of this chapter, any other city ordinance, or of any state or federal law. Before the Council shall suspend or revoke any license issued under this chapter, the licensee shall be given at least 10-days' notice stating the time and place of the hearing and the charges against the licensee.

§ 119.11 LICENSE FEE.

Any person issued a license or license renewal under this chapter shall pay an initial fee of \$100.00 and an annual fee thereafter of \$50.00. The annual fee shall be paid on or before the first day of January each year the license is held.

SECTION 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

SECTION 3. 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 _____, 2020.

Michael D. Gonzales, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

Publish:

**CITY MANAGER'S REPORT
AUGUST 3, 2020 MCCOOK CITY COUNCIL MEETING**

ITEM 5.C. Receive and file a discussion regarding the FY 20/21 budget.

BACKGROUND:

As discussed at a prior meeting, this budget season is different than prior budget seasons in that the second Council meeting in September will be held on September 21, 2020 — a day after September 20th, which is the day budgets are to be submitted to the State of Nebraska. Additionally, Staff is still in the process of receiving revenue data tied to the effects of COVID-19. The data release has been slow. This data is integral to the budgeting process and assuring accuracy.

Due to these issues, Staff proposed to the City Council that two readings of the budget might be in order this year. To make up for the lack of three readings of the budget and associated ordinances, Staff committed to holding a discussion session regarding the FY 20/21 budget at the August 3, 2020 Council meeting.

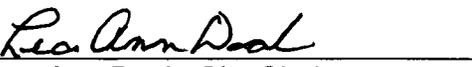
During the August 3, 2020 City Council meeting, Staff intends to provide up-to-date information to the Council and the public regarding the current status of the FY 20/21 budget.

APPROVALS:



Nathan A. Schneider, City Manager

July 30, 2020



Lea Ann Doak, City Clerk

July 30, 2020