

MCCOOK CITY COUNCIL

REGULAR MEETING

**Monday, February 20, 2023
5:30 PM - City Council Chambers**

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Lisa Mensinger, Our Saviors Lutheran Church.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.

2. Presentation.

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

3. Consent Agenda.

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

A. Approve the minutes of the February 6, 2023 regular City Council meeting.

B. Adopt Resolution No. 2023-02, certifying that the City of McCook is considered to be capable of providing public transportation for its citizens for the two year grant period consisting of fiscal year July 1, 2023 to June 30, 2024 and fiscal year July 1, 2024 to June 30, 2025.

C. Receive and file the claims for the month of January 2023, published February 16, 2023.

D. Ratify the Mayor's appointments to the Economic Development Plan Citizen's Advisory Review Committee - reappointing Alexis Davidson and appointing Warren Jones - terms expire July 2025.

E. Approve the application for a Special Designated Liquor License submitted by Outlaws 1882 Saloon, Liquor License #IB-118114, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5th Street, on June 17, 2023 from 3:00 P.M. to 2:00 A.M.

F. Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for their 8th Annual St. Patrick's Day

Celebration to be held in the Citta' Deli parking lot, 110 West 1st Street, on March 18, 2023 from 8:00 A.M. to 6:00 P.M.

- G. Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for Membership Mixer Celebration to be held at Norris Alley, 406 Norris Avenue, on April 20, 2023, from 8:00 A.M. to 11:00 P.M.
 - H. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for an Alumni Meeting/Reception at the Keystone Business Center, 402 Norris Avenue, on March 30, 2023 from 4:00 P.M. to 10:00 P.M.
 - I. Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for the MPCC Rodeo to be held at the Red Willow County Fairgrounds Kiplinger Arena, 1412 West 5th Street, on March 10, 2023 from 9:00 A.M. to 12:00 A.M. and March 11, 2023 from 9:00 A.M. to 12:00 A.M.
 - J. Accept the minutes of the October 18, 2022 Senior Center Advisory Board meeting.
 - K. Receive and file Topics for Consideration received January 1 through February 10, 2023.
 - L. Award bid for one (1) new 2023 1/2 ton 4 X 4 Extended Cab pickup to Deveny Motors for \$42,500.00, that being the lowest responsible bid, to be utilized at the Water Treatment Plant.
 - M. Declare one (1) 2001 Surrey Fire Safety Trailer as Surplus Property to be disposed of in the appropriate legal manner.
 - N. Accept \$75,000 grant awarded through the Nebraska Department of Health and Human Services Nebraska Ambulance and Equipment Grant for the purchase of a new ambulance.
 - O. Authorize City of McCook staff to complete an application for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Planning Grant.
 - P. Receive and file letter from Karen K. Barrett, Tax Specialist for the Nebraska Department of Revenue, as a reminder that McCook's local sales and use tax rate will increase from 1.5% to 2% on April 1, 2023.
4. Regular Agenda.
- A. Update regarding the swimming pool and ballpark projects.
 - B. Accept the Parks Advisory Board's recommendation to remove the rocket slide in Kelley Park due to the safety of the public and based on the "Public Playground Safety Handbook" published by the U.S. Consumer Product Safety Commission.
 - C. Accept the proposal and quote from Tri City Signs for four entry signs located at each entrance into the City of McCook.
 - D. Discussion regarding updating the City of McCook's comprehensive plan, zoning ordinance, and subdivision regulations.
 - E. Ordinance No. 2023-3060 approving the zoning change request for Heritage Pointe Addition No. 3, a tract of land located in the S1/2 of the SE1/4 of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County,

Nebraska; said zoning change to amend the current zoning designation from Residential Medium Density District (RM) and Agricultural District (AG), to Business Commercial District (BC).

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2023-3060 upon its third and final reading.
3. Chairperson declaration after vote, if approved.

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

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2023-3061 upon its third and final reading.
3. Chairperson declaration after vote, if approved.

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

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2023-3062 upon its second reading of three readings.

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

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2023-3063 upon its second reading of three readings.

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

1. Chairperson asks Clerk to read Ordinance by title.
2. Consider approval of Ordinance No. 2023-3059 upon its third and final reading.
3. Chairperson declaration after vote, if approved.

J. Council Comments.

Adjournment.

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 2.A.

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

BACKGROUND:

Since 2005, the Water and Wastewater Enterprise Funds have used the services of PFM Financial Advisors LLC to aid in determining the "health" of both Utility Funds. The Financial & Capital Cashflow Analyses has been a valuable tool that places a bundle of information in one place. The document allows the reader to see usage, revenues, expenditures (capital and operating), debt and cash balances for both the Water and Sewer Enterprise Funds.

The Cashflow Analyses also provides a look forward, showing what rates will do several years out based on current trends. In the past, the report has been a cornerstone to getting loans and selling bonds.

Over the next couple of years both Water and Wastewater Utilities will be seeking funding for projects using the State Revolving Loan Fund (SRF). Again the PFM Cashflow model will be a tool used by the city to show our debt coverage ratio (our ability to repay loans).

The 2021/22 budget year Financial & Cashflow Analyses will be presented by Matthew R. Stoffel, CFA at PFM Financial Advisors LLC. Matt's presentation will be via Zoom.

FISCAL IMPACT: None.

APPROVALS:



Pat Fawver, Utilities Director

February 20, 2023



Lea Ann Doak, City Clerk-Treasurer

February 20, 2023



Nathan A. Schneider, City Manager

February 20, 2023



City of McCook, Nebraska

Financial & Capital Cashflow Analyses

Prepared by: PFM Financial Advisors LLC

Presented by: Matthew Stoffel, CFA

February 20, 2023

PFM Financial
Advisors LLC

801 Grand Avenue
Suite 3300
Des Moines, IA

www.pfm.com



Water Utility Fund



February 20, 2023

Mr. Nate Schneider, City Manager
City of McCook, Nebraska
505 West C Street
McCook, NE 69001

Dear Nate,

Attached for your review is an update to the Water Enterprise Fund Financial and Capital Planning Model which was previously presented to the McCook City Council on March 21, 2022. Based on this analysis PFM recommends implementing a 6.00% rate increase to all rate categories in May 2023. This recommendation is slightly lower than the projections in the prior year's analysis driven primarily by actual usage.

In updating this model, PFM Financial Advisors LLC ("PFM") has reviewed and incorporated information from the City's FY 2022 Audited Financial Statements and the FY 2023 Budget. In addition, we have incorporated the current capital improvement plan for the Water Enterprise Fund. The important points of the update are summarized below.

(i) Usage

- a. Total water sales increased by 2.64% in FY 2022 after increasing by 7.5% in FY 2021. Actual usage has been up and down from year-to-year, but FY 2021 represents the most water sales since FY 2012 and the second highest in 15 years. This is likely attributed to the weather during FY 2022 more than a change in customer behaviors.
- b. PFM & City staff have made the assumption that future usage will be approximately 75 million cubic feet and remain flat from at that level.
- c. We have stress tested the cash flow between the range of selling 65 million cubic feet and to 80 million cubic feet. We observe that usage regularly fluctuates between 10% to 15% depending on the weather.

(ii) Revenues

- a. FY 2022 operating revenues were up 6.0% from the prior fiscal year after increasing 0.8% in FY 2021.
- b. On average, operating revenues have increased approximately 4.1% annually over the last 5 years and have exhibited volatility year to year.

(iii) Expenditures

- a. FY 2022 operating expenditures (excluding depreciation and sales tax) increased by 15.6% from the prior fiscal year after an 10.2% increase in FY 2021. Both years were above the projected increase of 7.0%.
- b. The FY 2023 budget includes a 1.6% estimated decrease in total operating expenditures which is partly due to the FY 2022 expenses coming in higher than anticipated.
- c. In FY 2024 and thereafter, this analysis assumes a moderate 7.0% annual growth rate for all operating expenditures.

pfm

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- (iv) Debt service coverage
 - a. Coverage of 2.56 times in FY 2022 and budgeted 2.09 times FY 2023, is strong for a water system of this size.
 - b. In FY 2024 and future years, PFM is projecting adequate coverage of between 1.99 to 2.36 times over the planning horizon. The projected decrease in coverage is a result of the Series 2022 SRF loan for the water main replacements currently in the capital budget.
- (v) Other Considerations
 - a. Pursuant to City staff's recommendation, we have assumed capital costs in the future will be \$255,000 per year. In addition, we have assumed annual transfers to the following designated funds: \$3,200 to the Repermitting Fund, \$40,000 into the Equipment Replacement Fund, \$120,000 into the Water Plant Replacement Fund, and \$200,000 into the Capital Replacement Fund.
- (vi) Annual Surplus/Deficit
 - a. FY 2022 ended with an operating cash surplus of \$848,642 versus a projected deficit of <\$259,264> from our analysis last year.
 - b. The primary difference in FY 2022 was the increase in revenues due to increased billed consumption and the delay of capital expenditures. The financial projection model had included \$2,406,658 compared with the actual audited capital expenditures of \$488,819. Most of the planned capital expenditures that were not completed were moved forward into the FY 2023 budget or delayed for further evaluation.
 - c. Projected future operating deficits in FY 2023 to FY 2027 are expected due to conservative growth assumptions. This projection includes annual transfers totaling \$363,200 to build the cash balances in the Water Plant Replacement Fund and Capital Replacement Fund.
- (vii) Cash Balance
 - a. Ending operating cash balance on September 30, 2022 was \$3,003,731 which represents 191%, or approximately twenty-three (23) months, of operating expenditures.
 - b. Overall, total cash in the Water Enterprise Fund is expected to decrease to \$6.4 million in FY 2023 from \$6.92 million in FY 2022 after capital expenditures of \$2.15 million.
 - c. Operating cash is expected to trend moderate downward over the six-year planning period ending FY 2028 to approximately \$1.8 million. During that time total cash balance is expected to increase to \$7.9 million even after expending \$3.5 million on capital projects over that time period.
 - d. Through conservative financial management the \$120,000 annual set-aside to the Water Plant Replacement Fund will build this fund's cash balance to \$2.4 million in FY 2028, and the \$200,000 annual set-aside



to the Capital Replacement Fund will help build this fund's cash balance to \$1.8 million in FY 2028.

(viii) Recommended Future Rate Increases

- a. Based on the assumptions listed above, PFM is recommending a slightly lower rate increase than previously projected during FY 2023 and the five-year planning horizon. This assumption is heavily reliant on trends in future water usage, realized growth in future operating expenditures, and planned capital expenditures for water system improvements and repairs.
- b. In the table below, we have incorporated the following rate adjustments as compared to the prior rate adjustments suggested in the March 21, 2022 study.

<u>Applicable Fiscal Year</u>	<u>March 21, 2022 Analysis – Option A</u>	<u>February 20, 2023 Analysis</u>
FY 2022-23	6.50% (all rates)	6.00% (all rates)
FY 2023-24	6.50% (all rates)	6.00% (all rates)
FY 2024-25	6.50% (all rates)	6.00% (all rates)
FY 2025-26	6.50% (all rates)	6.00% (all rates)
FY 2026-27	6.50% (all rates)	6.00% (all rates)
FY 2027-28	N/A	6.00% (all rates)

The Water Enterprise Fund is planning to accommodate future capital improvements while maintaining sufficient cash balances. Through continued strong management practices, coverage is increasing slightly after FY 2024 and remains at a level that is more than adequate to make debt service payments, cover estimated capital expenditures, and increase cash reserves for future capital projects. If total water sales to customers should decrease meaningfully or if expenses increase at a rate greater than 7.0%, larger rate adjustments may be needed in future years.

Please feel free to contact me with any questions regarding PFM's analysis and summary review. I look forward to presenting this Water Enterprise Fund Financial and Capital Planning Model to the City Council at its upcoming meeting.

Sincerely,

Matthew Stoffel, CFA
Sr. Managing Consultant

PFM Financial Advisors LLC
stoffelm@pfm.com | 515 724 5737 **OFFICE** | 515 201 0772 **CELL**
 801 Grand Ave, Suite 3300 | Des Moines, IA 50309



City of McCook, Nebraska

EXHIBIT 1

Water Enterprise Fund

Growth Assumptions	
Water Sales & Customer Growth	0.00%
Operating Expenses	7.00%
Interest Earnings	1.00%

Water Revenue Adjustments					
1-Oct-17	0.00%	1-May-22	6.00%	1-May-26	6.00%
1-Dec-18	3.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	6.00%	1-May-24	6.00%		
1-May-21	2.50%	1-May-25	6.00%		

		Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Water Rates:										
First 5,000 cu. ft.	1	1/1/2020 \$1.873	5/1/2021 \$1.920	5/1/2022 \$2.035	10/1/2022 \$2.157	10/1/2023 \$2.287	10/1/2024 \$2.424	10/1/2025 \$2.569	10/1/2026 \$2.723	10/1/2027 \$2.887
Over 5,000 cu. ft.	2	\$1.388	\$1.423	\$1.508	\$1.598	\$1.694	\$1.796	\$1.904	\$2.018	\$2.139
Ready-to-Serve Monthly Fee	3	\$18.36	\$18.82	\$19.95	\$21.15	\$22.42	\$23.76	\$25.19	\$26.70	\$28.30
Avg. Number of Water Customers	4	3,608	3,590	3,605	3,605	3,605	3,605	3,605	3,605	3,605
Ave. \$ / 100 Cubic Ft. (w/o Base)	5	\$1.8698	\$1.8680	\$1.9801	\$2.0989	\$2.2248	\$2.3583	\$2.4998	\$2.6498	\$2.8088
Ave. \$ / 100 Cubic Ft. (w/ Base)	6	\$2.8782	\$2.8756	\$2.8974	\$3.3694	\$3.5716	\$3.7859	\$4.0130	\$4.2538	\$4.5090
Total Water Sales (Cubic Feet)	7	74,364,513	79,943,728	82,055,203	72,000,000	72,000,000	72,000,000	72,000,000	72,000,000	72,000,000
Operating Revenues	8	20.8%	0.8%	6.0%	(4.6%)	5.8%	5.8%	5.8%	5.8%	5.8%
Retail Sales to Customers	9	\$1,390,496	\$1,493,335	\$1,542,775	\$1,511,197	\$1,601,869	\$1,697,981	\$1,799,860	\$1,907,851	\$2,022,323
Ready-to-Serve Fee	10	749,852	805,536	834,667	914,777	969,664	1,027,843	1,089,514	1,154,885	1,224,178
Sales Tax	11	112,598	119,673	31,625	26,400	27,984	29,663	31,443	33,329	35,329
Other Misc. Operating Revenues	12	238,933	92,072	253,374	86,850	86,850	86,850	86,850	86,850	86,850
Total Operating Revenues	13	\$2,491,879	\$2,510,616	\$2,662,441	\$2,539,224	\$2,686,366	\$2,842,337	\$3,007,667	\$3,182,916	\$3,368,680
Operating Expenses		8.1%	10.2%	15.6%	(1.6%)	7.0%	7.0%	7.0%	7.0%	7.0%
Personal Services	14	\$485,985	\$510,153	\$636,405	\$630,463	\$674,595	\$721,817	\$772,344	\$826,408	\$884,257
Plant Chemicals	15	232,177	253,717	293,268	308,000	329,560	352,629	377,313	403,725	431,986
Pumping Power	16	142,197	144,486	141,710	155,000	165,850	177,460	189,882	203,173	217,396
Other Services & Charges	17	224,768	290,212	328,598	256,257	274,195	293,389	313,926	335,901	359,414
Supplies	18	12,525	12,986	17,911	18,600	19,902	21,295	22,786	24,381	26,087
Repairs & Maintenance	19	110,688	120,123	121,025	145,300	155,471	166,354	177,999	190,459	203,791
Sales Tax	20	113,263	117,428	33,158	26,400	27,984	29,663	31,443	33,329	35,329
Depreciation/Amortization	21	830,264	836,781	868,011	928,772	993,786	1,063,351	1,137,785	1,217,430	1,302,650
Total Operating Expenses	22	\$2,151,867	\$2,285,886	\$2,440,086	\$2,468,792	\$2,641,343	\$2,825,957	\$3,023,478	\$3,234,807	\$3,460,910
Net Operating Income	23	\$340,012	\$224,730	\$222,355	\$70,432	\$45,023	\$16,380	(\$15,811)	(\$51,891)	(\$92,230)
Non-Operating Items										
Interest on Reserves	24	\$66,975	\$15,023	\$48,776	\$27,400	\$27,400	\$27,400	\$27,400	\$27,400	\$27,400
Add Back: Depreciation	25	830,264	836,781	868,011	928,772	993,786	1,063,351	1,137,785	1,217,430	1,302,650
Revenue Available for Debt	26	\$1,237,251	\$1,076,534	\$1,139,142	\$1,026,604	\$1,066,209	\$1,107,131	\$1,149,374	\$1,192,939	\$1,237,820

City of McCook, Nebraska

EXHIBIT 1

Water Enterprise Fund

Growth Assumptions	
Water Sales & Customer Growth	0.00%
Operating Expenses	7.00%
Interest Earnings	1.00%

Water Revenue Adjustments					
1-Oct-17	0.00%	1-May-22	6.00%	1-May-26	6.00%
1-Dec-18	3.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	6.00%	1-May-24	6.00%		
1-May-21	2.50%	1-May-25	6.00%		

		Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Revenue Available for Debt	27	\$1,237,251	\$1,076,534	\$1,139,142	\$1,026,604	\$1,066,209	\$1,107,131	\$1,149,374	\$1,192,939	\$1,237,820
Parity Debt Obligations										
2013 SRF Loan - D311560	28	\$69,440	\$95,968	\$45,148	\$44,813	\$44,472	\$44,124	\$43,769	\$43,407	\$43,037
Series 2016 Refunding Bonds	29	438,873	435,273	0	0	0	0	0	0	0
Series 2021 Refunding Bonds	30	0	0	399,915	395,525	389,185	392,535	385,525	383,215	380,410
Series 2022 SRF Loan	31	0	0	0	50,922	101,845	101,845	101,845	101,845	101,845
Total Parity Debt Service	32	\$508,312	\$531,241	\$445,062	\$491,261	\$535,502	\$538,504	\$531,139	\$528,467	\$525,292
Debt Coverage Ratios										
Parity Debt Coverage	33	2.43	2.03	2.56	2.09	1.99	2.06	2.16	2.26	2.36
Cashflow After Debt										
Total Capital Expenditures	34	\$728,939	\$545,293	\$694,080	\$535,343	\$530,707	\$568,627	\$618,235	\$664,473	\$712,528
Administrative Fee	35	(\$231,346)	(\$524,409)	(\$488,819)	(\$2,152,875)	(\$255,000)	(\$255,000)	(\$255,000)	(\$290,000)	(\$255,000)
Transfers In / (Out)	36	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)
Loan to Self-Health Insurance	37	10,501	49,820	6,824	0	0	0	0	0	0
Loan to General Fund	38	89,970	91,617	93,293	0	0	0	0	0	0
Bond Proceeds	39	57,464	57,464	0	0	0	0	0	0	0
Other Cash Adjustments	40	0	0	583,306	1,253,000	0	0	0	0	0
SRF Loans/Construction Loans	41	(225,697)	(57,557)	1,857	0	0	0	0	0	0
Loan Forgiveness	42	(500,000)	(96,462)	(3,952)	0	0	0	0	0	0
Total Trans. From / (To) Restricted	43	0	0	0	0	0	0	0	0	0
Annual Surplus / (Deficit)	44	<u>152,703</u>	<u>152,607</u>	<u>22,053</u>	<u>(363,200)</u>	<u>(363,200)</u>	<u>(363,200)</u>	<u>(363,200)</u>	<u>(363,200)</u>	<u>(363,200)</u>
Beginning Cash Balance	45	\$22,534	\$158,373	\$848,642	(\$787,732)	(\$147,493)	(\$109,573)	(\$59,965)	(\$48,727)	\$34,328
Annual Surplus / (Deficit)	46	\$1,974,183	\$1,996,717	\$2,155,090	\$3,003,731	\$2,215,999	\$2,068,506	\$1,958,933	\$1,898,969	\$1,850,242
Ending Cash Balance	47	<u>\$1,996,717</u>	<u>\$2,155,090</u>	<u>\$3,003,731</u>	<u>\$2,215,999</u>	<u>\$2,068,506</u>	<u>\$1,958,933</u>	<u>\$1,898,969</u>	<u>\$1,850,242</u>	<u>\$1,884,570</u>
Cash Balance as % O&M	48	151.1%	148.7%	191.1%	143.9%	125.5%	111.1%	100.7%	91.7%	87.3%

City of McCook, Nebraska

EXHIBIT 1

Water Enterprise Fund

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1-May-21	2.50%	1-May-25	6.00%		

	Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected
	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Transfers From / (To) Other Funds									
Water Quality Solution Fund	50	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service Sinking Fund	51	14,645	67,553	(55,624)	0	0	0	0	0
Debt Reserve Fund	52	0	0	0	0	0	0	0	0
Debt Fund (Reserve)	53	(89,970)	(91,617)	(93,293)	0	0	0	0	0
Debt Fund (Bond Proceeds)	54	511,968	38,504	45,148	0	0	0	0	0
Deep Injection Well Closing Costs	55	(230)	(1,258)	(997)	0	0	0	0	0
Repermitting Fund	56	(3,200)	(3,200)	(3,382)	(3,200)	(3,200)	(3,200)	(3,200)	(3,200)
Equipment Replacement Fund	57	0	0	0	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
Capital Replacement Fund	58	(160,510)	220,473	106,258	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)
Water Plant Replacement Fund	59	(120,000)	(77,848)	23,943	(120,000)	(120,000)	(120,000)	(120,000)	(120,000)
Total Restricted Transfers	60	\$152,703	\$152,607	\$22,053	(\$363,200)	(\$363,200)	(\$363,200)	(\$363,200)	(\$363,200)
Restricted Cash									
Debt Service Sinking Fund	61	\$140,385	\$72,832	\$128,456	\$44,625	\$44,875	\$44,262	\$44,039	\$44,039
Debt Reserve Fund	62	534,068	534,068	534,068	534,068	534,068	534,068	534,068	534,068
Customer Deposits	63	92,103	86,157	98,387	98,387	98,387	98,387	98,387	98,387
Deep Injection Well Closing Costs	64	82,307	83,565	84,562	84,562	84,562	84,562	84,562	84,562
Total Restricted Cash	65	\$848,863	\$776,622	\$845,473	\$761,642	\$761,892	\$761,279	\$761,056	\$761,056
Designated Cash									
Water Quality Solution Fund	66	\$87,063	\$86,975	\$86,975	\$86,975	\$86,975	\$86,975	\$86,975	\$86,975
Debt Fund (Reserve)	67	315,091	406,708	500,000	500,000	500,000	500,000	500,000	500,000
Debt Fund (SRF Reserve)	68	254,755	216,251	171,103	171,103	171,103	171,103	171,103	171,103
Repermitting Fund	69	9,175	12,375	15,757	18,957	22,157	25,357	28,557	31,757
Equipment Reserve	70	0	0	0	40,000	80,000	120,000	160,000	200,000
Capital Replacement Fund	71	950,802	730,329	624,071	824,071	1,024,071	1,224,071	1,424,071	1,624,071
Water Plant Replacement Fund	72	1,620,000	1,697,848	1,673,905	1,793,905	1,913,905	2,033,905	2,153,905	2,273,905
Total Designated	73	\$3,236,886	\$3,150,486	\$3,071,811	\$3,435,011	\$3,798,211	\$4,161,411	\$4,524,611	\$4,887,811
Total Cash Balance	74	\$6,082,466	\$6,082,198	\$6,921,015	\$6,412,653	\$6,628,610	\$6,881,623	\$7,184,636	\$7,499,108

