**MCCOOK CITY COUNCIL**

**REGULAR MEETING**

**Monday, November 3, 2025**
**5:30 PM - City Council Chambers**

Roll Call.
Excuse Absences.
Open Meetings Act Announcement.
Invocation - McCook Ministerial Association - Jeff Donelan, McCook Evangelical Free Church.
Pledge of Allegiance.
Call to Order.
Individuals who have appropriate items for City Council consideration should complete the "Topic for Consideration for City Council Agenda" form located at the information table by the entrance to the Council Chambers. If the issue can be handled administratively without Council action, notification will be provided. **If** the item is scheduled for a meeting, notification of the date will be given.
Items.

1. Announcements & Recognitions.
2. Consider Ordinance No. 2025-3110 authorizing the issuance and sale of municipal improvement bond anticipation notes, in one or more series, of the City of McCook, Nebraska, of the aggregate principal amount of not to exceed $5,500,000 for the purpose of providing interim financing for a portion of the costs of constructing infrastructure improvements associated with the sports complex.
    A. Chairperson asks Clerk to read Ordinance No. 2025-3110 by title.
    B. Consider statutory rule requiring reading on three separate occasions be suspended. Motion to suspend the rule must be adopted by three-fourths of the Council.
    C. Final passage of Ordinance No. 2025-3110.
    D. Chairperson declaration after vote and passage, if approved under suspension of the rule.
3. Public Hearings.
    A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review Committee regarding a meeting held October 27, 2025.
        1. Adjourn the Public Hearing.
    B. Accept the minutes of the July 28, 2025 Economic Development Plan Citizen's Advisory Review Committee meeting.

4. Consent Agenda.
   **The Consent Agenda is approved on one motion. Any item listed on the Consent Agenda may, by the request of any single Council member or public in attendance, be considered as a separate item under the Regular Agenda.*
   A. Approve the minutes of the October 20, 2025 regular City Council meeting and the September 10, 2025 special City Council meeting.
   B. Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit and cable on Airport Road and East "H" Street.
   C. Accept City Manager Nate Schneider's appointment of Greg A. Wolford, Class A License S-875 and Professional Engineer License No. E-6362, as the City of McCook Street Superintendent January 1 through December 31, 2026, for the purpose of the 2026 calendar year Highway Incentive Payment, to be issued to the City by the Nebraska Department of Transportation, in February 2027.
   D. Adopt Resolution No. 2025-33 authorizing the signing of the Year-End Certification of City Street Superintendent Form 2025.
   E. Accept and authorize the Mayor to sign the Annual Certification Form confirming that funds received by the City of McCook from the State of Nebraska Department of Transportation as part of the Federal Aid Transportation Fund Purchase-Sale Agreement have been used according to such agreement.
   F. Approve Resolution No. 2025-34 adopting the Second Amendment to the City of McCook, Nebraska, Firefighters Retirement Plan.
5. Regular Agenda.
   A. Consider request and authorize the use of Community Betterment Funds to cover the rental fees for "Bison Days" to be held at the Municipal Auditorium on February 2 and 3, 2026.
   B. Presentation from Emma Castor with MCNDD (West Central Nebraska Development district) in regards to properties assigned to their designated area that need abatement.
   C. Council Comments.
   D. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to pending litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.
      1. Nebraska Open Meetings Act statement, if the motion to close passes.
      2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 2. Approve on first reading, and under suspension of the rules, Ordinance No. 2025-3110 authorizing the issuance and sale of municipal improvement bond anticipation notes, in one or more series, of the City of McCook, Nebraska, of the aggregate principal amount of not to exceed $5,000,000 for the purpose of providing interim financing for a portion of the costs of constructing infrastructure improvements associated with the sports complex.

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**BACKGROUND:**

In conjunction with the sales tax election held on November 8, 2022, the City of McCook is set to issue bond anticipation notes for the construction costs associated with the sports complex. The accompanying ordinance authorizes the issuance of BAN notes in a principal amount not to exceed $5 million, with the actual issuance amount to be a lesser amount. Currently, the City of McCook plans to issue the BAN's in December of 2025. A tentative time line is attached to this report for review.

Paul Grieger of D.A. Davidson will be present via Zoom at the November 3, 2025 McCook City Council meeting to discuss the ordinance and answer any questions regarding the proposed ordinance.

**APPROVALS:**

Nathan A. Schneider, City Manager — October 28, 2025

Lea Ann Doak — October 28, 2025

Lea Ann Doak, City Clerk

Tera Koetter — October 28, 2025

Tera Koetter, Assistant City Manager

**ORDINANCE NO. 2025-3110**

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF MUNICIPAL IMPROVEMENT BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, OF THE CITY OF McCOOK, NEBRASKA, OF THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION DOLLARS ($5,000,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING INFRASTRUCTURE IMPROVEMENTS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND ORDERING THIS ORDINANCE PUBLISHED IN PAMPHLET OR ELECTRONIC FORM.**

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

Section 1. The Mayor and City Council hereby find and determine:

(a) The City imposes a sales and use tax in the amount of 1.50% (the "1.5% Sales Tax") upon the same transactions within the City on which the State of Nebraska is authorized to impose a tax pursuant to the Local Option Revenue Act (Sections 77-27,142 to 77-27,148, R.R.S. Neb., as amended, the "Act").