City of McCook, Nebraska

EXHIBIT 1

Water Enterprise Fund

Growth Assumptions	
Water Sales & Customer Growth	0.00%
Operating Expenses	7.00%
Interest Earnings	1.00%

Water Revenue Adjustments					
1-Oct-17	0.00%	1-May-22	6.00%	1-May-26	6.00%
1-Dec-18	3.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	6.00%	1-May-24	6.00%		
1-May-21	2.50%	1-May-25	6.00%		

	Audited FY 2019-20	Audited FY 2020-21	Audited FY 2021-22	Budget FY 2022-23	Projected FY 2023-24	Projected FY 2024-25	Projected FY 2025-26	Projected FY 2026-27	Projected FY 2027-28
Operating & Maintenance Cap. Ex. (70-050-56040)									
Future Replacement Cap. Ex. Placeholder				\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Cordless Tool Set				2,200	0	0	0	0	0
Lap Top Computer				1,000	0	0	0	0	0
Sonetics Comm Headset				1,000	0	0	0	0	0
2" Trash Pump				1,750	0	0	0	0	0
Walk Behind Concrete Saw				10,000	0	0	0	0	0
TruVac				450,000	0	0	0	0	0
UTV Sprayer				1,500	0	0	0	0	0
UTV Plow				1,500	0	0	0	0	0
WTF Cordless Tools				2,200	0	0	0	0	0
WTF String Trimmer				500	0	0	0	0	0
WTF Snow Blower				700	0	0	0	0	0
Tractor Ballast Box				700	0	0	0	0	0
WTF Pick-up				45,000	0	0	0	0	0
Pick-up Tool Boxes				\$2,800	0	0	0	0	0
Total O & M Projects				\$520,850	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Replacement Cap. Ex. (70-053-56030)									
Future Replacement Cap. Ex. Placeholder				\$0	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Main Valve Replacement				40,000	0	0	0	0	0
Replace 6" WRT Main W. 5th Street				70,000	0	0	0	0	0
Connect W 2nd/W3rd North of W. S Street				23,000	0	0	0	0	0
Fire Hydrant Replacement				45,000	0	0	0	0	0
Update Building E. Water Tower				11,300	0	0	0	0	0
Access Stairs to Storage WFT				9,725	0	0	0	0	0
Meter Replacement				50,000	0	0	0	0	0
Uncommitted Emergency Reserve				0	0	0	0	0	0
Total Replacement Projects				\$249,025	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Water SRF Projects (70-053-56032)									
Replace 12" Main South Street				447,000	0	0	0	0	0
South Street Water Main Shop				336,000	0	0	0	0	0
Replace Main South Street Hwy 83				185,000	0	0	0	0	0
Replace Main on Hwy 83				285,000	0	0	0	0	0
Total Replacement Projects				\$1,253,000	\$0	\$0	\$0	\$0	\$0



Wastewater Utility Fund



February 20, 2023

Mr. Nate Schneider, City Manager
City of McCook, Nebraska
505 West C Street
McCook, NE 69001

Dear Nate,

Attached for your review is an update to the Wastewater Enterprise Fund Financial and Capital Planning Model which was previously presented to the McCook City Council on March 21, 2022. Based on this analysis PFM recommends implementing a 6.00% rate increase to all rate categories in May 2023. This recommendation is higher than the previous estimate of 3.50% and is primarily driven by the inclusion of a \$6 million capital project for a future improvement to the wastewater treatment facility.

In updating this model, PFM Financial Advisors LLC ("PFM") has reviewed and incorporated information from the City's FY 2022 Audited Financial Statements and the FY 2023 Budget. In addition, we have incorporated the current capital improvement plan for the Wastewater Enterprise Fund. The important points of the update are summarized below.

(i) Usage

- a. Wastewater usage decreased by 4.5% in FY 2022 after an increase of 14.7% in FY 2021. The FY 2021 and FY 2022 usage data include the adjustments made to the Parker Hannifin Corporation account in December 2021 for prior periods.
- b. Usage has been on a slow downward trend since 2001 but has stabilized at approximately 30 million cubic feet. The FY 2022 usage was higher than the 31 million cubic feet budgeted. We have projected future usage at 31 million cubic feet but we will want to watch this closely as it is a key input for the revenues of Wastewater Enterprise Fund.

(ii) Revenues

- a. FY 2022 operating revenue increased by 8.7% over the prior fiscal year to \$1.66M. This is the second increase after a period of flat revenues from FY 2017 to FY 2020 despite increases to the wastewater rates.
- b. FY 2023 operating revenues are projected to decrease by 4.6% compared to FY 2022 due to the assumed billed consumption of 31 million cubic feet.

(iii) Expenditures

- a. FY 2022 operating expenditures (excluding depreciation and sales tax) were flat from the prior fiscal year.
- b. The FY 2023 budget includes a conservative 16.4% estimated growth in total operating expenditures which reflects a return to normal operations after lower-than-expected expenses in FY 2020 through FY 2022.
- c. In FY 2024 and thereafter, this analysis assumes a 6.0% annual growth rate for all operating expenditures.

pfm

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- (iv) Debt service coverage
 - a. Coverage of 3.99 times in FY 2022, is very strong for a wastewater system of this size.
 - b. The FY 2023 budget implies a sufficient projected coverage of 3.20 times.
 - c. In FY 2024 and FY 2025, PFM is projecting coverage of approximately 1.9 times until the wastewater portion of the Series 2021 Refunding Bonds are paid off in FY 2026. Projected coverage also includes a \$2,350,000 proposed SRF loan to be issued in calendar year 2023.
 - d. FY 2026 is the final debt payment has a larger principal payment due to the release of the debt service reserve fund causing coverage to drop to 1.80 times.
 - e. In FY 2027 we have included a SRF loan for a \$6 million improvement to the wastewater treatment facility. The timing and amount of this loan is to be determined but it is important to begin the planning process now. Projected coverage in FY 2027 and FY 2028 is projected at approximately 1.40 times is a primary consideration for the recommended rate increases.
- (v) Other Considerations
 - a. In order to mitigate the impact to operating cash from the City's planned sewer capital expenditures of \$2.6 million in FY 2023, the City is planning to issue an SRF loan in the amount of \$2,350,000 in calendar year 2023 for the new wastewater main on S Street, the sludge fan press, the headworks rehabilitation, a Vactor 2100i combo wastewater truck, and to replace the sludge heat exchanger.
 - b. The City is currently investigating different treatment technologies and is in the early stages of design for a new wastewater treatment plant. The decisions around this capital improvement will be a key consideration for future rate increases.
- (vi) Annual Surplus/Deficit
 - a. FY 2022 ended with an operating cash surplus of \$109,190 versus a projected surplus of \$165,941 from our analysis last year.
 - b. FY 2023 budget indicates a surplus of \$433,251. The primary driver of the surplus is the use of bond proceeds to help fund the capital projects.
 - c. Projected future operating results in FY 2024 – FY 2028 are expected to be a deficit of between <\$46,476> and <\$114,086> until the Series 2021 bond pays off in FY 2026 and the projected debt for the new treatment plant comes online in FY 2027. These projections include annual transfers totaling \$195,000 to build the cash balances in the Capital Replacement Fund and Equipment Reserve Fund.
- (vii) Cash Balance
 - a. Ending operating cash balance on September 30, 2022 was \$1,316,750 per the audited financial statements which represents 169.3%, or over twenty months of operating expenditures.
 - b. Overall, total cash in the Wastewater Enterprise Fund increased by \$321,331 to \$2,209,839 in FY 2022.
 - c. Operating cash is expected to increase in FY 2023 and then decrease annually to \$1,048,380 in FY 2028. However, this projection is heavily dependent on actual future usage, the total cost of the new treatment facility and the plan of finance used to fund the facility.



- d. During the same six years total cash balance is expected to remain level at approximately \$3.1 million. A primary driver of the overall cash position is the approximately \$9.5 million planted for capital projects over the planning horizon.
 - e. Through conservative financial management the \$45,000 annual set-aside to the new Equipment Reserve Fund will help build this fund's cash balance to \$315,000 by FY 2028.
- (viii) Recommended Future Rate Increases
- a. Based on the assumptions listed above, PFM is recommending a higher rate increase in the coming years. This assumption is heavily reliant on trends in future wastewater usage, realized growth in future operating expenditures, and planned capital expenditures for wastewater system improvements and repairs.
 - b. In the table below, we have incorporated the following rate adjustments as compared to the prior rate adjustments suggested in the March 21, 2022 study.

<u>Applicable Fiscal Year</u>	<u>March 21, 2022 Analysis</u>	<u>February 20, 2023 Analysis</u>
FY 2022-23	3.50% (all rates)	6.00% (all rates)
FY 2023-24	3.50% (all rates)	6.00% (all rates)
FY 2024-25	3.50% (all rates)	6.00% (all rates)
FY 2025-26	3.50% (all rates)	6.00% (all rates)
FY 2026-27	3.50% (all rates)	6.00% (all rates)
FY 2027-28	N/A	6.00% (all rates)

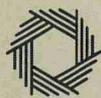
The Wastewater Enterprise Fund is positioned to accommodate future capital improvements while maintaining healthy cash balances. Through continued strong management practices, coverage is expected to remain at adequate levels through FY 2026 and then experience a notable reduction once sewer portion of the Series 2021 is paid off and the new debt for the new wastewater treatment plant comes online. The utility needs to begin preparing for the new debt service now to keep up with the inflationary cost pressures and still make debt service payments and cover estimated capital expenditures. If total usage should decrease meaningfully or if operating expenses increase at a rate greater than 6.0%, larger rate adjustments may be needed in future years. Both ending cash and debt service coverage will be important metrics to monitor and we plan for future expenses.

Please feel free to contact me with any questions regarding PFM's analysis and summary review. I look forward to presenting this Wastewater Enterprise Fund Financial and Capital Planning Model to the City Council at its upcoming meeting.

Respectfully,

Matthew Stoffel, CFA
Sr. Managing Consultant

PFM Financial Advisors LLC
stoffelm@pfm.com | 515 724 5737 **OFFICE** | 515 201 0772 **CELL**
 801 Grand Ave, Suite 3300 | Des Moines, IA 50309



City of McCook, Nebraska
Wastewater Enterprise Fund

EXHIBIT 1

Growth Assumptions	
Wastewater Sales & Customer Growth	0.00%
Operating Expenses	6.00%
Interest Earnings	1.00%

Sewer Rate Adjustments					
1-Oct-18	2.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	3.00%	1-May-24	6.00%	1-May-28	6.00%
1-May-21	3.00%	1-May-25	6.00%		
1-May-22	3.00%	1-May-26	6.00%		

		Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Residential:										
First 333 cu. ft.	1	1/1/2020 \$16.53	5/1/2021 \$17.03	5/1/2022 \$17.54	\$18.59	\$19.71	\$20.89	\$22.14	\$23.47	\$24.88
Additional 100 cu. ft.	2	\$3.570	\$3.677	\$3.787	\$4.014	\$4.255	\$4.510	\$4.78	\$5.07	\$5.37
Commercial:										
First 333 cu. ft.	3	\$24.09	\$24.81	\$25.55	\$27.08	\$28.71	\$30.43	\$32.26	\$34.19	\$36.24
Additional 100 cu. ft.	4	\$3.570	\$3.677	\$3.787	\$4.014	\$4.255	\$4.510	\$4.78	\$5.07	\$5.37
Avg. # Residential Customers	5	2,921	2,931	2,934	2,934	2,934	2,934	2,934	2,934	2,934
Avg. # Commercial Customers	6	422	422	418	418	418	418	418	418	418
Avg \$ / 100 Cubic Ft. (w/o Base)	7	\$2.064	\$2.039	\$2.425	\$2.186	\$2.240	\$2.296	\$2.353	\$2.412	\$2.472
Avg \$ / 100 Cubic Ft. (w/ Base)	8	\$4.376	\$4.101	\$4.653	\$4.736	\$4.943	\$5.161	\$5.390	\$5.631	\$5.885
Total Sales (Cubic Feet)	9	30,108,982	34,539,960	33,002,743	31,000,000	31,000,000	31,000,000	31,000,000	31,000,000	31,000,000
Operating Revenues										
Retail Sales to Customers	10	0.6% \$621,324	6.8% \$704,103	8.7% \$800,303	(4.6%) \$677,660	4.3% \$694,400	4.4% \$711,760	4.4% \$729,430	4.4% \$747,720	4.4% \$766,320
Base Charge (Residential)	11	\$575,254	\$588,806	\$607,149	\$654,650	\$693,946	\$735,566	\$779,685	\$826,481	\$876,059
Base Charge (Commercial)	12	\$121,033	\$123,599	\$128,200	\$135,892	\$144,046	\$152,686	\$161,849	\$171,558	\$181,849
Sales Tax	13	\$83,447	\$89,956	\$92,864	\$93,084	\$97,154	\$101,441	\$105,939	\$110,681	\$115,656
Other Misc. Operating Rev.	14	\$27,866	\$20,235	\$31,372	\$22,500	\$22,500	\$22,500	\$22,500	\$22,500	\$22,500
Total Operating Revenues	15	\$1,428,924	\$1,526,698	\$1,659,889	\$1,583,786	\$1,652,045	\$1,723,953	\$1,799,403	\$1,878,940	\$1,962,384
Operating Expenses										
Personal Services	16	(5.9%) \$426,331	1.4% \$345,694	(0.1%) \$362,648	16.4% \$445,928	6.0% \$472,684	6.0% \$501,045	6.0% \$531,107	6.0% \$562,974	6.0% \$596,752
Other Services & Charges	17	\$98,906	\$193,029	\$179,175	\$174,252	\$184,707	\$195,790	\$207,537	\$219,989	\$233,188
Pumping Power	18	\$85,763	\$85,785	\$77,803	\$90,000	\$95,400	\$101,124	\$107,191	\$113,623	\$120,440
Supplies	19	\$15,355	\$14,301	\$19,739	\$22,500	\$23,850	\$25,281	\$26,798	\$28,406	\$30,110
Repairs & Maintenance	20	\$51,085	\$48,409	\$47,277	\$66,700	\$70,702	\$74,944	\$79,441	\$84,207	\$89,260
Sales Tax	21	\$83,305	\$91,075	\$91,015	\$92,000	\$97,154	\$101,441	\$105,939	\$110,681	\$115,656
Depreciation/Amortization	22	\$396,292	\$407,400	\$410,222	\$407,400	\$431,844	\$457,755	\$485,220	\$514,333	\$545,193
Total Operating Expenses	23	\$1,157,037	\$1,185,693	\$1,187,879	\$1,298,780	\$1,376,340	\$1,457,379	\$1,543,233	\$1,634,213	\$1,730,600
Net Operating Income	24	\$271,887	\$341,005	\$472,010	\$285,006	\$275,705	\$266,574	\$256,170	\$244,727	\$231,784

City of McCook, Nebraska
Wastewater Enterprise Fund

EXHIBIT 1

Growth Assumptions	
Wastewater Sales & Customer Growth	0.00%
Operating Expenses	6.00%
Interest Earnings	1.00%

Sewer Rate Adjustments					
1-Oct-18	2.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	3.00%	1-May-24	6.00%	1-May-28	6.00%
1-May-21	3.00%	1-May-25	6.00%		
1-May-22	3.00%	1-May-26	6.00%		

		Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Net Operating Income	25	\$271,887	\$341,005	\$472,010	\$285,006	\$275,705	\$266,574	\$256,170	\$244,727	\$231,784
Non-Operating Items										
Interest on Reserves	26	\$17,081	\$3,110	\$17,089	\$13,510	\$13,510	\$13,510	\$13,510	\$13,510	\$13,510
Add Back: Depreciation	27	396,292	407,400	410,222	407,400	431,844	457,755	485,220	514,333	545,193
Revenue Available for Debt	28	\$685,260	\$751,515	\$899,321	\$705,916	\$721,059	\$737,839	\$754,900	\$772,570	\$790,487
Parity Debt Obligations										
Series 2016 Refunding Bonds	29	\$230,643	\$228,683	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Series 2021 Refunding Bonds	30	0	0	225,165	220,620	214,760	213,710	352,450	0	0
Proposed SRF 2023 Loan	31	0	0	0	0	159,826	158,775	157,785	156,755	155,685
Proposed SRF 2026 Loan	32	0	0	0	0	0	0	0	403,063	401,313
Total Parity Debt Service	33	\$230,643	\$228,683	\$225,165	\$220,620	\$374,587	\$372,487	\$510,237	\$559,820	\$557,000
Debt Coverage Ratios										
Parity Debt Coverage	34	2.97	3.29	3.99	3.20	1.92	1.98	1.81	1.38	1.42
Cashflow After Debt										
Total Capital Expenditures	35	\$454,617	\$522,833	\$674,156	\$485,296	\$346,472	\$365,352	\$244,663	\$212,751	\$233,488
Transfers to General Fund	36	(112,785)	(275,085)	(289,434)	(2,567,746)	(190,000)	(190,000)	(6,190,000)	(190,000)	(190,000)
Other Transfers In / (Out)	37	(64,642)	(92,093)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)
Other Transfers In / (Out)	38	0	0	9,384	500,000	0	0	0	0	0
Loan to Solid Waste Fund	39	19,613	0	0	0	0	0	0	0	0
Bond Proceeds	40	0	0	0	2,350,000	0	0	6,000,000	0	0
Transfer From / (To) Designated Cash	41	(6,542)	(52,005)	(181,532)	(245,000)	(195,000)	(195,000)	(195,000)	(195,000)	(195,000)
Transfer From / (To) Restricted Cash	42	718	32,814	(30,609)	(29,299)	525	(34,438)	153,861	705	0
Misc Sources / (Uses) of Cash	43	(27,059)	(45,706)	(12,775)	0	0	0	0	0	0
Annual Surplus / (Deficit)	44	\$263,920	\$90,757	\$109,190	\$433,251	(\$98,003)	(\$114,086)	(\$46,476)	(\$231,544)	(\$211,512)
Beginning Cash Balance	45	\$852,883	\$1,116,803	\$1,207,560	\$1,316,750	\$1,750,002	\$1,651,998	\$1,537,912	\$1,491,436	\$1,259,892
Annual Surplus / (Deficit)	46	263,920	90,757	109,190	433,251	(98,003)	(114,086)	(46,476)	(231,544)	(211,512)
Ending Cash Balance	47	\$1,116,803	\$1,207,560	\$1,316,750	\$1,750,002	\$1,651,998	\$1,537,912	\$1,491,436	\$1,259,892	\$1,048,380
Cash Balance as % O&M	48	146.8%	155.2%	169.3%	196.3%	174.9%	153.8%	141.0%	112.5%	88.4%
Restricted Cash										
Debt Service Reserve Fund	49	\$166,257	\$166,257	\$166,257	\$166,257	\$166,257	\$166,257	\$0	\$0	\$0
Debt Service Sinking Fund	50	66,553	33,739	64,348	93,647	93,122	127,559	139,955	139,250	139,250
Total Restricted Cash	51	\$232,810	\$199,996	\$230,605	\$259,904	\$259,379	\$293,816	\$139,955	\$139,250	\$139,250

City of McCook, Nebraska

EXHIBIT 1

Wastewater Enterprise Fund

Growth Assumptions	
Wastewater Sales & Customer Growth	0.00%
Operating Expenses	6.00%
Interest Earnings	1.00%

Sewer Rate Adjustments					
1-Oct-18	2.00%	1-May-23	6.00%	1-May-27	6.00%
1-Jan-20	3.00%	1-May-24	6.00%	1-May-28	6.00%
1-May-21	3.00%	1-May-25	6.00%		
1-May-22	3.00%	1-May-26	6.00%		

	Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected	
	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	
Designated Cash										
Capital Replacement Fund	52	427,596	479,596	616,123	816,123	966,123	1,116,123	1,266,123	1,416,123	1,566,123
Equipment Reserve Fund	53	0	0	45,000	90,000	135,000	180,000	225,000	270,000	315,000
Capital Development Fund	54	1,351	1,356	1,361	1,361	1,361	1,361	1,361	1,361	1,361
Total Designated Cash	55	\$428,947	\$480,952	\$662,484	\$907,484	\$1,102,484	\$1,297,484	\$1,492,484	\$1,687,484	\$1,882,484
Total Cash Balance	56	\$1,778,560	\$1,888,508	\$2,209,839	\$2,917,389	\$3,013,861	\$3,129,213	\$3,123,875	\$3,086,626	\$3,070,113
Operating & Maintenance Cap. Ex. (70-058-56040)										
Washer & Dryer				\$1,500	\$0	\$0	\$0	\$0	\$0	
4" Trash Pump				3,500	0	0	0	0	0	
UTV Snow Plow				1,500	0	0	0	0	0	
Utility Flat Bed				10,500	0	0	0	0	0	
Sonetics Comm. Headset				2,000	0	0	0	0	0	
2" Trash Pump				1,750	0	0	0	0	0	
Air Monitor				2,000	0	0	0	0	0	
Liftstation Wireless Communication System				17,500	0	0	0	0	0	
Future O&M Cap. Ex. Placeholder				0	45,000	45,000	45,000	45,000	45,000	
Total O&M Projects				\$40,250	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	
Replacement Cap. Ex. (70-061-56030)										
Labor to Remove RBC				30,000	0	0	0	0	0	
Security Cameras				4,996	0	0	0	0	0	
Power Gate WWTF				18,000	0	0	0	0	0	
Door Replacement				4,500	0	0	0	0	0	
Replace Dry Storage Building				120,000	0	0	0	0	0	
Future Replacement Cap. Ex. Placeholder				0	145,000	145,000	145,000	145,000	145,000	
Total Replacement Projects				\$177,496	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	
Other Improvements (SRF) (70-061-5603003)										
S Street Main Extension				\$400,000	\$0	\$0	\$0	\$0	\$0	
Sludge Fan Press				700,000	0	0	0	0	0	
Headworks Rehab				450,000	0	0	0	0	0	
Vactor 2100i Combo Sewer Truck				450,000	0	0	0	0	0	
Replace Sludge Heat Exchange				350,000	0	0	0	0	0	
New WWTP				0	0	0	6,000,000	0	0	
Total Replacement Projects				\$2,350,000	\$0	\$0	\$6,000,000	\$0	\$0	
Total Capital				2,567,746	190,000	190,000	6,190,000	190,000	190,000	

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.A.

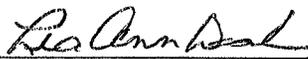
Approve the minutes of the February 6, 2023 regular City Council meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2023

McCook City Council
February 6, 2023
5:30 P.M. Central

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

Present: Mayor Taylor, Councilmembers Calvin, Weedon, Muehlenkamp, Rambali.

Absent: City Clerk Doak.

City Officials present: City Manager Schneider, City Attorney Mustion, Deputy City Clerk Burkey, Assistant City Manager Koetter, Library Director Crocker, Utilities Director Fawver, Fire Chief Harpham, Building Inspector Mooney, Public Works Director Potthoff, Police Chief Smith, and Wastewater Treatment Plant Operator White.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 2, 2023, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

1. Announcements & Recognitions.

Fire Chief Harpham introduced Nate Renner and Aaron Kotschwar - Firefighters???? and informed the Council that the new Fire Safety Simulator trailer, purchased through a FEMA/Department of Homeland Security Assistance to Firefighters Grant Fire Prevention and Safety grant, will be available to view after the meeting.

2. Presentations.

2.A. Accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2022 prepared by AMGL CPAs and Advisors.

Via Zoom, Marcy Luth of AMGL presented the Financial Statements to the Council for the Fiscal Year ending September 30, 2022 and answered questions from the Council.

Motion to accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2022 prepared by AMGL CPAs and Advisors. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3. Public Hearings.

- 3.A. Conduct a public hearing on the application of Old Sarge's Bar, Inc; dba "Old Sarge's Bar", for Class "IB" License #125468 - (Beer, Wine Distilled Spirits, On Sale, and Beer Off only) License under the Nebraska Liquor Control Commission, to be located at 114 West 1st Street, McCook, Nebraska.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Old Sarge's Bar, Inc; dba "Old Sarge's Bar", for Class "IB" License #125468 - (Beer, Wine Distilled Spirits, On Sale, and Beer Off only) License under the Nebraska Liquor Control Commission, to be located at 114 West 1st Street, McCook, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Muehlenkamp and seconded by Weedin, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated February 6, 2023 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Notice of Receipt from NLCC - Kim Frederick and email indicating the form was returned on January 13, 2023 (2 pages); Exhibit #4 - Redacted application and all attachments (36 pages); Exhibit #5 - Police Department Report (6 pages); Exhibit #6 - Recommendation to the Nebraska Liquor Control Commission (1 page).

Michelle Wood, applicant, 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 Weedin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

- 3.B. Recommend approval to the Nebraska Liquor Control Commission the application of Old Sarge's Bar, Inc; dba "Old Sarge's Bar", for Class "IB" License #125468 - (Beer, Wine Distilled Spirits, On Sale, and Beer Off only) License under the Nebraska Liquor Control Commission, to be located at 114 West 1st Street, McCook, Nebraska.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Old Sarge's Bar, Inc; dba "Old Sarge's Bar", for Class "IB" License #125468 - (Beer, Wine Distilled Spirits, On Sale, and Beer Off only) License under the Nebraska Liquor Control Commission, to be located at 114 West 1st Street, McCook, Nebraska. This motion, made by Muehlenkamp and

seconded by Calvin, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3.C. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review committee regarding meeting held January 23, 2023.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on a report from the Economic Development Plan Citizen's Advisory Review Committee regarding meeting held January 23, 2023 with the City Attorney to act as hearing officer. This motion, made by Weedon and seconded by Rambali, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated February 6, 2023 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the January 23, 2023 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (9 pages); and Exhibit #4 - the minutes of the May 23, 2022 Economic Development Plan Citizen's Advisory Review Committee (3 pages).

Charlie McPherson, McCook Economic Development Director, and Sean Wolfe, president of the Economic Development Plan Citizen's Advisory Review Committee, reviewed the information presented in Exhibit #3 and answered questions from the Council.

Councilmember Calvin questioned the status of the Clary Village Equity loan.

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

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3.D. Accept the minutes of the July 25, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to accept the minutes of the July 25, 2022 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Weedon, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4. Consent Agenda.

Councilmember Calvin requested that Item G 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

Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

- 4.A. Approve the minutes of the January 16, 2023 regular City Council meeting.
- 4.B. Accept the minutes of the November 9, 2022 Library Advisory Board meeting.
- 4.C. Ratify the Mayor's appointments to the Airport Advisory Commission - reappoint Dick Trail and Cleo Spencer - terms expire November 2025; Board of Zoning Adjustment - reappoint Ryan Moore, Jerry Reitz, and Greg Larson - terms expired January 2026; reappoint Tammie Hilker (Planning Commission Representative) and Rick Haney - terms expire September 2025; reappoint Andy Weber (Alternate) - term expires January 2026; Library Advisory Board - reappoint Pam Wolford - term expires June 2026; Parks Advisory Board - reappoint Jeremy LaBrie - term expires May 2025; and the Senior Citizens Advisory Board - reappoint Dan Stramel, Robert Patenburg and Jim Hamill - terms expire September 2025.
- 4.D. Award the bid for the 2023 Crack Sealing Project to Shelco Construction of Elsie, Nebraska in the amount of \$60,750.00, that being the lowest best bid.
- 4.E. Approve the specifications for the 2023 Armor Coating Project and set the time and date to receive bids as 2:30 P.M., February 28, 2023.
- 4.F. Approve the application for a Special Designated Liquor License submitted by the Knights of Columbus 1126, Liquor License #I-003702, for the Saint Patrick G.I.F.T Gala to be held at the St. Patrick School and Gym, 401 East "F" Street, on March 17, 2023 from 5:00 P.M. to 11:00 P.M. and March 18, 2023 from 5:00 P.M. to 12:00 A.M.
- 4.H. Approve the specifications for the Water Treatment Plant, Wastewater Treatment Plant, and East/West Golf Course lift stations SCADA upgrades and set the date to receive bids as February 28, 2023 at 2:00 P.M.
- 4.I. Receive and file the Financial Report for the period ending December 31, 2022.

5. Regular Agenda.

- 4.G. Authorize Great Plains Communications to occupy City Right-of-Way for the installation of a ground level fiber optic vault - 100 Block East 13th Street.

Councilmember Calvin clarified that the vault would be installed underground.

Motion to authorize Great Plains Communications to occupy City Right-of-Way for the installation of a ground level fiber optic vault - 100 Block East 13th Street. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

5.A. Discussion regarding the City of McCook's entry sign project.

Discussion included the proposed location at the four highway entrances into McCook. Staff has worked with the Nebraska Department of Transportation to ensure that the four locations are outside the State's right of way. Approval of the locations and signs will be brought back to the Council at the February 20 meeting.

Perry Strombeck, Tri City Sign Company, was present to review the proposed signs.

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

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

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING MCCOOK ZONING ORDINANCE NO. 2016-2929 CHANGING THE ZONING CLASSIFICATION OF HERITAGE POINTE ADDITION NO. 3, TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, FROM RESIDENTIAL MEDIUM DENSITY (RM) AND AGRICULTURAL (AG) TO BUSINESS COMMERCIAL (BC) DISTRICT; PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2023-3060 has been read by title and I move to approve upon its second reading of three readings. This motion, made by Calvin and seconded by Rambali, passed.
Taylor: YEA, Calvin: YEA, Weed: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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

Mayor Taylor asked the Deputy Clerk to read Ordinance No. 2023-3061 by title.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MCCOOK, COUNTY OF RED WILLOW, STATE OF NEBRASKA, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF MCCOOK, NEBRASKA; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

Ordinance No. 2023-3061 has been read by title and I move to approve upon its second reading of three readings. This motion, made by Calvin and seconded by Rambali, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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

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

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

Ordinance No. 2023-3062 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Muehlenkamp and seconded by Rambali, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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

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

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2023-3063 has been introduced, read by title, and I move to approve upon its first reading. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

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

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

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CITY OF MCCOOK CODE OF ORDINANCES, SECTION 34.40 - MISCELLANEOUS AND TRAVEL EXPENDITURES;

AMENDING SECTION (A)(1)(c) MEALS TRAVEL PER DIEM; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 2023-3059 has been read by title and I move to approve upon its second reading of three readings. This motion, made by Weedin and seconded by Calvin, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

5.G. Update regarding the swimming pool and ballpark projects.

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

RFP's have been submitted for the Construction Manager at Risk for the swimming pool. The interview committee will review the four proposals and make a recommendation to the Council.

Staff met with Mr. and Mrs. Benjamin and Paul Grieger, bond underwriter, regarding proposed funding of the ballpark project. A meeting will be scheduled with Austin McKillip of Cline Williams, and all interested parties, to identify that all terms are included in the agreement with Mr. and Mrs. Benjamin regarding the transfer/purchase of the completed project by the City.

5.H. Council Comments.

Mayor stated that she was excited about the "Welcome to McCook" signs and Councilmember Calvin expressed concerns with citizens not cleaning snow off of their sidewalks.

Adjournment.

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

Linda Taylor, Mayor

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING

ITEM 3.B.

2023-02

RECOMMENDATION:

Adopt Resolution No. , certifying that the City of McCook is considered to be capable of providing public transportation for its citizens for the two year grant period consisting of fiscal year July 1, 2023 to June 30, 2024 and fiscal year July 1, 2024 to June 30, 2025.

BACKGROUND:

City of McCook Public Transit is applying for federal and state funds to operate the rural transit services in the service area indicated in its Section 5311 application for the project years beginning July 1, 2023 and ending June 2025. The operating funds will be used for the portion of the budget for payroll expenses to retain the six employees who are the drivers, dispatcher, or the other related transit positions. City of McCook Transit agrees to the terms and conditions of the protective arrangements included in Section 5333(b) of Title 49 U.S. Code.

The State of Nebraska, Department of Transportation requests that a Resolution be adopted for the two-year grant period showing that the City of McCook is capable of providing transportation to its citizens.

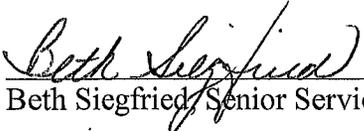
FISCAL IMPACT :

None

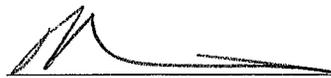
RECOMMENDATION:

Adopt Resolution No. - , certifying that the City of McCook is considered to be capable of providing public transportation for its citizens.

APPROVALS:


Beth Siegfried, Senior Services Director

2-15-23
Date


Nate Schneider

2-15-23
Date

RESOLUTION NO. 2023-02

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act (FTA) and the Nebraska Public Transportation Assistance Program, and

WHEREAS, the City of McCook Public Transit desires to apply for said funds to provide public transportation in the City of McCook.

NOW THEREFORE, BE IT RESOLVED; that the Mayor and City Council of the City of McCook, Nebraska, did review and approve the application for said funds at its regular meeting on February 20, 2023, and do hereby certify that the City of McCook is considered to be capable of providing public transportation to its citizens; and

hereby instructs the City of McCook Public Transit to apply for said funds. Said funds are to be used for the City of McCook Public Transit's transportation operations for the two year grant period of July 1, 2023 to June 30, 2024 and July 1, 2024 to June 30, 2025; and

hereby authorize the Mayor of the City of McCook to execute said Application for Public Assistance on behalf of the City.

Moved by: _____

Seconded by: _____

ROLL CALL: YEA: ____ NAY: ____ ABSENT: ____

Approved this 20th day of February, 2023.

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

ATTEST:

-s- Lea Ann Doak, City Clerk

PUBLIC NOTICE

Notice is hereby given that the City of McCook Public Transit as an Applicant requesting financial assistance from the Federal Transit Act, generally described below.

Be it resolved by the Mayor and Council Members of the City of McCook, Nebraska, that:

1. The City of McCook shall enter into an Agency Agreement with the Federal Transit Act for the two-year grant period of fiscal years July 1, 2023 through June 30, 2024 and July 1, 2024 through June 30, 2025 for the purpose of obtaining operating assistance to provide transportation for the general public.
2. Location of the Project is the within the city limits of McCook NE.
3. The estimated cost of the Project by source of funds are:
\$198,915 in federal funds, \$70,443 in state funds and \$70,443 in local funds from the City of McCook.
4. The Mayor of the City of McCook is hereby authorized and directed to execute said Agency Agreement on behalf of the City, and the City Clerk is hereby authorized to attest to said execution.

A copy of the Application for Financial Assistance of the Project is available for Public inspection at 505 W. C St., McCook, NE. Written comments for consideration by City of McCook Public Transit will be accepted at City of McCook, 505 W. C St., McCook, NE for a period of 10 days ending February 17, 2023.

-s Lea Ann Doak
McCook City Clerk
City of McCook Public Transit

Publish: February 7, 2023

**5311 Operating Assistance State Fiscal Year
July 1, 2023-June 30, 2024
(For grant cycle July 1, 2023 - June 30, 2025)**

Exhibit A

- a. Certification of Compliance with Civil Rights
- b. Certification of Restrictions on Lobbying
- c. Labor Narrative
- d. Acceptance of Special 5333(B) of Title 49
- e. Certifications and Assurances for FTA Programs
- f. Transit Asset Management (TAM) Certification and Accountable Executive
- g. Certification of Equivalent Service

NDOT's Commitment to Civil Rights

Title VI of the Civil Rights Act of 1964 is a Federal law that protects individuals and groups from discrimination on the basis of their race, color, and national origin in programs and activities that receive Federal financial assistance. Reference to Title VI includes other civil rights provisions of Federal statutes and related authorities to the extent they prohibit discrimination in programs and activities receiving Federal financial assistance.

Title VI compliance is defined as when the recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort has been made toward achieving this end.

All programs conducted by NDOT and the Section 5311 program recipients must meet the requirements. Education, training, work opportunities, benefits, and provision of services are examples of programs that must meet the Title VI requirements, whether provided directly by the recipient or its subrecipients, agents, contractors, or other vendors.

Discrimination is defined as: (*action or inaction*) whether intentional or unintentional, through which a person or group, solely because of race, color, national origin, disability, sex, age or income status, has been otherwise subjected to unequal treatment or impact, under any program or activity receiving Federal financial assistance.

A complaint may be filed by any individual or group that believes they have been subjected to discrimination or retaliation based on their race, color, national origin, sex, age, disability or income status. The complaint may be filed by the affected party or a representative and must be in writing.

Section 5311 program recipients who feel they have been discriminated against by any NDOT employee or its agent/contractor may contact the NDOT Transit Section. A review will be made to determine if NDOT has jurisdiction to investigate the issues raised. If NDOT does not have jurisdiction, the complaint will be forwarded to the appropriate agency. If NDOT does have jurisdiction, the allegations will be investigated and an attempt will be made to resolve the matter. If violations are found and negotiations to correct the violation are unsuccessful, enforcement proceedings may be initiated to attain compliance.

In addition, any individual or group who believes they have been discriminated against by an employee of a Section 5311 program recipient or its agent/contractor should first contact the Section 5311 recipient in writing. NDOT should also be notified of the complaint within 5 working days.

NDOT and the Section 5311 program recipients are prohibited from retaliating against any person because they reported an unlawful policy or practice, or made charges, testified, or participated in any complaint action under Title VI. If an individual or group believes they have been retaliated against, they should immediately contact NDOT to report their allegation. Filing a complaint with NDOT does not prevent an individual or group from seeking remedy through other resources.

Complaints should be addressed to:

Nebraska Department of Transportation
Attn: Kari Ruse
1400 Hwy 2
PO Box 94759
Lincoln NE 68509-4759
(402) 479-4694
kari.ruse@nebraska.gov

Certification of Compliance with Civil Rights

29 U.S.C. § 623, 42 U.S.C. § 2000 42 U.S.C. § 6102, 42 U.S.C. § 12112 42 U.S.C. § 12132,
49 U.S.C. § 5332 29 CFR Part 1630, 41 CFR Parts 60 et seq.

Civil Rights – The following requirements apply to the underlying contract:

- (1) Nondiscrimination – In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the applicant certifies it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Applicant agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.
- (2) Equal Employment Opportunity – The following equal employment opportunity requirements apply to the underlying contract:
 - (a) Race, Color, Creed, National Origin, Sex – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Applicant agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 C.F.R. Parts 60 et seq. (which implement Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The Applicant agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.
 - (b) Age – In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, the Applicant agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.
 - (c) Disabilities – In accordance with Section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Applicant agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, “Regulations to implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.
- (3) Disadvantaged Business Enterprise – To the extent authorized by Federal law, the Applicant agrees to facilitate participation by Disadvantaged Business Enterprises (DBEs) in the Project and assure that each subrecipient, lessee, third-party contractor, or other participant at their tier of the Project will facilitate participation by DBEs in the Project to the extent applicable.
- (4) Access to Services for Persons with Limited English Proficiency – The Applicant agrees to facilitate compliance with the policies of Executive Order No. 13166, “Improving Access to Services for Persons with Limited English Proficiency,” 42 U.S.C. Section 2000d-1 note, and follow applicable provisions of U.S. DOT Notice, “DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency (LEP) Persons,” 70 Fed. Reg. 74087, December 14, 2005, except to the extent that FTA determines otherwise in writing.
- (5) The applicant also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

The following information is required by the Federal Transit Administration. The economic/racial/ethnic composition of your governing body or riders will not be considered as a factor in awarding grants.

Check Yes or No:

Has your transit agency received any Title VI nondiscrimination complaints in the last fiscal year? If Yes, attach all documentation to this application. Yes No

Our governing body (*Board of Director, City Council, etc.*) is made up predominantly of minority and/or low-income individuals. Yes No

Potential riders/clients of our transportation service will be predominantly minority and/or low income individuals. Yes No

Signature

Title

Date

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Nate Schneider City Manager City of McCook, hereby certify on
(Name and Title of Grantee Official)

behalf of City of McCook Transit :

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an officer in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard Form LLL, Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that language of this certification be included in the award documents for all subawards at all tiers, *(including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements)* and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(Note: Pursuant to 31 U.S.C. Section 1352 (c) (1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.)

The applicant certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Applicant understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

Signature

Title

Date

LABOR

Please state in a narrative how this project will affect the employment conditions of your employees. What is the anticipated impact on employment of eligible public mass transportation providers in your proposed service area? Federal Transit Administration rules and regulations have defined public transportation as "any transportation by bus or rail or other conveyance, either publicly or privately owned, which provides to the public general or special services on a regular and continuing basis," Public transportation does not include the following: 1) school bus, charter or sightseeing service; 2) exclusive ride taxi service; and 3) service to individuals or groups which excludes use by the general public (*i.e., age or income restrictions*).

The term transportation service area of your project is intended to include the geographic area over which the project is operated and the area whose population is served by the project, including adjacent areas affected by the project.

Note: An eligible recipient includes those providers who are approved to receive Section 5311 assistance and other providers who qualify for Section 5311 assistance.

Applicants for Section 5311 assistance are required to abide by all conditions of the Section 5333 (b) warranty (see page d. of Exhibit A.) A listing of eligible public mass transportation providers in the applicant's transportation service area should be provided with this document.

Labor Narrative:

City of McCook Public Transit is applying for federal and state funds to operate the rural transit services in the service area indicated in its Section 5311 application for the two year grant period of fiscal year July 1, 2023 to June 30, 2024 and fiscal year July 1, 2024 to June 30 2025. The operating funds will be used for the portion of the budget for payroll expenses to retain the six employees who are drivers, dispatchers or the other related transit positions. City of McCook Transit agrees to the terms and conditions of the protective arrangements included in section 5333(b) of Title 49 U. S. Code.

The city taxi services High Plains Taxi Service quit serving our community January 31, 2018. This had very little impact on our ridership. There is no Uber or Lyft serives in our community.

City of McCook Public Transit will post, in a prominent and accessible place, the terms and conditions of the Warrenty witha notice stating that the Cityof McCook Transit has receied federal assistance under the Federal Transit statute and has agreed to comply with these terms

**ACCEPTANCE OF SPECIAL 5333(B) OF TITLE 49,
UNITED STATES CODE WARRANTY FOR APPLICATION
TO THE SMALL URBAN AND RURAL PROGRAM**

Name of Subrecipient: City of McCook
Address: 505 West C St
PO BOX 1059
McCook NE 69001
Telephone: 308-345-2022 ext 225

The recipient, for and in consideration of a transportation grant to be made available to the recipient, pursuant to Section 5311 of Title 49, United States Code, hereby agrees to accept the terms and conditions of the Special 5333 (b) Warranty, incorporated herein and made a part hereof by reference, absent a waiver by the U.S. Department of Labor.

The recipient hereby agrees that it is the exclusive designated legally responsible party under the terms of the Special Section 5333 (b) Warranty and that the State of Nebraska, acting through the Nebraska Department of Roads assumes no obligation under the terms of the Special Warranty which are not otherwise part of its normal obligation as a grant administering agency.

The recipient hereby authorizes the presentation of this acceptance by the state of Nebraska to the U.S. Department of Labor as evidence of the Recipient's commitments above described.

Subrecipient

Signature

Title

Date

TRANSIT ASSET MANAGEMENT CERTIFICATION

The Federal Transit Administration (FTA) implemented a Transit Asset Management (TAM) program under CFR Title 49, Part 625. The TAM program provides a framework that prioritizes funding based on the condition and maintenance of transit assets, such as vehicles, equipment and facilities. The purpose of the FTA rulemaking is to achieve and maintain a state of good repair for transportation assets.