(b) An election (the "Election") was duly called and held in conjunction with the Statewide General Election on November 8, 2022, pursuant to the Act, to impose an additional one-half of one percent (0.50%) sales and use tax to pay finance, refinance and reimburse the costs to construct, acquire, improve, furnish, and equip public infrastructure projects (collectively, the "Project") at which Election a majority of all the qualified electors voting on said proposition voted in favor of the levy and collection of the additional one-half of one percent (0.50%) sales and use tax (the "0.5% Sales Tax"; and together with the 1.5% Sales Tax, the "Tax").

(c) Pursuant to an ordinance passed and approved by the Mayor and Council, the City has imposed the 0.5% Sales Tax applicable to all taxable transactions within the City and continuing for a period of ten years, unless bonds are issued and some or all of the revenues from the 0.5% Sales Tax are pledged for payment of the bonds, in which case the 0.5% Sales Tax shall remain in effect until payment in full of said bonds and any refunding bonds, whichever date is later.

(d) The City is authorized to issue notes pursuant to the Act to provide financing for the Project and to pledge receipts of the Tax and dedicate a portion of its property tax levy authority as provided in Section 77-3442, R.R.S. Neb., as amended, for payment of such bonds.

(e) All conditions, acts and things required to exist or to be done precedent to the issuance of Municipal Improvement Bond Anticipation Notes, Series 2025B, (or such other title as determined in a Designation as described below, the "Notes") of the City of McCook, Nebraska, in one or more series in the aggregate principal amount of not to exceed Five Million Dollars ($5,000,000) pursuant to the Act to provide financing for a portion of the cost of the Project do exist and have been done as required by law.

Section 2. For the purpose of providing interim financing, refinancing and reimbursing for the costs set out in Section 1 pending the issuance of bonds by the City, there shall be and there are hereby ordered issued bond anticipation notes of the City of McCook, Nebraska, which may be issued in one or more series, of the aggregate principal amount of not to exceed Five Million Dollars ($5,000,000) (herein referred to as the "Notes" or the "notes"), consisting of fully registered notes, within each series numbered from 1 upwards in the order of issuance, in the denomination of $5,000 each, or integral multiples thereof. The Notes shall bear interest at the rates per annum and become due and bear such other terms subject to and in accordance with the following:

> The Mayor, City Manager, or City Clerk/Treasurer, (each, an "Authorized Officer") may negotiate for the sale of the Notes in one or more series (a) through a private placement to a bank or banks, or (b) pursuant to a negotiated sale with an underwriting firm (the "Underwriter"). In connection with such sale the Authorized Officers or any one or more of them are authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a note purchase agreement (each, a "Designation"), the following: (i) whether the Notes will be sold through a private placement to a bank or through a negotiated sale with the Underwriter; (ii) the aggregate purchase price of the Notes and, if applicable, the placement agent fee or underwriting discount which shall not exceed 1.0% of the aggregate stated principal amount thereof; (iii) the form and contents of any note purchase agreement or investor letter in connection with the sale of each series of Notes; (iv) for each series of notes issued, the title (including series designation), dated date, aggregate principal amount, which aggregate stated principal amount shall not exceed $5,000,000, and the final maturity date, which shall not be later than December 15, 2028; (v) the principal amounts maturing in each year; (v) the rate or rates of interest to be borne by each principal maturity, provided that the true interest cost of a series of the Notes shall not exceed 5.0%; (vii) the principal payment dates and interest payment dates; (viii) whether a series of the Notes will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption; (ix) the amount and due date of each sinking fund installment for any of the Notes issued as term Notes; (x) the designation of the Paying Agent and Registrar and the form and content of any agreement between the City and such entity, as necessary; and (xi) all other terms and provisions of the Notes not otherwise specified or fixed by this Ordinance.

Interest on the Notes shall be payable on such dates as shall be determined in the Designation, and the Notes shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof, by check or draft mailed by the Paying Agent and

Registrar to the address of such registered owner shown on the books of the Paying Agent and Registrar. The Notes shall be numbered from 1 upwards in the order of their issuance. No Note shall be issued originally or upon transfer or partial redemption having more than one principal maturity.

Also provided, however, the City reserves the right to redeem any or all of said notes prior to maturity on or after a date to be determined in the Designation, upon not less than thirty days written notice, at par and accrued interest to the date fixed for redemption. Such notice of call for redemption shall be sufficient if it has been sent to a registered holder of said note or notes by first class mail addressed to the registered address of said registered holder. If less than all of the notes are called and redeemed, such notes shall be called in increments of $5,000 or integral multiples thereof. If less than all of the principal amount of any outstanding note is called for redemption, in such case upon the surrender of such note called for payment, there shall be issued to the registered owner of said note, without charge therefor, a registered note or notes for the unpaid principal balance in any of the authorized denominations authorized by this ordinance.

The principal of said notes and any interest due on said notes upon maturity or earlier call for redemption shall be payable at the office of the Paying Agent and Registrar (defined below), upon presentation and surrender of the note or notes when due or when called for payment prior to maturity.

Section 3. The City Treasurer, McCook, Nebraska, (or such bank or trust company as may be determined in a Designation) is hereby designated as paying agent and registrar (the "Paying Agent and Registrar") for the Bond Anticipation Notes herein ordered issued and is hereby authorized to make payments of interest and principal from funds available for such purposes as provided herein as the same fall due. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Notes. The names and registered addresses of the registered owner or owners of the