The TAM rule requires every transit provider that receives federal financial assistance under 49 U.S.C. Chapter 53 to develop a TAM plan or participate in a group TAM plan prepared by a sponsor. The Nebraska Department of Transportation (NDOT) is the sponsor of the group plan for rural public transportation providers receiving Section 5311 funds.

As a subrecipient of these funds, you are required to adopt the NDOT Transit TAM Plan or decline to participate in the group plan. Your agency is also required to name an Accountable Executive who is responsible for approving the group TAM plan. This individual serves as the participant agency's chief executive and should be involved in decision-making regarding investment prioritization.

NDOT's Group TAM Plan is available for review at <https://irp.cdn-website.com/9c0b8ff3/files/uploaded/NDOTTAMGroupPlan.pdf>

By signing below, you agree to be the Accountable Executive for your agency:

<i>Signature</i>	Nate Schneider <i>Print Name</i>
City Manager City of McCook <i>Title</i>	 <i>Date</i>

If you decline to participate in the group TAM plan, you are required to develop a plan for your agency in compliance with federal regulations and report TAM information annually to the National Transit Database. Please notify your intention to decline participation in NDOT's group TAM plan by written notification to the address below:

Kari Ruse
NDOT Transit Specialist
PO Box 94759
Lincoln NE 68509-4759
kari.ruse@nebraska.gov
(402) 479-4694

Certifications and Assurances

**FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR
FTA ASSISTANCE PROGRAMS FOR STATE APPLICATION,
July 1, 2023-June 30, 2025**

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: City of McCook Transit

The Applicant certifies to the applicable provisions of categories 01-21. X

OR,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

Certifications and Assurances

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs _____
- 13 State of Good Repair Grants _____
- 14 Infrastructure Finance Programs _____
- 15 Alcohol and Controlled Substances Testing _____
- 16 Rail Safety Training and Oversight _____
- 17 Demand Responsive Service _____
- 18 Interest and Financing Costs _____
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations _____
- 20 Tribal Transportation Program _____
- 21. Emergency Relief Program _____

FEDERAL FISCAL YEAR 2023 FTA CERTIFICATIONS AND ASSURANCES
SIGNATURE PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2023)

AFFIRMATION OF APPLICANT

Name of the Applicant: City of McCook Transit

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2021, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2021.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

Certifications and Assurances

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name City of McCook Transit

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 2022 CITY COUNCIL MEETING**

ITEM: 3.C.

Receive and file the claims for the month of January 2023, published February 16, 2023.

BACKGROUND:

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

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

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2023

CITY OF MCCOOK
CLAIMS FOR JANUARY 2023

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

20/20 TECHS-SC 5965.75; 7-D LOCKSHOP-S 225.18; ACE-S 1357.20; ACME PRINTING-S 765.95; AKRS-S 383.37, SC 393.75, CO 35282.50; AMERICAN AG LAB-SC 1594.32; AMERICAN ELECTRIC-S 61.07; AMERICAN LEGAL PUBLISHING-SC 1303.00; AMERITAS-CLAIMS-SC 9647.64; ANYTIME TRI-STATE TOWING-SC 130.00; APPLIED CONNECTIVE TECH-SC 75.00; ARROW CAR WASH-S 41.18; ATR LIGHTING ENT-SC 205.73; BAIRD HOLM-SC 648.00; BARCO MUNI PRODUCTS-S 2099.26; BICYCLING MAGAZINE-S 29.99; BLACK HILLS ENERGY-SC 13982.41; BOOKS BY THE BUSHEL-S 155.20; J BORTNER-SC 825.00; BW TELECOM-SC 144.14; C&K-S 757.00; CAMBRIDGE TELEPHONE-SC 234.12; CARBAJAL DRYWALL-S 425.00; CAROLINA SOFTWARE-S 200.00; CARQUEST-S 2814.72; CASH WA-S 15479.23; CDW-G-SC 427.81; CENTRAL NE BOBCAT-S 106.43; CENTURY LINK-SC 756.55; P. CHAMBERS-SC 7000.00; CITY OF MCCOOK-PS 436167.01; CITY SELF INS-BT 166893.75; UTILITIES-SC 2900.36; CLINE WILLIAMS, WRIGHT JOHNSON-SC 5320.00; COMMON SCENTS-S 1249.60; CONSOLIDATED MANAGMENT-SC 115.50; CORNHUSKER MARRIOT-SC 1199.00; CORNHUSKER CLEANING-S 61.83; CORNHUSKER STATE INDUSTRIES-CO 58.00; CREATIVE PRODUCT SOURCING-SC 911.83; J. CROCKER-SC 191.26; CROELL, INC-CO 1341.25; CTS SOFTWARE-SC 3390.00; CULLIGAN WATER-SC 174.60; d & I PEST-S 60.00; D & S HARDWARE-S 371.12; DAS ACCT-SC 830.00; DE NORA WATER TECH-S 5900.00; DEMCO, INC-S 287.73; DEVENY CHRYSLER-S 860.36; DIAMOND LAKE BOOKS-S 151.47; DIAMOND VOGEL-S 21.17; J. DOYLE-SC 89.08; DVORAK LAW GROUP-SC 292.00; EAKES-S 607.51; EASTWEST-S 46.98; ELLERBROCK-NORRIS-SC 2500.00; EMBASSY SUITES-SC 1136.00; ENVIRONMENTAL ANALYSIS-SC 204.00; FASTENAL-S 294.99; P. FAWVER-SC 110.00; FICA-PS 21870.22; FRENCHMAN VALLEY COOP-S 117265.06; FRENCHMAN VALLEY MUTUAL AID-SC 100.00; FRONTIER COMM-SC 48.19; GALLAGHER FLUID SALES-S 1762.38; GALLS-S 498.40; GARRISONS-S 206.00;

GLASS EXPRESS-S 189.32; J GOLLEHON-SC 407.86; GOOGLE SVCS-SC 504.00; GRAHAM TIRE-S 9143.24; GREAT PLAINS COMM-SC 2512.19; GUYNAN MACHINE & STEEL-S 463.31; K HANSEN-SC 30.00; HENNING BROS-SC 59.00; HERITAGE SENIOR CENTER-SC 67.50; HIGH PLAINS RADIO-SC 58.00; K HODGSON-S 150.00; HOMETOWN LEASING-SC 757.83; HUGHES MACHINERY-S 780.00; HUTCHESON ENGINEERING-SC 12840.00; IACP-INT'L ASSOC-SC 190.00; IDEAL LINEN-S 170.16; INDELCO PLASTICS-S 1122.91; INT'L CODE COUNCIL-SC 145.300; J BAR J LANDFILL-SC 36905.43; JHB GROUP-CO 195421.05; K & C GRAIN-S 19069.70; T KALINSKI-SC 375.23; J KEHR-SC 750.00; KIDS REFERENCE CO-S 671.70; L KINNE-S 150.00; KOHL'S AUTO-S 1522.92; KOHLER TRAILER SALES-SC 8147.06; LEAGUE OF NE MUNI-SC 846.00; LEAGUE OF NE MUNI-UTILITIES-SC 850.00; LIFE-ASSIST-S 1082.34; LINCOLN WINWATER-S 369.15; MALLECK OIL-S 1089.55; MARC-S 813.13; MARIS GENERAL-S 50.01; MC CHAMBER-SC 4339.00; MC GAZETTE-SC 1243.12; MC HUMANE SOCIETY-S 4364.12; MCCOOK MECHANICAL-SC 1022.00; MPPD-SC 535.67; MPS-SC 310.00; MC NET SC 69.95; C MCDONALD-SC 219.76; MCKESSON MEDICAL-S 559.70; MEDICARE-PS 6110.25; MEAD-S 235.70; R METCALF-SC 107.00; MICROMARKETING-S 2688.09; MID-STATES ORGANIZED CRIME-SC 150.00; MIDWEST CONNECT-S 321.05, SC 1870.12; MILCO-SC 3766.69; MILLER AND ASSOC-SC 1080.00; D. MORGAN-CO 9725.00; MUNICIPAL SUPPLY-S 10360.27; MUTUAL OF OMAHA-SC 853.45; NE AVIATION COUNCIL-SC 300.00; NE MUNI CLERK INST-SC 616.00; NDEE-SC 125.00; NE DEPT REV-SALES TAX-SC 10052.95; NE DEPT OF REV-LOTTERY-SC 5689.00; NE PUBLIC HEALTH-SC 16.00; NE SAFETY AND FIRE-S 225.00; NE STATE FIRE MARSHAL-S 120.00; NE LAW ENFORCEMENT INTEL-SC 291.00; NE SALT AND GRAIN-S 1898.16; NE TRUCK CENTER-S 3629.00; NICK'S DIST-S 902.64; NMC-S 801.66; NPPD-SC 30800.50; NWOD-SC 20.00; O'REILLY-S 153.33; ONE BILLING SOL-SC 4894.37; ONE CALL-SC 48.22; PARDE ELECTRIC-S 100.09; PAULSEN INC-S 640.31; PLATTE VALLEY COMM-S 400.00; POAN-SC 60.00; K POTTHOFF-SC 375.23; PRAIRIE STATES COMM-S 3372.00; PRAISE WINDOWS-S 140.00; PROTEX CENTRAL-S 332.50; QUADIENT FINANCE USA-SC 1070.03; QUILL-S 194.14; RAVENSWOOD ELEC-S 2415.12; S RENNER-SC 50.00; T RIGGS-SC 70.00;

ROCHESTER MIDLAND-S 442.00; RUGGLES TRAILER SALES-SC 2195.99; RUTT'S HEATING & AC-S 3100.00; SANDRY FIRE SUPPLY-SC 1050.01; SCOTTIES POTTIES-S 200.00; B SIEGFRIED-SC 90.00; SIEGFRIED HOLDINGS-SC 466.41; SNELL SRVS-S 5762.06; SOLID WASTE ASSOC-SC 245.00; SOUTHWEST ENVIRONMENTAL ENGINEER-SC 500.00; SOUTHWEST FARM & AUTO-S 2320.45; SPARQ DATA-SC 3500.00; STEVENS PAINTING-S 1038.83; TITAN MACHINERY, INC-S 300.66; TRAVELERS-SC 133473.16; TYLER TECH-SC 291.95; UMR-SC 263068.40; US FOODS-S 690.36; USA BLUEBOOK-SC 58.40; UTILITY REFUNDS-304.70; N VARGAS-SC 221.26; VERIZON-SC 2599.29; W DESIGN-SC 2501.25, CO 375.00; WAGNER FORD-TOYOTA-S 45.42; WALMART-S 1176.58; WEST CENTRAL NE AREA-SC 5333.84; WESTSIDE WELDING-S 249.60; J WHITE-SC 40.00; R WILCOX-S 257.42; WITMER PUBLIC SAFETY-S 373.32.

-s- Lea Ann
Doak City Clerk

Publish: February 16, 2023

CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING

ITEM: **3.D.**

RECOMMENDATION:

Ratify the Mayor's appointments to the:

- Economic Development Plan Citizen's Advisory Review Committee - reappoint Alexis Davidson and appoint Warren Jones - terms expire July 2025.

BACKGROUND:

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

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2023

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

SEAN WOLFE
424 Seminole Drive
swolfe@chmccook.org 344-8306 (W)
Appointed - October 2018 (Replaced Troy Bruntz)
Reappointed July 2021
Term Expires - July 2024

SARAH RENNER
802 West 12th Street 345-7040 (W)
srenner@krd-fcu.org
Appointed - September 2018 (Replaced Jerda Garey-Vickers) 340-0827 (C)
Reappointed July 2021
Term Expires - July 2024

WARREN JONES
403 Apollo
Appointed - February 2023 (Replaced Leon Kuhlen)
Term Expires - July 2025

ALEXIS DAVIDSON 345-2580 (w)
1505 Centennial Drive
adavidson@mccooknet.com
Appointed - June 2021 replaced Danielle Johnson
Reappointed - February 2023
Term Expires - July 2025

JORDAN JOHNSON
#15 Spyglass
jordanj@gtagroup.com
Appointed - September 2017 replaced Linda Taylor (original 3-yr term)
Reappointed - July 2020
Term Expires - July 2023

RICK SINNER 308-289-9557 (C)
908 Missouri
rick@gfrc.com
Appointed - November 2022 (Replaced Bob Elder)
Term Expires - July 2023

JEANETTE PETERS 340-8560 (C)
406 West "R" Street
jeanettepeters@hotmail.com
Appointed - September 2018 (Replaced Bill Burton)
Reappointed - October 2020
Term Expires - July 2023

ALL FUTURE TERMS 3-YEAR

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.E.

Approve the application for a Special Designated Liquor License submitted by Outlaws 1882 Saloon, Liquor License #IB-118114, for a wedding reception to be held at the Red Willow County Community Building, 1412 West 5th Street, on June 17, 2023 from 3:00 P.M. to 2:00 A.M.

BACKGROUND:

Outlaws 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

February 15, 2023



Nathan A. Schneider, City Manager

February 15, 2023

**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

Outlaws 1882 Saloon

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

1006 W B St. McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

118114

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 6/17/2023

Event Start Time(s): 3pm

Event End Time(s): 2AM

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Red Willow Community Building

Event Street Address/City: 1412 West 5th St. McCook, NE 69001

Indoor area to be licensed in length & width: 30 x 150

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

Type of Event: Wedding Estimate # of attendees: 250

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

Event Contact Name: Shir Laverack Event Contact Phone Number: 605-391-2840

Event Contact Email: outlaws1882saloon@hotmail.com

*Signature Authorized Representative: Shir Laverack Printed Name Shir Laverack

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
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

3.F.

ITEM: _____

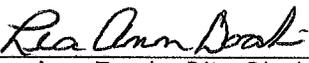
Approve the application for a Special Designated Liquor License submitted by Citta' Deli, Liquor License #C-121305, for their 8th Annual St. Patrick's Day Celebration to be held in the Citta' Deli parking lot, 110 West 1st Street, on March 18, 2023 from 8:00 A.M. to 6:00 P.M.

BACKGROUND:

They will be hosting this event in their parking lot. 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

February 15, 2023



Nathan A. Schneider, City Manager

February 15, 2023

**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

Citta' Deli, LLC

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

110 W 1st Street, McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

121305

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

3-18-23

Event Date(s):

Event Start Time(s):

8:00am

Event End Time(s):

6:00pm

Alternate Date: N/A

Alternate Location Building & Address:

Event Building Name: Citta' Deli Parking Lot

Event Street Address/City: 110 W 1st Street, McCook, NE 69001

Indoor area to be licensed in length & width: X

Outdoor area to be licensed in length & width: 90' X 100' (Diagram Form #109 must be attached)

Type of Event: 8th Annual St. Patrick's Day Celebration Estimate # of attendees: 125

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

Event Contact Name: William Lesko Event Contact Phone Number: 308-340-6530

Event Contact Email: billlesko1@gmail.com

*Signature Authorized Representative: William P. Lesko II Printed Name William P. Lesko II

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

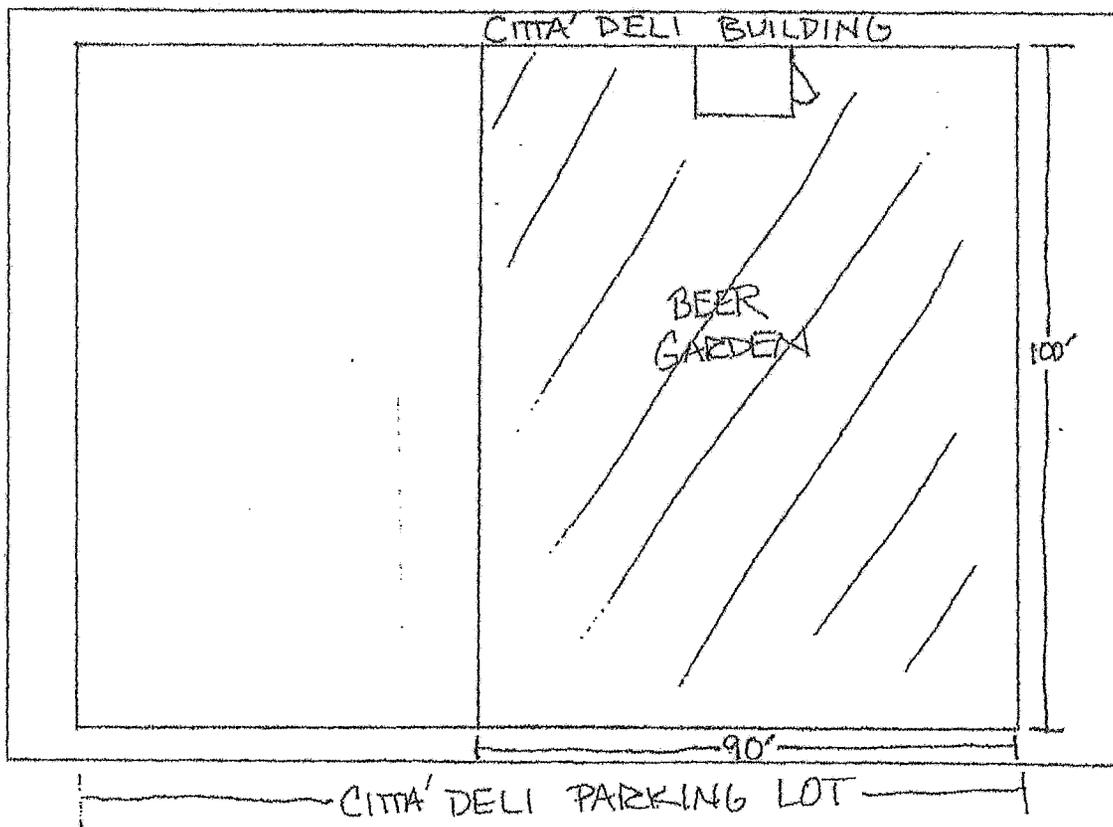
Date

OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED See Attached Security Page

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA:



Citta' Deli's 8th Annual St. Patrick's Day/Anniversary Party

Event Details

Event to take place during the day in Citta' Deli's Parking Lot.

Beer Garden in Citta' Deli Parking lot with addition beer, wine and spirits sold inside.

IDs checked and arm bands administered only inside at cash register.

4 Dedicated Citta' Deli Staff as security outside with additional security provided by 8-10 employees throughout the building.

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.G.

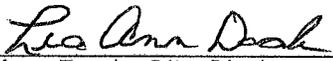
Approve the application for a Special Designated Liquor License submitted by the McCook Chamber of Commerce for Membership Mixer Celebration to be held at Norris Alley, 406 Norris Avenue, on April 20, 2023, from 8:00 A.M. to 11:00 P.M.

BACKGROUND:

The Chamber will be hosting this event. They are making application to allow them to serve alcohol at this temporary location. Approval of the City Council is required with all applications.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2023



Nathan A. Schneider, City Manager

February 15, 2023

Idoak@cityofmccook.com

From: Molly Smith <molly@mccookchamber.org>
Sent: Tuesday, February 14, 2023 9:23 AM
To: Clerk Lea Ann Doak
Subject: SDL Request April 20, 2023
Attachments: SDL Chamber 04202023.pdf

Good Morning Lea Ann,

Please find the attached SDL Request for a Membership Mixer we will be having on April 20, 2023, at Norris Alley.

Let me know if you have any questions or need anything further.

Thanks in advance,
ms

Molly Smith | President/CEO
McCook Chamber of Commerce
402 Norris Avenue | Suite 316
McCook, NE 69001
308.345.3200
molly@mccookchamber.org

Involvement | Education | Advocacy | Marketing

**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

McCook Chamber of Commerce

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

402 Norris Ave. Ste 316, McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

47-0233780

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 04/20/2023

Event Start Time(s): 8:00a

Event End Time(s): 11:00p

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Norris Alley

Event Street Address/City: 406 Norris Ave., McCook, NE 69001

Indoor area to be licensed in length & width: _____ X _____

Outdoor area to be licensed in length & width: 150' X 50' (Diagram Form #109 must be attached)

Type of Event: Membership Mixer Celebration Estimate # of attendees: 200

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

Event Contact Name: Molly Smith Event Contact Phone Number: 308-345-3200

Event Contact Email: molly@mccookchamber.org

*Signature Authorized Representative:  Printed Name: Jade Lesko

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:

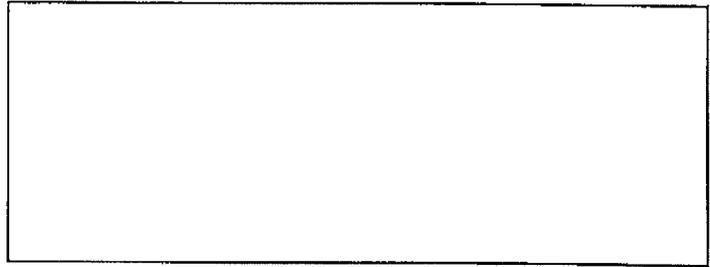
The local governing body for the City/Village of _____ OR County of _____ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE
Non-Profit Applicants ONLY**

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



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

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

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

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

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

McCook Chamber of Commerce

NAME OF CORPORATION

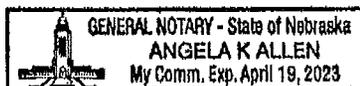
47-0233780

FEDERAL ID NUMBER

SIGNATURE OF TITLE OF CORPORATE OFFICERS

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

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 13th DAY OF February, 2023.



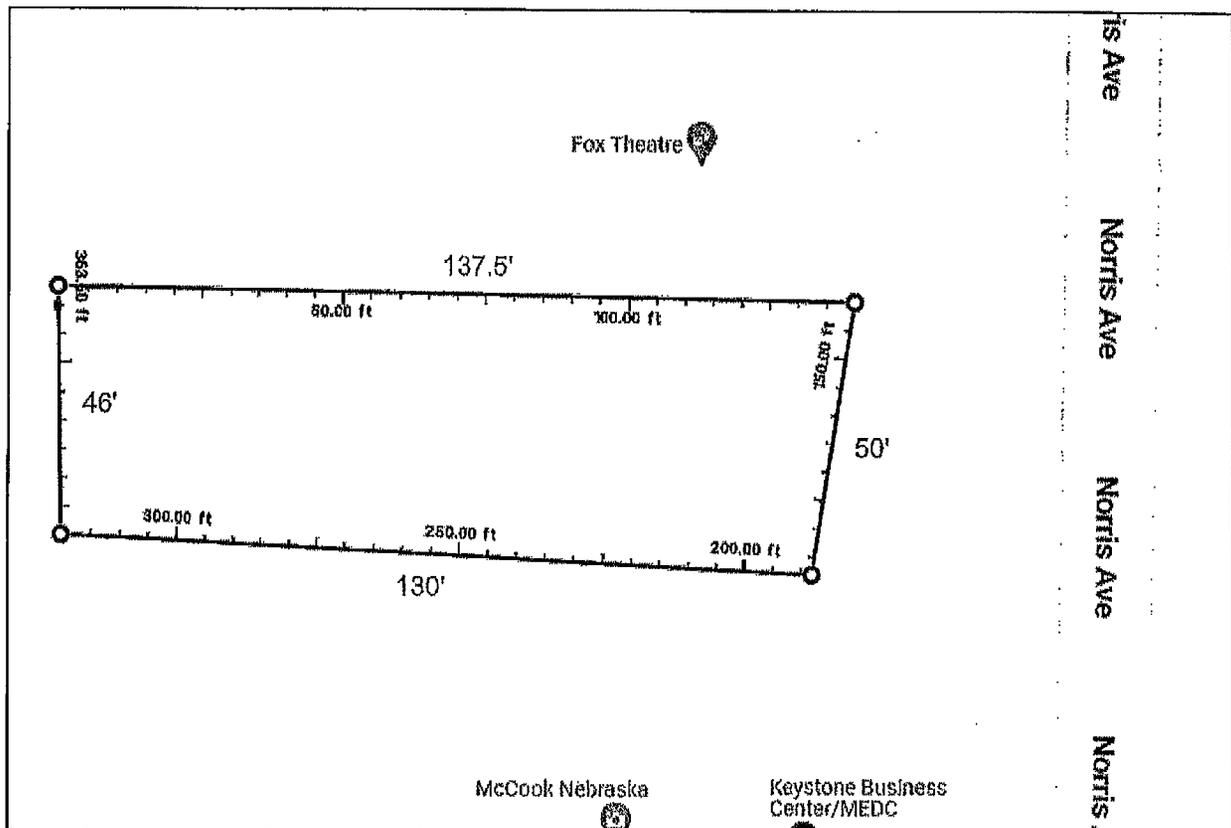
NOTARY PUBLIC SIGNATURE & SEAL

OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED 6 volunteer security staff

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA: Outdoor Area = see measurements below



REQUEST FOR EXEMPTION WAIVER OF DOUBLE FENCING RULE

RULES AND REGULATIONS CHAPTER 2 - 013 SPECIAL DESIGNATED LICENSES

<https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/doc/013%20SPECIAL%20DESIGNATED%20LICENSES%20RULES%20%26%20REGS.pdf>

WHY DOUBLE FENCING IS NOT AVAILABLE Our current supply of orange snow fencing does not meet the length requirement for double fencing.

TYPE OF FENCING TO BE USED Orange Snow Fencing

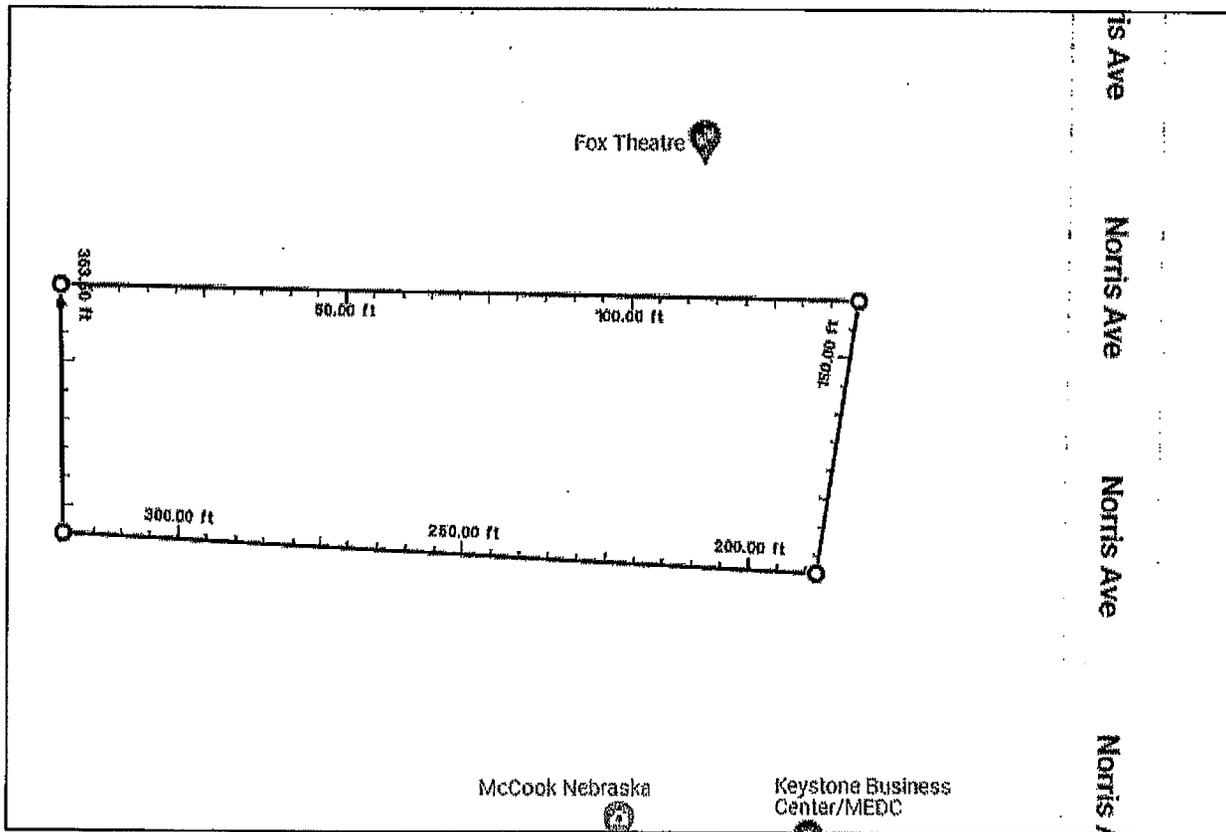
HEIGHT OF FENCING TO BE USED 4'

HOW AREA WILL BE PATROLLED Volunteer security staff

NUMBER OF SECURITY PERSONNEL Six (6)

EXPECTED NUMBER OF ATTENDEES 200

PLEASE DRAW DIAGRAM WITH MEASUREMENTS SHOWING THE METHODS OF FENCING OR MATERIALS BEING USED



**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.H.

Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for an Alumni Meeting/Reception at the Keystone Business Center, 402 Norris Avenue, on March 30, 2023 from 4:00 P.M. to 10:00 P.M.

BACKGROUND:

Ambriz Ventures 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

February 15, 2023



Nathan A. Schneider, City Manager

February 15, 2023

**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

Ambriz Ventures, LLC

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

312 Norris Ave, McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

CK 124450

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 03-30-23 _____

Event Start Time(s): 4:00pm _____

Event End Time(s): 10:00pm _____

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Keystone Business Center - 6th Floor

Event Street Address/City: 402 Norris Ave., McCook, NE 69001

Indoor area to be licensed in length & width: 105 X 75

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

Type of Event: Alumni Meeting/Reception Estimate # of attendees: 60

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

Event Contact Name: Andrew Ambriz Event Contact Phone Number: 402-922-0774

Event Contact Email: andrew@sehnerts.com

*Signature Authorized Representative: Andrew Ambriz Printed Name Andrew Ambriz

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
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.I.

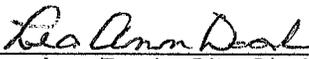
Approve the application for a Special Designated Liquor License submitted by Ambriz Ventures, LLC, Liquor License #CK-124450, for the MPCC Rodeo to be held at the Red Willow County Fairgrounds Kiplinger Arena, 1412 West 5th Street, on March 10, 2023 from 9:00 A.M. to 12:00 A.M. and March 11, 2023 from 9:00 A.M. to 12:00 A.M.

BACKGROUND:

Ambriz Ventures 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.

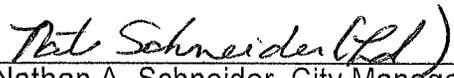
**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023

**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

Ambriz Ventures, LLC

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

312 Norris Ave, McCook, NE 69001

Retail Liquor License Address or Non-Profit Business Address

CK #124450

Retail License Number or Non-Profit Federal ID #

<u>Consecutive Dates only</u>	03-10-23	3-11-23				
Event Date(s):						
Event Start Time(s):	9:00a	9:00a				
Event End Time(s):	12:00a	12:00a				

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Kiplinger Arena

Event Street Address/City: 1412 West 5th St., McCook, NE 69001

Indoor area to be licensed in length & width: 130 X 300

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

Type of Event: MPCC Rodeo Estimate # of attendees: 300

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

Event Contact Name: Andrew Ambriz Event Contact Phone Number: 402-922-0774

Event Contact Email: andrew@sehnerts.com

*Signature Authorized Representative: Andrew Ambriz Printed Name Andrew Ambriz

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
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.J.

RECOMMENDATION:

Accept the minutes of the October 18, 2022 Senior Center Advisory Board meeting.

BACKGROUND:

Accept minutes from the various board and commission meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2023

Heritage Senior Center
1312 West 5th St
McCook NE 69001
Advisory Board Minutes
October 18, 2022

A copy of the Open Meetings Act is posted by the entrance to the meeting room and is available for public review. All meetings begin at 10:00am and are open to the public. Meeting called to order. Minutes from the previous meeting were approved as read. Roll call was taken.

Jim Hamill P	Mary Keslin P	Joe Ryland A	John Deon P
Bob Pantenburg P	Dan Stramel P	Beth Siegfried P	John Zlomke P

Public Transit

	<i>Riders</i>	<i>Miles</i>	<i>Different Riders</i>	<i>Wheel Chair</i>	<i>Days</i>
<i>July</i>	427	1348	73	34	20
<i>August</i>	503	1546	66	29	23
<i>September</i>	479	1434	76	7	19

Overall 1409 *57 riders more than last quarter*
Average 470 *Average a year ago was 402*

	<i>Meals at Center (Congregate)</i>	<i>Home Delivered Meals</i>	<i>Curb Side Pickups</i>	<i>Days</i>
<i>July</i>	1125	1438	457	20
<i>August</i>	1228	1693	475	23
<i>September</i>	974	1345	481	19

Overall 3327 *4476* *1413*
Average 1109 (53 a day) *1492 (71 a day)* *471 (23 a day)*
Previous quarter 1152 -43 *1651 -159* *549 -78*

Total Meals July 3020 average 151 meals a day
Total Meals August 3396 average 148 meals a day
Total Meals September 2800 average 147 meals a day
Total meals 9,216

Total Average meals a day this quarter 146 11 less than last quarter
Average last year was 154

- Meeting was called to order by President Dan Stramel.
- The Minutes from the July 19, 2022 meeting were approved with no corrections, by a motion made by John Zlomke and seconded by Mary Keslin. Motion carried.
- Open Forum: No discussion.

Old Business

- New ovens have arrived and were installed at the same time as the new kitchen floor which worked very well. Kitchen was closed for two days during floor installation
- Bieker's Quality Collision Repair is still waiting on parts for the transit bus.
- Open enrollement has began October 15th and goes through December 7 for the SHIP Counseling for Medicare Supplements and Part D Drug plan comparisons.
- A huge thank you to Tony Marsden, Jody Radel and Natalie Mickey for helping in the kitchen, when we were short staffed.
- Received estimate from Glass Express to replace the two entry doors on the South the ones with panic bars, they are becoming increasingly hard to lock due the building setteling. The estimate was \$7,452.44 for pair 6'x7' doors with insulated glass and panic bars, \$1,800 for labor remove old doors and \$214.22 for misc. materials total estimate \$9466.66
- Mike Towery placed third in the Bus Division at the annual Transit Rodeo in Kearney
- Cost to install new floor \$3,966 which was taken out of donations.
- Need to finish inventory of building for WCAAA.

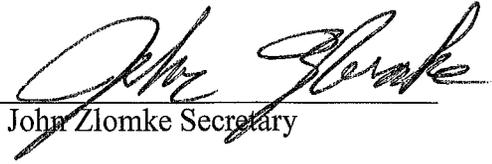
- New Business
- Bob Pantenburg made the motion to retain the current slate of officers of Dan Stramel President, Mary Keslin Vice President and John Zlomke as Secretary motion was seconded by John Deon and motion carried.
- Bryan LGH dropped the 55 plus Program since COVID Community Hospital plans to start a new program to take the place of the 55 plus, calling it Healthy Connections, their first program will be November 10 here at the Senior Center. With CEO Troy Bruntz giving the program updates on what is going on at the hospital. During COVID when they were not having the 55 plus programs, Community Hospital provided dessert once a month since they quit meeting during COVID which was greatly appreciated.

A motion was made by John Zlomke and seconded by John Deon to adjourn the meeting. Motion carried to adjourn the meeting at 10:55

The next meeting will be January 17, 2023



Dan Stramel President



John Zlomke Secretary

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.K.

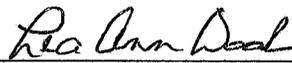
Receive and file Topics for Consideration received January 1 through February 10, 2023.

BACKGROUND:

The attached Topic for Considerations were received January 1 - February 10. They will be addressed by staff in house, discussed at Monday's meeting, or at a future council meeting.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023



Lea Ann Doak, City Clerk
City of McCook
505 West C St.
P.O. Box 1059
McCook, NE 69001

Telephone: (308)345-2022
E-mail: admin@cityofmccook.com
Website: www.cityofmccook.com

TOPIC FOR CONSIDERATION FOR CITY COUNCIL AGENDA

If you have a specific topic that you would like the City Council to consider at a future meeting, please complete the information below and submit to the City Clerk's office. The item will be reviewed and forwarded to city staff for appropriate action or scheduled for a future meeting of the City Council, if necessary. You will be notified of the staff recommendation or action taken on your request or when the item will be presented to the City Council for consideration.

Name: Nadia Schoup

Address: 7 South St.

Telephone Number: 340-8656

Email Address: 1shopie1@gmail.com

Date of Request: 2-10-23

Description of Requested Topic: (Please be as specific as possible and use additional sheets of paper if needed.)

I was in attendance at the last meeting Feb. 6, 2023 and I have concerns regarding proposed signage. For example - True cost which would include city workers, ongoing monthly electrical costs, and longevity of proposed sign material.

For Administrative Purposes:

Date Request Received: _____ Received by: _____

Action Taken: _____

Follow-Up Needed: _____

Signed: _____ Date: _____





Lea Ann Doak, City Clerk
 City of McCook
 505 West C St.
 P.O. Box 1059
 McCook, NE 69001

Telephone: (308)345-2022
 E-mail: admin@cityofmccook.com
 Website: www.cityofmccook.com

TOPIC FOR CONSIDERATION FOR CITY COUNCIL AGENDA

If you have a specific topic that you would like the City Council to consider at a future meeting, please complete the information below and submit to the City Clerk's office. The item will be reviewed and forwarded to city staff for appropriate action or scheduled for a future meeting of the City Council, if necessary. You will be notified of the staff recommendation or action taken on your request or when the item will be presented to the City Council for consideration.

Name: Rose Weskamp - I must be ~~in~~ MEDIAN
 Address: 1307 Norris Ave McCook
 Telephone Number: 530-448-2107
 Email Address: roseweskamp@gmail.com
 Date of Request: 2/10/2023

Description of Requested Topic: (Please be as specific as possible and use additional sheets of paper if needed.)

① Welcome to McCook Storage - submit my designs - discuss specs & make suggestions on design. Discuss TOTAL COST of project including cost of what city would add, upkeep, utility costs. Consider opening design to public. IF TOTAL COST exceeds 30K must go to bid. DO NOT VOTE UNTIL specs w/ experts are developed & item all bids for April 2023

② Water Infrastructure plan	
Date Request Received: _____	Received by: _____
③ Update Council on flushing system discussed last summer	
Follow-Up Needed: _____	
④ Discuss offering low cost/monthly payments of R.O. systems to all residents	
Signed: _____	Date: _____





Lea Ann Doak, City Clerk
City of McCook
505 West C St.
P.O. Box 1059
McCook, NE 69001

Telephone: (308)345-2022
E-mail: admin@cityofmccook.com
Website: www.cityofmccook.com

TOPIC FOR CONSIDERATION FOR CITY COUNCIL AGENDA

If you have a specific topic that you would like the City Council to consider at a future meeting, please complete the information below and submit to the City Clerk's office. The item will be reviewed and forwarded to city staff for appropriate action or scheduled for a future meeting of the City Council, if necessary. You will be notified of the staff recommendation or action taken on your request or when the item will be presented to the City Council for consideration.

Name: Rose Weskamp
Address: 1307 Norris / 1404 W. 2nd M York
Telephone Number: 530 448 2107
Email Address: roseweskamp@gmail.com
Date of Request: 1/23/2023

Description of Requested Topic: (Please be as specific as possible and use additional sheets of paper if needed.)

Water quality - funding system as discussed
@ previous meeting. Testing of soil @ well sites,
infrastructure plans to replace old water main
pipes, water testing reports, installation of
whole house + P.O. systems in each household
Thank you

For Administrative Purposes:

Date Request Received: Debbie Thorpe Received by: 1-26-2023

Action Taken: Called and Discussed water
System.

Follow-Up Needed: No

Signed: [Signature] Date: 1-30-23





Lea Ann Doak, City Clerk
 City of McCook
 505 West C St.
 P.O. Box 1059
 McCook, NE 69001

Telephone: (308)345-2022
 E-mail: admin@cityofmccook.com
 Website: www.cityofmccook.com

TOPIC FOR CONSIDERATION FOR CITY COUNCIL AGENDA

If you have a specific topic that you would like the City Council to consider at a future meeting, please complete the information below and submit to the City Clerk's office. The item will be reviewed and forwarded to city staff for appropriate action or scheduled for a future meeting of the City Council, if necessary. You will be notified of the staff recommendation or action taken on your request or when the item will be presented to the City Council for consideration.

Name: Rose Westkamp

Address: 1404 W 2nd 1307 Norris McCook

Telephone Number: 530 448 2107

Email Address: rosewestkamp@gmail.com

Date of Request: 1/2023

Description of Requested Topic: (Please be as specific as possible and use additional sheets of paper if needed.)

update council members on progress being made @ water funds - removing grant from fire ordinance for elevated tanks, how to educate residents on RO systems. legal per replacement time frame potential flushing of system update grants for RO systems in all homes with infrastructure plan in place.

For Administrative Purposes:

Date Request Received: _____ Received by: _____

Action Taken: _____

Follow-Up Needed: _____

Signed: _____ Date: _____



CITY MANAGER'S REPORT
February 20, 2023 CITY COUNCIL MEETING

ITEM: **3.L.**

RECOMMENDATION:

Award bid for 1 new 2023 ½ ton 4x4 Ext. Cab pickup to Deveny Motors for \$42,555.00 to be utilized at the Water Treatment Facility.

BACKGROUND:

The Water Department received sealed bids from three vehicle dealers for 1 new 2023 ½ ton 4x4 Ext. cab pickup for the Water Treatment Facility. The bids were publicly opened on February 7, 2023 at 2:00 P.M. at the City Offices. Bid packages were sent to 8 vehicle dealers and we received bids from three. Each of the bids received meets the bid specs approved by the City Council. Below is a list of the three bidders and amounts.

Deveny Motors	\$42,555.00
Janssen & Sons Ford	\$45,193.36
Bill Summers Ford	\$49,740.00

Deveny Motors was the only Dealer that was within our budgeted amount and meets or exceeds all the bid specs making them the lowest responsible bidder.

FISCAL IMPACT:

APPROVALS:



Pat Fawver, Utilities Director

Date: 2-7-23



Nate Schneider, City Manager

Date: 2-15-23

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023, CITY COUNCIL MEETING**

ITEM # 3.M.

RECOMMENDATION:

Declare one (1) 2001 Surrey Fire Safety Trailer as Surplus Property to be disposed of in the appropriate legal manner.

BACKGROUND:

In 2001 the City of McCook purchased a Surrey Fire Safety Trailer through donated funds raised for the fire department by various local businesses. This trailer has served its purpose and was recently replaced with a new Fire Safety Simulator that was purchased through a grant award from the FEMA Fire Prevention & Safety (FP&S) Grant.

As a result of the purchase of the new trailer, the 2001 Surrey Fire Safety Trailer is no longer being used for public education. Therefore, the fire department wishes to declare the 2001 Fire Safety Trailer as surplus property and dispose of the property in the appropriate legal manner. Due to the nature of the property staff believes the property should be disposed of via a sealed bid process with a minimum bid of \$2,000.

Staff will set a date to receive bids and the results will be share with the city council after the bidding process.

FISCAL

IMPACT: Income received from sealed bid.

RECOMMENDATION:

Declare one (1) 2001 Surrey Fire Safety Trailer as Surplus Property to be disposed of in the appropriate legal manner.



Marc A. Harpham, Fire Chief

14 FEB 2023
Date



Nate Schneider, City Manager

2-15-23
Date

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023, CITY COUNCIL MEETING**

ITEM # 3.N.

RECOMMENDATION:

Accept \$75,000 Grant awarded through the Nebraska Department of Health and Human Services Nebraska Ambulance and Equipment Grant for the purchase of a new ambulance.

BACKGROUND:

On February 6, 2023 the McCook City and Volunteer Fire Department received notification from Nebraska Department of Health and Human Services Division of Public Health that we were awarded a \$75,000 grant to purchase an ambulance in accordance with the Nebraska Ambulance and Equipment Grant Program. Delivery of the ambulance must happen by September 30, 2026. In order to move forward with the agreement, we must notify DHHS by February 28, 2023. There was a total of \$20 million awarded to department across Nebraska under this grant.

Once the award is accepted, bid specifications will be drawn up and submitted to the city council for approval and a bid opening date will be set. The current turnaround from time of the award of bid until the delivery of the ambulance is between 18 and 24 months. With the \$20 million being awarded across Nebraska this delivery time could very well exceed the 24 months.

Funding options for the purchase of a new ambulance are as follows:

- \$75,000 NDHHS Grant.
- \$75,000 in the Ambulance Reserve account.
- Ambulance Reserve account \$15,000 annually.
- Ambulance lease payment of \$31,000 that will become available in the 2024-25 FY budget.
- \$82,000 in the Fire Apparatus Reserve account.
- Fire Apparatus Reserve account \$20,000 annually.
- SCBA lease payment of \$21,000 that will become available in the 2024-25 budget.

The current cost of a new ambulance that meets the same specifications as newest ambulance that was purchased in 2019 is approximately \$350,000-\$375,000. With the build time being 18-24 months the new ambulance would not have to be budgeted for until the 2023-24 FY budget. Based on the current cost of the ambulance, the grant and reserve accounts listed above and the other funding options, the amount to be financed is expected to be approximately \$200,000.

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023, CITY COUNCIL MEETING**

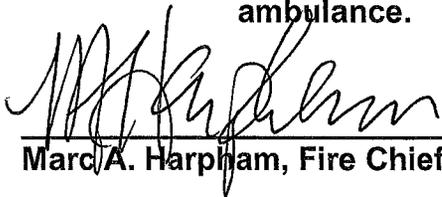
PAGE 2

FISCAL

IMPACT: None in the current 2022-23 FY budget.

RECOMMENDATION:

Accept \$75,000 Grant awarded through the Nebraska Department of Health and Human Services Nebraska Ambulance and Equipment Grant for the purchase of a new ambulance.



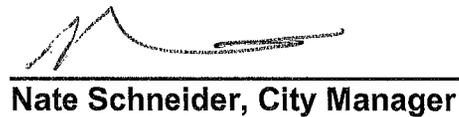
Marc A. Harpham, Fire Chief

14 FEB 2023
Date



Lea Ann Doak, City Clerk

Date



Nate Schneider, City Manager

2-15-23
Date

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 3.0 - Authorize City of McCook staff to complete an application for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) planning Grant.

BACKGROUND:

The U.S. Department of Transportation published a Notice in December 2022 that it is accepting applications for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants. Funds for the FY 2023 RAISE grant program will be awarded on a competitive basis for surface transportation projects that will have a significant local or regional impact and improve transportation infrastructure. The Department of Transportation refers to awards for the planning, preparation or design of eligible projects that do not result in construction with FY 2023 RAISE funding as planning grants.

Eligible costs for the RAISE planning grant that the City of McCook would include in the application are the planning, preparation, and design of street extensions, upgraded roads, walking trails, and a controlled pedestrian crosswalk to get to the new sports complex.

The deadline for the submission of the RAISE grant is February 28, 2023. Staff is asking for authorization to execute an RAISE planning grant application.

APPROVALS:



Nathan A. Schneider, City Manager

February 16, 2023

Lea Ann Doak, City Clerk

February 16, 2023


Tera L. Koetter, Asst City Manager

February 16, 2023

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 3.P.

Receive and file letter from Karen K. Barrett, Tax Specialist for the Nebraska Department of Revenue, as a reminder that McCook's local sales and use tax rate will increase from 1.5% to 2% on April 1, 2023.

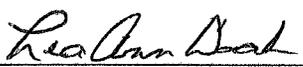
BACKGROUND:

Attached is a copy of the letter received from Ms. Barrett. They do not mail written notices to each retailer notifying them of the increase and encourage the City to provide remainders of this rate change at the local level. They will issue a news release around March 8 that will be posted on their website regarding the increase. At that time, staff will forward the news release to the newspaper, local radio stations, post on the City's website and facebook page.

They also encourage all retailers to sign up for their free "Subscribe to notifications" service. Registering for this free service on their website, "revenue.nebraska.gov" will provide them with a notification whenever a change occurs in any of the tax programs that they have selected.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023

NEBRASKA

Good Life. Great Service.

February 9, 2023

DEPARTMENT OF REVENUE
Lea Ann Doak
City Clerk
PO Box 1059
McCook, NE 69001-1059

Dear City Clerk:

This letter is sent as a reminder that McCook's local sales and use tax rate will increase from 1.5% to 2% on April 1, 2023.

This Department does NOT mail written notices to each retailer; however, we want to make you aware that this information has been posted on our website on December 2, 2022 under the sales and use tax link. We encourage you to provide reminders of this rate change at the local level. This will be beneficial to ensure the correct collection of your new sales and use tax rate. You are welcome to use information from our website to assist you.

Additionally, we encourage you to sign up for, and encourage others that are involved with taxes, to sign up for our free "Subscribe to Notifications" service. Registering for this free service on our website, "revenue.nebraska.gov" will provide you with a notification whenever a change occurs in any of the tax programs that you select.

I have also sent letters to local and national tax services regarding this change. Additionally, your County Treasurer has also been notified and a copy of that letter is enclosed.

If you have additional questions, please contact me at karen.barrett@nebraska.gov or call me at (402) 471-5980.

For the Tax Commissioner

Sincerely,



Karen K. Barrett
Tax Specialist
Policy Section

KKB
Enclosure

NEBRASKA

Good Life. Great Service.

February 9, 2023

DEPARTMENT OF REVENUE

Crystal Dack
Red Willow County Treasurer
PO Box 490
McCook, NE 69001

Dear County Treasurer:

This letter is to inform you that McCook will increase its local sales and use tax rate from 1.5% to 2% effective April 1, 2023.

The local (**city**) sales tax must be collected along with the **state** sales tax on all licensable motor vehicles, trailers, semi-trailers, motor boats, all-terrain vehicles (ATVs), and utility-type vehicles (UTVs) unless a statutory exemption applies, when the registration address is within McCook's actual boundaries. The new 2% city sales tax rate should not be collected on taxable sales **purchased before** April 1, 2023, even though registration occurs after April 1, 2023.

On a separate issue, enclosed is a copy of a Notice on "How Boundary Changes Affect a City Sales and Use Tax" which explains the effective date of the city sales and use tax when an annexation occurs. It is important that the county treasurer also knows the correct effective date of the city sales tax in the annexed area, which is not the same effective date of the annexation ordinance. This Notice and other local tax issues are available on the "Local Government Information" link, which was created to assist local government officials in tax related issues. It is on our website "revenue.nebraska.gov".

If you have any questions regarding these matters, please feel free to contact me at 402-471-5980 or by e-mail at karen.barrett@nebraska.gov.

FOR THE TAX COMMISSIONER

Sincerely,



Karen K. Barrett
Tax Specialist
Policy Division

KKB

Enclosure

✓ Cc: McCook City Clerk

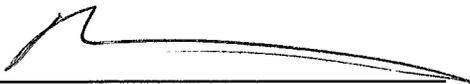
**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 MCCOOK CITY COUNCIL MEETING**

4.A.
ITEM NO. ___ Update regarding the swimming pool and ballpark projects.

BACKGROUND:

Staff would like to keep this item as a place keeper on the McCook City Council agendas while we work through the construction process for both the swimming pool and the ballpark. It is staff's intent to use this item for informational purposes.

APPROVALS:



Nathan A. Schneider, City Manager

February 15, 2023



Lea Ann Doak, City Clerk

February 15, 2023

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 4.B.

RECOMMENDATION:

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

BACKGROUND:

The Rocket Slide in Kelley Park has been a staple in the park since the late 1960's. Over the past several years, the slide has begun to show its age. Unfortunately over the last couple of years the slide itself has been vandalized. Efforts to replace the slide have been unsuccessful. City Staff did block off the entrance onto the slide once the damage was noticed.

According to the "Public Playground Safety Handbook" published by the U.S. Consumer Product Safety Commission, an opening may present an entrapment hazard if the distance between any interior opposing surfaces is greater than 3.5 inches and less than 9 inches. The vertical piping that makes up the outside of the rocket slide has a consistent gap of 4.75 inches.

At the January 10, 2022 Parks Advisory Board meeting, the future of the rocket slide in Kelley Park was discussed. The slide had been damaged beyond repair and attempts to replace the slide were unsuccessful. The Board requested that the City Staff have our insurance company take a look at the slide to gather input from them. The City's insurance company stated the following:

- "It looks like the slide is beyond repair"
- "One issue with these structures is that they are full of head entrapment hazards"
- "The companies that built these types of slides are no longer in business"

At the Parks Advisory Board meeting that was held on November 29, 2022, the members discussed the future of the slide and what could be done with it. With its condition, a motion was made stating that it would be best if the structure would be removed from the park due to the safety of the public based on the "Public Playground Safety Handbook" published by the U.S. Consumer Product Safety Commission. The motion was seconded and the results of the vote was 4 Yay's and 0 Nay's.

City Staff has been working with a group of citizens that would like to see an all inclusive playground constructed in McCook. This group requested to be on the Parks Advisory Board agenda to introduce the Board members to an all inclusive playground project that they were envisioning. Mariah Pierson

and Emily Young shared their vision for an all inclusive playground with a presentation at the March 15, 2022 Parks Advisory Board meeting. This group has been working hard, since their presentation, with playground vendors to assist them in putting together a concept for an all inclusive playground, so that they could present it to the Parks Advisory Board sometime in the future. In the past few days the all inclusive playground group has recently made a request to meet with the Parks Advisory Board to present their concept. City Staff will be scheduling this meeting in the near future.

The likely location for the all inclusive playground would be in Kelley Park near the location of the rocket slide, if indeed it is removed. With the potential addition of an all inclusive playground, there would be many more options for play by all individuals.

**FISCAL
IMPACT:** None.

APPROVALS:



Kyle Potthoff, Public Works Director

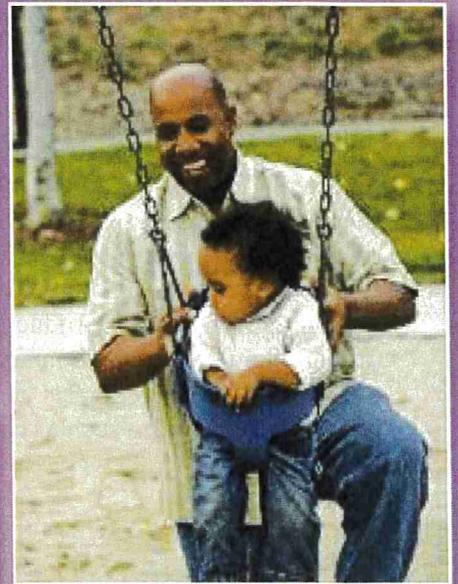
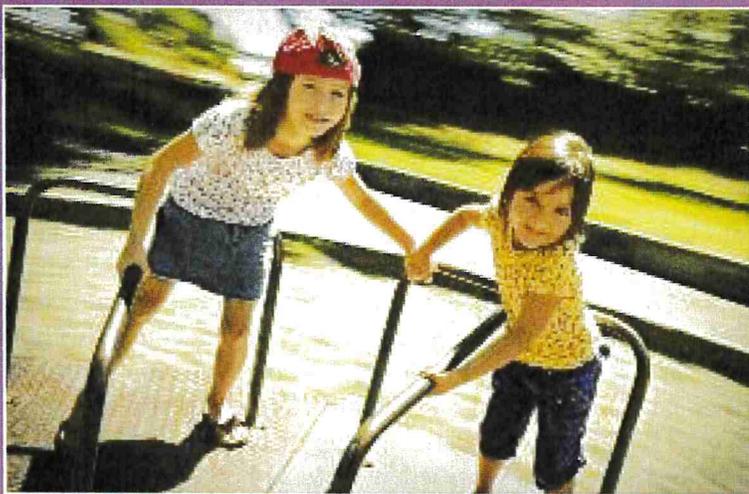
February 15, 2023



Nate Schneider, City Manager

February 15, 2023

Public Playground Safety Handbook



U.S. Consumer Product Safety Commission
Saving Lives and Keeping Families Safe

- Avoid equipment with ropes that are not secured at both ends.
- The following label, or a similar sign or label, can be placed on or near slides or other equipment where potential entanglements may occur.



3.3 Entrapment

3.3.1 Head entrapment

Head entrapment is a serious concern on playgrounds, since it could lead to strangulation and death. A child's head may become entrapped if the child enters an opening either feet first or head first. Head entrapment by head-first entry generally occurs when children place their heads through an

opening in one orientation, turn their heads to a different orientation, then are unable to get themselves out. Head entrapment by feet first entry involves children who generally sit or lie down and slide their feet into an opening that is large enough to permit their bodies to go through but is not large enough to permit their heads to go through. A part or a group of parts should not form openings that could trap a child's head. Also, children should not wear their bicycle helmets while on playground equipment. There have been recent head entrapment incidents in which children wearing their bicycle helmets became entrapped in spaces that would not normally be considered a head entrapment.

Certain openings could present an entrapment hazard if the distance between any interior opposing surfaces is greater than 3.5 inches and less than 9 inches. These spaces should be tested as recommended in Appendix B. When one dimension of an opening is within this range, all dimensions of the opening should be considered together to evaluate the possibility of entrapment. Even openings that are low enough for children's feet to touch the ground can present a risk of strangulation for an entrapped child. (See Figure 4). Younger children may not have the necessary intellectual ability or motor skills to reverse the process that caused their heads to become trapped, especially if they become scared or panicked.

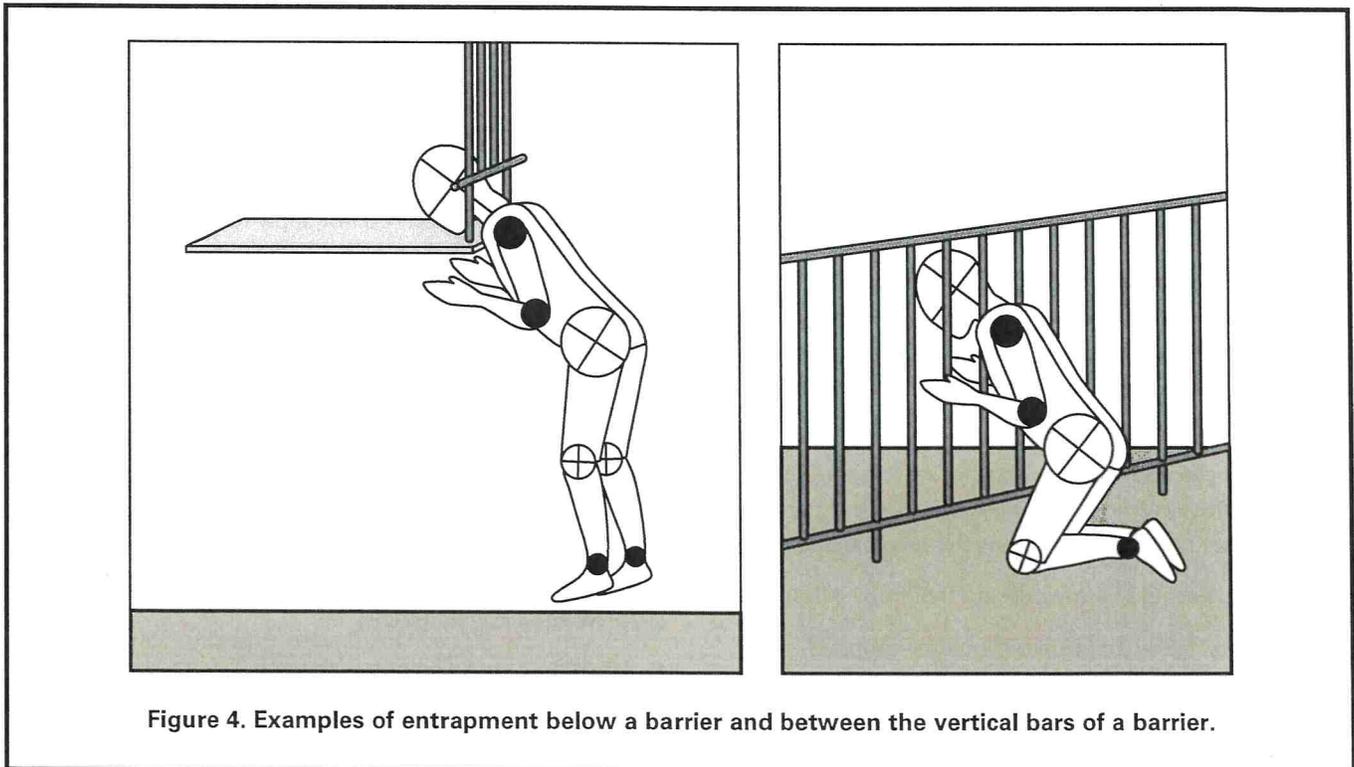
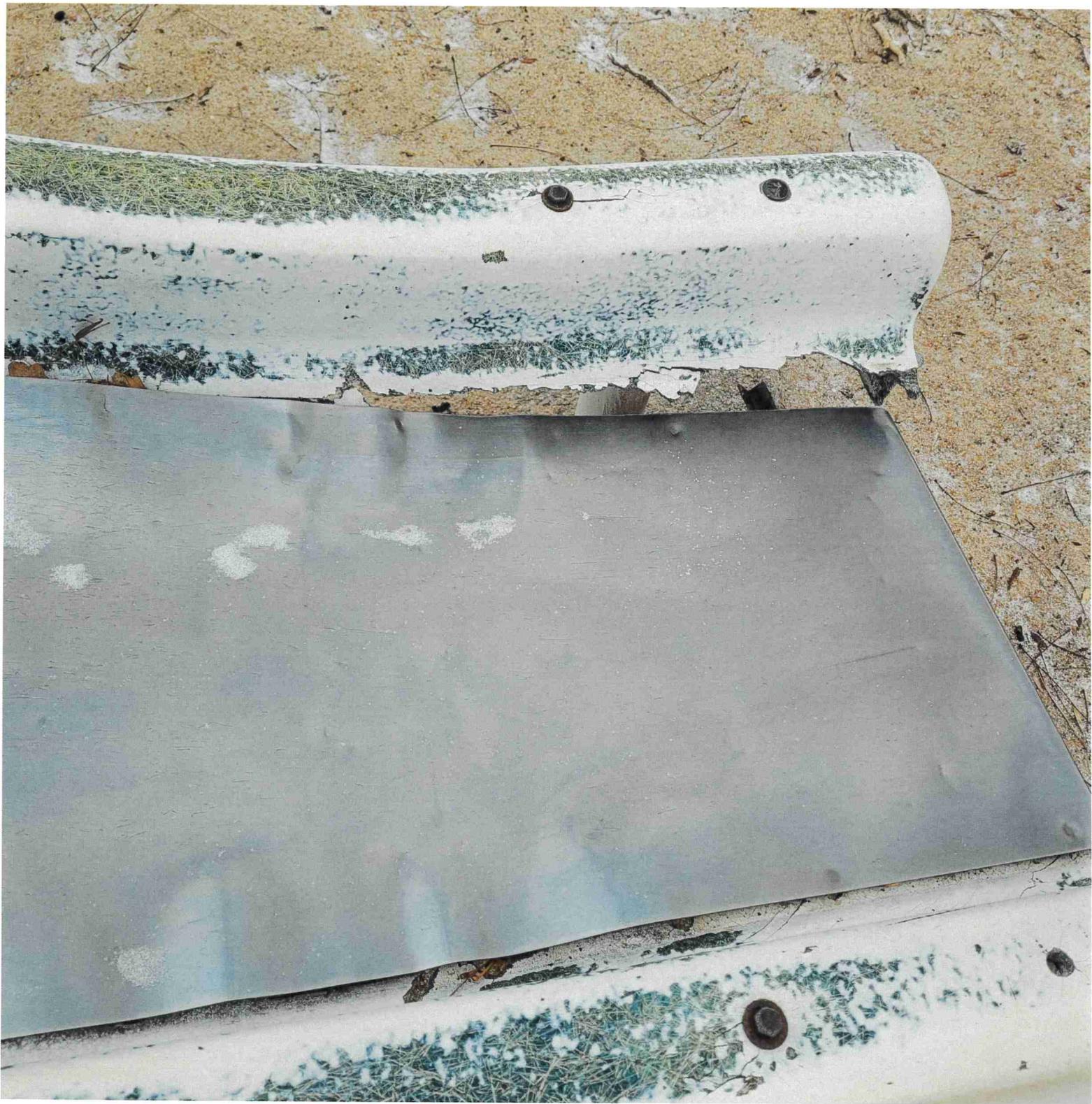


Figure 4. Examples of entrapment below a barrier and between the vertical bars of a barrier.

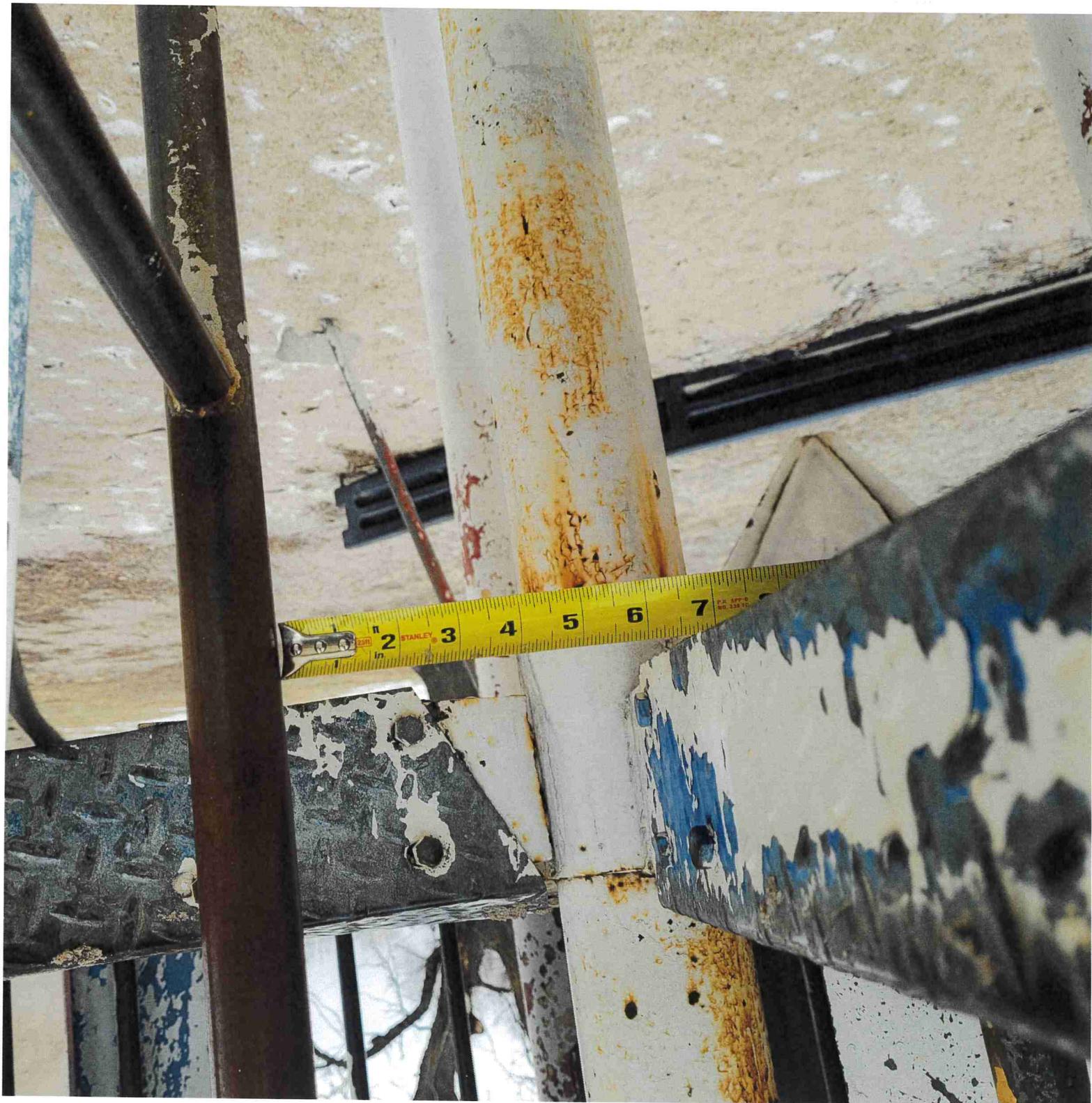








25ft
in 2 STANLEY 3 4 5 6 7





**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 MCCOOK CITY COUNCIL MEETING**

ITEM NO 4.C. Accept the proposal and quote from Tri City Signs for four entry signs located at each entrance into the City of McCook.

BACKGROUND:

Staff is recommending that the City Council accept Tri City Sign Company's proposal and quote for entrance signs for the City of McCook. Staff's original locations, the northeast intersection of Hwy. 6 and 34 and North Hwy. 83 and the northwest intersection of Hwy. 6 and 34 and South Hwy. 83, were complicated by the fact that they are included in the State of Nebraska's right of way. Following this discovery, Staff worked with the Nebraska Department of Transportation (NDOT) to locate additional sites that were outside of the State's right of way. Physical tours of the potential location were conducted with NDOT personnel. Four sites have been selected as appropriate sites to construct entrance signs. All four sites rest outside of the State's right of way. The sites are located along the highway entrances to McCook and cover traffic entering McCook from the east, south, west, and north.

The McCook City Council has allocated \$30,000 of sales tax receipts toward the entrance sign project. Tri States Sign Company's proposal and quote is attached to this report. Tri States Sign Company's quote came in just under \$30,000. The quote includes four fixed monument signs to be located at the aforementioned locations. A copy of the proposal and quote with associated graphics are attached to this report.

Due to the fact that the project is less than \$30,000 in value, the City of McCook's formal bidding requirements are not required. Tri City Signs Company has stated that their quote is good through the end of February 2023.

APPROVALS:



February 15, 2023

Nathan A. Schneider, City Manager



February 15, 2023

Kyle Potthoff, Public Works Director



February 15, 2023

Lea Ann Doak, City Clerk

S/F POLE SIGN DISPLAY	
INTERIOR FRAME:	ANGLE IRON FRAME.
CABINET COLOR:	.063 ALUMINUM PAINTED BLACK.
RETAINERS:	.063 ALUMINUM PAINTED BLACK.
REVEAL:	PAINTED PMS 186C
FACE MATERIAL:	WHITE PLEXIGLASS
FACE GRAPHICS:	TRANSLUCENT VINYL (COLORS NOTED)
ILLUMINATION:	LED



DESIGN TYPE	
<input type="checkbox"/> INTERIOR	<input type="checkbox"/> EXTERIOR
<input type="checkbox"/> NEON DISPLAYS	<input type="checkbox"/> CHANNEL LETTERS
<input type="checkbox"/> NON-ILLUM SIGNAGE	<input type="checkbox"/> REV CHANNEL LETTERS
<input type="checkbox"/> DUEL POLE SIGN	<input type="checkbox"/> SINGLE POLE SIGN
<input type="checkbox"/> MONUMENT SIGN	<input type="checkbox"/> DIRECTIONAL
<input type="checkbox"/> CHANGEABLE READER BOARD/ ELE. DISPLAYS	

PROJECT TYPE	
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	REMODELING
<input type="checkbox"/>	TENANT CHANGES
<input type="checkbox"/>	LANDLORD IMPROVEMENTS
<input type="checkbox"/>	CORPORATE CHANGES
<input type="checkbox"/>	AMENDMENTS TO EXISTING SIGNAGE

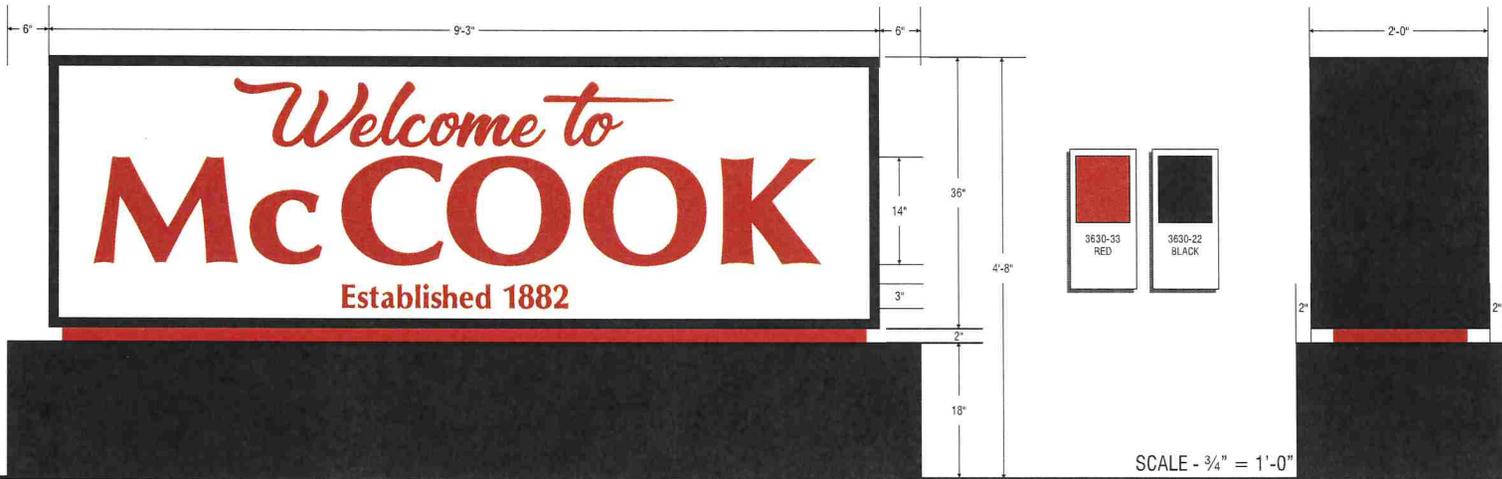
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

NOTICE:
 ALL GRAPHIC REPRODUCTIONS ARE SUBJECTED BY APPROVAL OF AUTHORIZED CLIENT. AS OF APPROVAL BY THE UNDERSIGNED & DATED PRIOR TO ANY FABRICATION OF PRODUCT, TRI CITY SIGN COMPANY HOLDS ALL AGREEMENTS FINAL AND TO CLIENT APPROVAL.

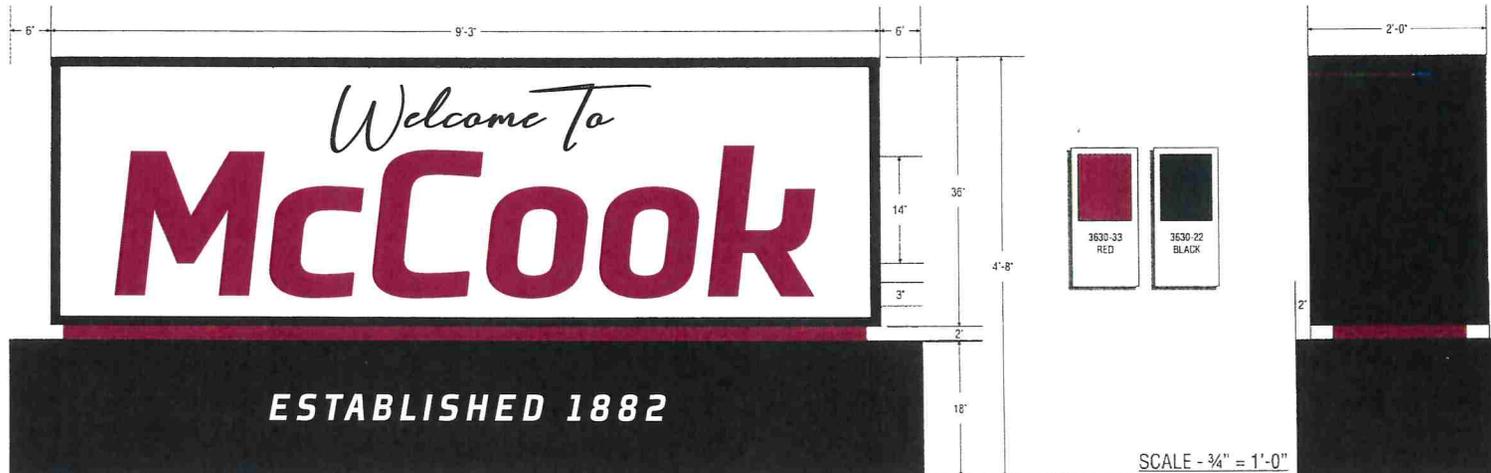
Signed _____ Date _____
 Sales Rep. _____ Date _____



DRAWING NO.	11723
SALESPERSON:	Perry Strombeck
DRAWN BY:	<i>Amy Cox</i>
Scale: As Noted.	INSPECTED BY:
Date: 02.10.23	
Revised:	



S/F POLE SIGN DISPLAY	
INTERIOR FRAME:	ANGLE IRON FRAME.
CABINET COLOR:	.063 ALUMINUM PAINTED BLACK.
RETAINERS:	.063 ALUMINUM PAINTED BLACK.
REVEAL:	PAINTED PMS 186C
FACE MATERIAL:	WHITE PLEXIGLASS
FACE GRAPHICS:	TRANSLUCENT VINYL (COLORS NOTED)
ILLUMINATION:	LED



DESIGN TYPE	
<input checked="" type="checkbox"/> INTERIOR	<input type="checkbox"/> EXTERIOR
<input type="checkbox"/> NEON DISPLAYS	<input type="checkbox"/> CHANNEL LETTERS
<input type="checkbox"/> NON-ILLUM SIGNAGE	<input type="checkbox"/> REV. CHANNEL LETTERS
<input type="checkbox"/> DUEL POLE SIGN	<input type="checkbox"/> SINGLE POLE SIGN
<input type="checkbox"/> MONUMENT SIGN	<input type="checkbox"/> DIRECTIONAL
<input type="checkbox"/> CHANGEABLE READER BOARD/ ELE. DISPLAYS	
PROJECT TYPE	
<input type="checkbox"/> NEW CONSTRUCTION	
<input type="checkbox"/> REMODELING	
<input type="checkbox"/> TENANT CHANGES	
<input type="checkbox"/> LANDLORD IMPROVEMENTS	
<input type="checkbox"/> CORPORATE CHANGES	
<input type="checkbox"/> AMENDMENTS TO EXISTING SIGNAGE	
<p>This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.</p>	
NOTICE:	
<p>ALL GRAPHIC REPRODUCTIONS ARE SUBJECT TO APPROVAL OF AUTHORIZED CLIENT. AS OF APPROVAL BY THE UNDERSIGNED & DATED PRIOR TO ANY FABRICATION OF PRODUCT. TRI CITY SIGN COMPANY HOLDS ALL AGREEMENTS FINAL AND TO CLIENT APPROVAL.</p>	
Signed _____	Date _____
Sales Rep _____	Date _____
<small>163 North Elm Street, Grand Island, NE 68801 800.339.4779 TRI CITY SIGN COMPANY</small>	
DRAWING NO.	11705
SALESPERSON:	Perry Strombeck
DRAWN BY:	<i>Army Cox</i>
Scale: As Noted.	INSPECTED BY: _____
Date: 12.21.22	
Revised: _____	

East Entrance



East Entrance

EBSI

34 6

KARRER PARK

Google earth

© 2020 Google

200 ft



West Entrance

WESTVIEW PLAZA

West Entrance



South Entrance

South Entrance

BARNETT PARK

83

Veterans of Foreign Wars Memorial Hwy

Barnett Park Rd

Google earth

© 2020 Google



300 ft

North Entrance

North Entrance



NPPD PEAKER

Veterans of Foreign Wars Memorial Hwy

83

NPPD



400 ft



363 N. Elm GRAND ISLAND, NE. 68801-4650
 Phone: (308) 384-6335 Fax: (308) 384-0483

DATE 12/20/2022

Customer Information

Job Location

Billing Address

Name; Address; City, State, Zip

Or Ship To Address

Name; Address; City, State, Zip

City of McCook 505 West C. Street McCook NE 69001		TBD	SAME: City Offices Nate Schneider, City Manager	
Customer Phone:	308-345-2022	Customer Fax:		Drawing # 11705

TRICITY SIGN COMPANY will furnish buyer with one or more hereinafter described signs according to drawing number and according to the terms and conditions hereunder.

Scope of work to be performed.

Manufacture and install four (4) internally illuminated single faced monument signs as shown in drawing #11705.

The city will be responsible for providing the holes needed to place the pipe to anchor the sign and the cost of the concrete.

The holes shall be 24" in diameter and 6' deep. Concrete is estimated to be 1 (one) yard per location.

Price.....\$29,875.00 plus sales tax and permit fees.

50% down payment before completion

Final electrical hook up to be completed by others

Sales Tax Status: Taxable Exempt Sales Tax # _____ State _____

All signs are custom built products and, at the option of seller, require payment in advance with order. Installation price is due upon installation. It is the responsibility of the purchaser to provide electrical power to the sign and to provide the final hookup.

NOTE: This proposal may be withdrawn by us if not accepted within _____ days. This Contract with all conditions as noted, is herewith accepted by both parties.

Sales Representative

Purchaser

TRI-CITY SIGN COMPANY

By _____

By _____ Perry Strombeck _____

Title _____

Title _____ Sales _____

Guaranteed By _____

Acceptance Date _____

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4.D. Discussion regarding updating the City of McCook's comprehensive plan, zoning ordinance, and subdivision regulations.

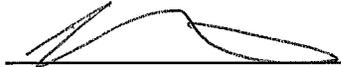
BACKGROUND:

Every ten years, it is important for municipalities to update their comprehensive plan. A comprehensive plan assists in planning for future stability and development in and around the City. The comprehensive plan contains information about existing conditions within the City, including population, land use, public facilities, utilities, and transportation. In many instances, development and funding opportunities are contingent upon the City's guarantee that the comprehensive plan's information is current and relevant.

McCook's current comprehensive plan runs from 2013 through 2023. As such, the plan should be updated. Concurrently, staff would like to use this opportunity to update the City's zoning ordinance and subdivision regulations. By doing this, McCook will be better prepared to meet the needs of its population.

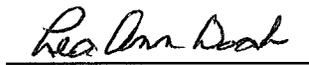
Staff recommends issuing a Request for Proposal process inviting qualified firms to submit their plans to provide professional services to update McCook's Comprehensive Plan, Zoning Ordinance, and Subdivision Regulations. We would like to start this process early enough to allow for proper discussion prior to adoption.

APPROVALS:



Nathan A. Schneider, City Manager

February 15, 2023



Lea Ann Doak, City Clerk

February 15, 2023

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

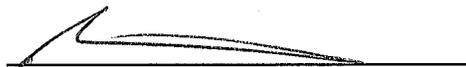
ITEM NO. 4.E. Approve on third and final reading, Ordinance No. 2023-3060, allowing for the zoning change for Heritage Pointe Addition Lot 3, a tract of land located in the S ½ of the SE ¼ of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska; said zoning change to amend the current zoning designation from Residential Medium Density District (RM) and Agricultural District (AG), to Business Commercial District (BC).

BACKGROUND:

An application has been filed by Jerry Gohl requesting a zoning change of the current zoning designation for his recently subdivided property known as Heritage Pointe Addition Lot 3, from Residential Medium Density (RM - which is the current designation for the southern portion of proposed Heritage Pointe Addition No. 3) and Agricultural (AG - which is the designation for the northern portion of proposed Heritage Pointe Addition No. 3), to Business Commercial (BC). The intent behind Heritage Pointe Addition No. 3 is to allow for the building of a commercial structure on the created lot. The current land uses prescribed to the property at issue, RM and AG, don't allow for a commercial business to be principally permitted. Staff has reviewed the zone change request. Staff has noted there are commercial businesses in close proximity to the proposed Heritage Pointe Addition No. 3. Further, the City of McCook's Comprehensive Plan/Future Land Use Map contemplates the property north of West J Street to be dedicated to Business Commercial (BC) uses and structures. Mr. Gohl's application is consistent with McCook's long term goals.

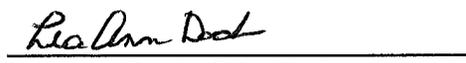
The McCook City Council voted unanimously to approve the zoning change request ordinance on its first and second reading. Staff has received no inquiries on this agenda item since the first reading of Ordinance No. 2023-3060.

APPROVALS:



Nathan A. Schneider, City Manager

February 15, 2023



Lea Ann Doak, City Clerk

February 15, 2023

ORDINANCE NO. 2023-3060

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING MCCOOK ZONING ORDINANCE NO. 2016-2929 CHANGING THE ZONING CLASSIFICATION OF HERITAGE POINTE ADDITION NO. 3, TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, FROM RESIDENTIAL MEDIUM DENSITY (RM) AND AGRICULTURAL (AG) TO BUSINESS COMMERCIAL (BC) DISTRICT; PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

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

SECTION 1. In accordance with Article 27 of Zoning Ordinance No. 2016-2929 of the City of McCook, Red Willow County, Nebraska, the zoning classification of the following described property shall be and is hereby changed from Residential Medium Density (RM) and Agricultural (AG) to Business Commercial (BC) District, to wit:

Heritage Pointe Addition No. 3, to the City of McCook, Red Willow County, Nebraska.

SECTION 2. The City Clerk of the City of McCook, Nebraska is hereby directed to change the official zoning map of the City of McCook, Nebraska to show the above-described property to have a zoning classification of Business Commercial (BC) District.

SECTION 3. The provisions of Zoning Ordinance 2016-2929 are hereby amended as provided herein.

SECTION 4. This ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS _____ day of _____, 2023.

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

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM NO. 4.F. Approve on third and final reading, Ordinance No. 2023-3061, allowing for the voluntary annexation of a tract of land located in the S ½ of the SE 1/4 of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, said tract of land now known as Heritage Pointe Addition Lot 3.

BACKGROUND:

An application has been filed by Jerry Gohl to voluntarily annex portions of the proposed Heritage Pointe Addition No. 3 subdivision created at the January 16, 2023 McCook City Council meeting. A part of the proposed subdivision is located within the City's corporate limits, while a portion of the property is not. The annexation request focuses on the real estate currently located outside of McCook's corporate limits, but within McCook's Two Mile Extra Territorial Jurisdiction. Mr. Gohl is requesting that the entirety of Heritage Pointe Addition No. 3 be located within McCook's corporate limits.

The McCook City Council voted unanimously to approve the zoning change request ordinance on its first and second reading. Staff has received no inquiries on this agenda item since the first reading of Ordinance No. 2023-3061.

APPROVALS:


Nathan A. Schneider, City Manager

February 15, 2023


Lea Ann Doak, City Clerk

February 15, 2023

ORDINANCE NO. 2023-3061

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MCCOOK, COUNTY OF RED WILLOW, STATE OF NEBRASKA, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF MCCOOK, NEBRASKA; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE.

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

SECTION 1. The following described real property is contiguous and adjacent to the City of McCook, Nebraska, is urban or suburban in nature, and has been proposed for annexation by the act, authority and acquiescence of the owners thereof:

A tract of land in the S1/2 of the SE1/4 of Section 24, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, more particularly described as follows:

Considering the South line of Lot 1, Heritage Pointe Addition No. 2, an addition to the City of McCook, Nebraska and north right-of-way line of "J" Street in the City of McCook, Nebraska, with the platted bearing being S81°48'19"W and with all bearings contained herein relative thereto:

Commencing at the Southwest corner of said Lot 1, Heritage Pointe Addition No. 2, a distance of 116.81 feet to the POINT OF BEGINNING;
Thence continuing S81°48'19"W on south line of said Lot 1, Heritage Pointe Addition No. 2 and the north right-of-way line of said "J" Street, a distance of 189.12 feet;
Thence leaving said north right-of-way line N00°33'22"E, a distance of 244.66 feet;
Thence N81°59'10"E, a distance of 248.98 feet;
Thence S78°53'56"E, a distance of 60.00 feet;
Thence southerly on a non-tangent curve to the left having a central angle of 10°32'54", a radius of 170.00 feet, an arc length of 31.30 feet, and a chord bearing of S05°49'37"W, a distance of 31.25 feet to the Northwest corner of said Lot 1, Heritage Pointe Addition No. 2;
Thence N89°26'50"W, a distance of 60.00 feet to the West line of Heritage Drive in McCook, Nebraska;
Thence S00°33'10"W on said west right-of-way line, a distance of of 19.10 feet;
Thence S81°49'56"W, a distance of 56.10 feet;
Thence S00°33'10"W, a distance of 183.00 feet to the Point of Beginning.

The above described tract contains 51264 square feet more or less.

SECTION 2. The corporate limits of the City of McCook, Nebraska, are hereby extended and increased so as to include and embrace within the corporate limits of the City of McCook, Nebraska, the territory described in SECTION 1 hereof, and such territory is hereby annexed and declared to be a part of the City of McCook, Nebraska.

SECTION 3. The real property hereby included within the corporate limits of the City of McCook and the persons residing thereon shall hereinafter be subject to all of the rules,

regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included with the City of McCook, Nebraska.

SECTION 4. The map or plat attached to this Ordinance is an accurate map of the territory annexed, and the same is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof.

SECTION 5. This Ordinance, with the certified copy of the official map attached hereto, shall be recorded in the office of the Clerk and Recorder of Red Willow County, Nebraska.

SECTION 6. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be in effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be separable.

SECTION 7. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law in its entirety or in pamphlet form, as the case may be.

PASSED AND APPROVED this _____ day of _____, 2023.

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

ATTEST:

Lea Ann Doak, City Clerk

Publish:

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 4.G.

Approve on second reading Ordinance No. 2023-3062 amending the City of McCook Code of Ordinances, pertaining to Contractor's License Sections 150.400 - 150.412.

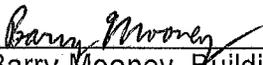
BACKGROUND:

McCook's Building Inspector and the Building and Housing Code Advisory and Appeals Board are recommending a revision to the Contractor's License requirements found in Chapter 150, Building Codes and Regulations of the McCook Code of Ordinances. Staff would like to have discussion with the city council for approval and adoption of the proposed changes.

The McCook City Council voted unanimously to approve the presented ordinance on its first reading at the February 6 meeting. Staff has received no inquiries on this item.

**FISCAL
IMPACT:** None.

APPROVALS:



Barry Mooney, Building Inspector

February 16, 2023

Lea Ann Doak, City Clerk-Treasurer

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023

ORDINANCE NO. 2023-3062

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

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

Section 1. That the City of McCook Code of Ordinances, Contractor's License, current Sections 150.400 - 150.412, shall be amended to read as follows:

CONTRACTOR'S LICENSE

§150.400 LICENSE REQUIRED.

No person or corporation shall engage in the practice of General Contractor, Building Contractor, Residential Contractor, Plumbing Contractor, Mechanical Contractor, Roofing Contractor or Limited Contractor in the City of McCook and the extraterritorial jurisdiction (ETJ) without first having obtained a license to engage in any such practice and without giving the proof of surety as hereinafter provided for in this subchapter.

(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

§150.402 PERSONS EXEMPT FROM LICENSE REQUIREMENT.

Any owner of record of a residential property, including the usual primary and accessory structures, shall be exempt from the contractor's licensing requirements and may be granted a building permit to improve said property and corresponding structures provided he or she personally purchases and installs all materials used, and further provided, all work shall be inspected and approved by the Building Inspector.

(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020; Ord. 2021-3032, passed 12-6-2021)

§150.404 CONTRACTOR LICENSE; TYPES AND QUALIFICATIONS.

Any person or persons desiring to engage in the practice as a contractor or as a limited contractor as hereinafter defined, shall first make application to the Building Inspector for the license(s) to engage in such practice(s). The contractor licenses and qualifications for each are as follows:

A. General Contractor. A General Contractor shall have an unlimited scope

of work. In order to qualify as a General Contractor, one (1) of the following requirements must be met: A college degree in Architecture, Construction Science or Engineering and proof of two (2) years on the job experience; a certification from a two (2) year program in the trade from an accredited community college, technical school or technical college with three (3) years documented field experience; or must have five (5) years documented field experience in the trade and proof of passing the ICC General Building Contractor (A) exam. Documented field experience for a general contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein.

B. Building Contractor. A Building Contractor shall have a scope of work limited to construction of commercial buildings, single-family dwellings, duplex dwellings, buildings consisting of three (3) or more townhouse units not exceeding three (3) stories in height and remodeling of all structures. In order to qualify as a Building Contractor, one (1) of the following requirements must be met: A college degree in Architecture, Construction Science or Engineering and two (2) years on the job experience; a certification from a two (2) year program in the trade from an accredited community college, technical school or technical college with three (3) years documented field experience; or must have five (5) years documented experience in the trade and proof of passing the ICC Building Contractor (B) exam. Documented field experience for a building contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein.

C. Residential Contractor. A Residential Contractor shall have a scope of work limited to construction of single-family dwellings, duplex dwellings, buildings consisting of three (3) or more townhouse units not exceeding three (3) stories in height and remodeling of all structures. In order to qualify as a Residential Contractor, one (1) of the following requirements must be met: A certification from a one (1) year program in the trade from an accredited community college, technical school or technical college with two (2) years documented field experience; or must have three (3) years documented experience in the trade and proof of passing the ICC Residential Building Contractor (C) exam. Documented field experience for a residential contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein.

D. Plumbing Contractor. A Plumbing Contractor shall have an unlimited scope of plumbing work. In order to qualify as a Plumbing Contractor, one (1) of the following requirements must be met: Proof of Certification of Master Plumber or Journeyman Plumber; a certification from a one (1) or two (2) year program in the trade through an accredited community college, technical school, technical college; or must have a Master's certificate that requires five (5) years documented field experience or a Journeyman's certificate that requires three (3) years documented field experience **and** proof of passing the ICC Master

Plumber or Journeyman Plumber exam. Documented field experience for plumbing contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein. Apprentice Plumber shall work only under the direct supervision of a certified master plumber or a certified journeyman plumber.

E. Mechanical Contractor. Heating, Ventilation and Air Conditioning (HVAC). A Mechanical Contractor shall have an unlimited scope of mechanical heating, ventilation and air conditioning work. In order to qualify as a Mechanical Contractor, one (1) of the following requirements must be met: Proof of certification of Master or Journeyman in heating, ventilation and air conditioning mechanics; a certification from a one (1) or two (2) year program in the trade through an accredited community college, technical school, or technical college; or must have a Master's certificate that requires five (5) years documented field experience or a Journeyman's certificate that requires three (3) years documented field experience **and** proof of passing the ICC Master Mechanical or Journeyman Mechanical exam. Documented field experience for a HVAC contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein. Apprentice to a Mechanical contractor shall work only under the direct supervision of a certified master mechanical installer or a certified journeyman mechanical installer.

F. Roofing Contractor. A Roofing Contractor shall be authorized to install, repair and replace residential and commercial roof coverings. In order to qualify as a Roofing Contractor, one (1) of the following requirements must be met: Two (2) years documented field experience in the trade; or proof of passing the ICC Roofing Contractor exam. Documented field experience for a roofing contractor application requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein.

G. Limited Contractor. A Limited Contractor license may be issued for each of the following types of work: Concrete, demolition, excavation, fencing, roofing, sign installation and structure moving. A Limited contractor must have two (2) years documented field experience in the trade for which a license is sought. Documented field experience requires written certification by the applicant that he or she has worked in the trade and been licensed for the same by this city or another jurisdiction for the applicable period of time as established herein.

H. Where a lawful contractor's license exists at the effective date of adoption or amendment of this Ordinance, such license may be continued so long as it remains otherwise lawful.

§150.406 APPLICATION REVIEW PROCESS, TERM AND APPEALS.

A. Any person or persons desiring a contractor's license to perform work within the City of McCook and the City of McCook's extraterritorial jurisdiction (ETJ) shall complete an application and provide the required evidence of relevant education, experience, skills, and proficiency. All contractor license applications shall be accompanied by an application fee, as specified in Chapter 38, Appendix M Fee Schedule. The application fee is non-refundable.

B. All applicants for a contractor's license shall submit an application to the Building Inspector. Those applicants that meet the requirements of Section 150.403 shall be issued a contractor's license. The Building Inspector shall have fourteen (14) days for review. Unsuccessful applicants will be notified by certified mail. Any person whose application is disapproved must wait a minimum of forty-five (45) days before they can reapply. Reapplication shall be accompanied by an additional application fee.

C. All contractor's licenses issued by the Building Inspector shall be valid for a one (1) year term beginning January 1st and ending December 31st of every year. **The city will not prorate any license fee regardless of when the license is purchased.** All licenses shall be renewable annually as in the case of an original license on or before December 31st of every year. **Renewals received after January 31st will be subject to the initial license fee.**

D. An applicant that has been denied a contractor's license by the Building Inspector may file an appeal to the Building and Housing Code Advisory and Appeals Board. Such appeal shall be taken within thirty (30) days by filing with the Building Inspector from whom the appeal is taken and with the Building and Housing Code Advisory and Appeals Board a notice of appeal specifying the grounds thereof. The Building Inspector from whom the appeal is taken shall forthwith transmit to the Building and Housing Code Advisory and Appeals Board all the papers constituting the record upon which the action appealed from was taken. The Building and Housing Code Advisory and Appeals Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent or by attorney.

1. The Building and Housing Code Advisory and Appeals Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building Inspector based on or made in the enforcement of the requirements of the contractor's license.

2. Notice of public hearing shall be given as described above; the public hearing shall be held; any party may appear in person, by agent or by attorney; the Building and Housing Code Advisory and Appeals Board shall make findings that the requirements of this section have been met by the

applicant for a contractor's license; the Building and Housing Code Advisory and Appeals Board shall further make a finding that the reasons set forth in the application justify the granting of a contractor's license.

3. Any person or persons, jointly or severally, aggrieved by any decision of the Building and Housing Code Advisory and Appeals Board, may appeal as provided by Section 19-912 Neb. Rev. Stat., 1943.
(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

§150.408 INSURANCE REQUIREMENTS.

Every person or company applying for a contractor's license shall present to the Building Inspector, to be filed, a certificate or policy of insurance with a minimum limit of one million (\$1,000,000) dollars for each occurrence (combined single limit of bodily injury and property damage). Minimum limit of one million (\$1,000,000) dollars aggregate for products - completed operations and with a minimum limit of two million (\$2,000,000) dollars general aggregate. This general aggregate limit shall apply separately to the Contractor's work under this agreement. Further that the issuing insurance company agrees to provide thirty (30) day written notice in the event of expiration or of proposed cancellation of the insurance policy as the City of McCook is listed as the Certificate Holder. Surety shall be conditioned that the principal, and all employees, will comply with all the ordinances of the City relating to model codes and to hold the City harmless on account of any damages arising from faulty performance or neglect of duty by the holder of such license.

(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

§150.410 REVOCATION OF LICENSE

Any license issued under the provisions of this subchapter may be revoked by the Building Inspector upon proof that the licensee(s) has failed, neglected, or refused to comply with any of the provisions of this subchapter or with other ordinances of the City relating to or regulating the particular type of work for which such license was granted. No such license shall be revoked without the giving of a written notice of the intention to revoke such license and without giving such licensee a full opportunity to be heard before the Building and Housing Code Advisory and Appeals Board as to any complaint made against him or her. Upon the revocation of any license granted under the provisions of this subchapter, no refund shall be made of any part of the license fee previously paid by the licensee.

(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

§150.412 UNLAWFUL USE OF LICENSE.

No license issued hereunder shall be assignable or transferable, and it shall

be unlawful for any licensee to permit its license to be used or allow permits to be taken out in the name of such licensee by any other person, firm, or corporation.
(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

§150.414 RECORDS RETENTION.

The Building & Zoning Department shall keep a complete record of all licenses issued and Certificate or Policy of Insurance registered under the provisions of this subchapter and shall cause suitable records of all official actions taken hereunder to be kept and preserved.
(Ord. 2016-2928, passed 5-16-2016; Ord. 2020-2996, passed 2-17-2020)

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 January 1, 2024 and be in full force from and after its passage, approval, and publication as required by law in its entirety or in pamphlet form.

PASSED AND APPROVED this _____ day of _____, 2023.

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

ATTEST:

Lea Ann Doak, City Clerk

Publish:

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 4.H.

Approve on second reading Ordinance No. 2023-3063 providing for an amendment of Chapter 38: Fee Schedule – Appendix M, Building Regulation and Zoning Application Fees; of the City of McCook Code of Ordinances.

BACKGROUND:

McCook's Building Inspector and the Building and Housing Code Advisory and Appeals Board are recommending a revision to the building regulation and zoning application fees found in Chapter 38, Appendix M of the McCook Code of Ordinances. McCook's current fee structure for contractor's license needs updated to reflect the changes being made to the contractor's license requirements as listed in Chapter 150. Staff would like to have the city council's approval and adoption of the proposed changes.

The McCook City Council voted unanimously to approve the presented ordinance on its first reading at the February 6 meeting. Staff has received no inquiries on this item.

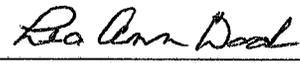
**FISCAL
IMPACT:** None.

APPROVALS:



Barry Mooney, Building Inspector

February 16, 2023



Lea Ann Doak, City Clerk

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023

ORDINANCE NO. 2023-3063

AN ORDINANCE OF THE CITY OF MCCOOK, NEBRASKA AMENDING CHAPTER 38: FEE SCHEDULE, APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES, OF THE MUNICIPAL CODE OF THE CITY OF MCCOOK, NEBRASKA; TO PROVIDE FOR THE REPEAL OF ANY OTHER CONFLICTING ORDINANCES; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

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

SECTION 1. That Chapter 38, FEE SCHEDULE, APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES, of the City of McCook, Nebraska, Code of Ordinances is hereby amended to read as follows:

APPENDIX M: BUILDING REGULATION AND ZONING APPLICATION FEES

PERMIT	FEE
Building Permits Construction Cost: \$0 - \$5,000 \$5,001 - \$25,000 \$25,001 - \$50,000 \$50,001 - \$100,000 \$100,001 - \$500,000 \$500,001 - \$1,000,000 \$1,000,001 and up	\$25.00 \$25.00 for first \$5,000 plus \$5.00 for each additional \$1,000 or fraction thereof up to and including \$25,000 \$125.00 for first \$25,000 plus \$4.00 for each additional \$1,000 or fraction thereof up to and including \$50,000. \$225.00 for first \$50,000 plus \$3.00 for each additional \$1,000 or fraction thereof up to and including \$100,000. \$375.00 for first \$100,000 plus \$2.50 for each additional \$1,000 or fraction thereof up to and including \$500,000. \$1,375.00 for first \$500,000 plus \$2.00 for each additional \$1,000 or fraction thereof up to and including \$1,000,000. \$2,375.00 for first \$1,000,000 plus \$1.50 for each additional \$1,000 or fraction thereof.
Plan Review - by City Staff or its agents of drainage report, sanitary sewage disposal report, and water distribution report.	\$100.00 minimum fee, or the appointed agents standard hourly rate plus 10%, whichever is greater. Additional fees will be assessed should the project require extraordinary review by City Staff or its appointed agents.
Curb Cut Permit	\$25.00
Demolition Permit	\$100.00

Fence Permit	\$25.00
Mechanical Permit	\$25.00 minimum fee, plus \$3.00 per item over six (6) items
Mobile Home Set Down Permit	\$25.00
Plumbing Permit	\$25.00 minimum fee, plus \$3.00 per item over six (6) items
Sidewalk Permit (New Construction)	\$25.00
Sign Permit	\$25.00 for first \$1,000 plus \$2.50 for each additional \$1,000 or fraction thereof.
Structure Moving Permit	\$100.00
Right-of-Way Encroachment Permit	\$25.00
Zoning Applications:	
Change of Zoning	\$75.00
Lot Split/Lot Line Adjustment	\$75.00
Special Exception	\$75.00
Variance	\$75.00
Subdivisions:	
Preliminary Plat	\$500.00
Final Plat	\$200.00 per lot, with a maximum of \$5,500
Mobile Home Park	\$100.00
Contractors License	
General Contractor	\$200.00 Initial License/nonconsecutive renewals \$100.00 Renewal
Building Contractor	\$180.00 Initial License/nonconsecutive renewals \$ 90.00 Renewal
Residential Contractor	\$150.00 Initial License/nonconsecutive renewals \$ 75.00 Renewal
Plumbing Contractor	\$150.00 Initial License/nonconsecutive renewals \$ 75.00 Renewal
Mechanical Contractor	\$150.00 Initial License/nonconsecutive renewals \$ 75.00 Renewal
Roofing Contractor	\$120.00 Initial License/nonconsecutive renewals \$ 60.00 Renewal
Limited Contractor	\$120.00 Initial License/nonconsecutive renewals \$ 60.00 Renewal

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

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

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

PASSED AND APPROVED _____ day of _____, 2023.

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

ATTEST:

Lea Ann Doak, City Clerk

Publish:

**CITY MANAGER'S REPORT
FEBRUARY 20, 2023 CITY COUNCIL MEETING**

ITEM: 4.I.

Consider on its third and final reading Ordinance No. 2023-3059 amending the City of McCook Code of Ordinances, Section 34.40 - Miscellaneous and Travel Expenditures.

BACKGROUND:

Sections 13-2201 to 13-2204 of the Nebraska State Statutes, is known as the Local Government Miscellaneous Expenditure Act, which authorizes cities to expend public funds for certain types of expenditures incurred by elected and appointed officials, employees, or volunteers. A uniform policy must be adopted by each community.

When amending the policy in January 2022 the Council adopted the State of Nebraska's per person maximum cost per person for a recognition dinner of \$50. During those discussions it was noted that the \$30.00 per day meal allowance (breakfast \$5.00, lunch \$10.00, and dinner \$15.00) needed to be reviewed by staff. Up to a couple of years ago this rate was comparable to other communities.

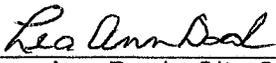
During staff research it was identified that in 2008 the provisions for travel expenses were added to the City's Code of Ordinances. The provisions incorporated were taken from the City's Employee Handbook dated May 20, 1996, with the daily rate of \$30.00. A memo to the Council from City Manager John Carter, dated September 1, 1989 states that the personal vehicle reimbursement in the employee handbook was changed from \$.20 per mile to the IRS-approved rate of \$.24 per mile and that meal reimbursement was changed to \$30.00 per day based on breakfast \$5.00, lunch \$10.00, and dinner \$15.00. The current meal allowance was established 33 years ago.

Current statute provides for meals to be set at a rate not exceeding the applicable federal per diem rate. This language has been included in the proposed ordinance.

The proposed ordinance was introduced and approved on its first reading at the January 16 council meeting and approved on its second reading February 6. Staff has received no inquiries on this item.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

February 16, 2023



Nathan A. Schneider, City Manager

February 16, 2023

ORDINANCE NO. 2023-3059

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

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

Section 1. That the City of McCook Code of Ordinances Section 34.40 - Miscellaneous and Travel Expenditures; shall be amended to read as follows:

§ 34.40 MISCELLANEOUS AND TRAVEL EXPENDITURES.

(A) The expenditure of public funds is hereby subject, pursuant to the State of Nebraska Local Government Miscellaneous Expenditure Act, to the following:

(1) Authorized expenses may include:

(a) Registration costs, tuition costs, fees or charges;

(b) Mileage at the then current rate allowed by Neb. RS 81-1176, or actual travel expense if travel is by commercial or charter means. In-state mileage shall be calculated by using the Official State Highway Map Mileage Chart, plus five miles per each day, or part thereof, that the person is engaged in city business. Out of state travel will be at actual odometer readings. When travel mode is optional, the lower of the reimbursable cost is authorized;

(c) 1. Meals, for travel requiring an overnight trip, at the then current rate of the applicable federal per diem (no receipts necessary), or pro-rata, based on the current rate of the applicable federal per diem for (A.) Breakfast; (B.) Lunch; or (C.) Dinner.

2. Actual receipts may be substituted for per diem when the total meal expenses for the trip exceeds the per diem. Banquets, lunches and other meals included in the registration fee or prepaid with the conference will be deducted from the per diem rate;

(d) When required to travel away from home overnight, and traveling includes a partial day on the departure day or a partial day on the return day, departures must occur prior to 6:00 a.m. for breakfast per diem and return must be after 8:00 p.m. for dinner per diem;

(e) Other transportation, lodging and miscellaneous expenses at actual cost upon the submission of proper vouchers/receipts.

(2) Authorized expenditures shall not include expenditures for meals of City Council members provided while attending a public meeting of the City Council unless such meeting is a joint meeting with one or more other governing bodies.

(3) Authorized expenditures shall not include expenditures for any expenses incurred by a spouse of an elected or appointed official, employee, or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the city.

(B) The expenditure of public funds is hereby authorized, pursuant to the State of Nebraska Local Government Miscellaneous Expenditure Act, for the following purposes:

(1) Nonalcoholic beverages provided to individuals attending public meetings of the City Council.

(2) Nonalcoholic beverages and meals:

(a) Provided for any individuals while performing or immediately after performing relief, assistance, or support activities in emergency situations, including, but not limited to, tornado, severe storm, fire or accident;

(b) Provided for any volunteers during or immediately following their participation in any activity approved by the City Council, including but not limited to, mowing parks, picking up litter, removing graffiti or snow removal;

(c) Provided at one recognition dinner each year held for elected and appointed officials, employees, or volunteers. The maximum cost per person for such dinner shall not exceed \$50. The annual recognition dinner may be held separately for employees of each department or separately for volunteers, or any of them in combination.

(3) Plaques, certificates of achievement, or items of value awarded to elected or appointed officials, employees, or volunteers, including persons serving on local government boards or commissions, are subject to a \$300 limit on value. This amount shall not be amended or altered more than once in any 12-month period. This amount may be amended by resolution, only after a public hearing has been held.

(C) The following procedures shall be used for business travel:

(1) Transportation method: when travel is by air, advance ticketing will be utilized whenever possible to obtain the lowest available coach fare.

(2) Lodging:

(a) Reimbursement for non-commercial lodging is not permitted.

(b) When city personnel are accompanied by non-city personnel, only the costs attributed to the city personnel are reimbursable.

(3) Expenses:

(a) The following expenses are reimbursable upon submission of paid receipts: parking fees; taxi fares; shuttle fares; bus fares; highway tolls; registration fees; lodging; tuition fees; supplies or equipment required for travel or training; rental cars; fees for official functions related to travel and traveler's checks fees.

(b) The following expenses are not reimbursable: entertainment, including television rentals; personal expenses, such as, hygiene items, laundry, magazines; travel insurance and alcoholic beverages.

(4) Travel advances: employees shall receive approval by the City Manager for any trip, and any travel advance, before departing and before incurring any expenses (including prepaid transportation, lodging expenses, and registration fees). Travel advances will only be authorized when employees are required to travel away from home overnight. All travel expenses require the approval of the department head and City Manager.

(5) Expense claims:

(a) Personnel on authorized travel must submit expense claims to the Finance Administrative Assistant Department immediately upon return, but not later than ten working days after return to duty.

(b) All receipts, unexpended city funds, and funds due the city, shall be returned at that time.

(c) All expenses (including prepaid expenses) shall be summarized and accounted for on a "Report of Expense" form.

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 March 1, 2023 and be in full force from and after its passage, approval, and publication as required by law in its entirety or in pamphlet form.

PASSED AND APPROVED this _____ day of _____, 2023.

Linda Taylor, Ex-Officio Mayor

and President of the Council

ATTEST:

Lea Ann Doak, City Clerk

Publish: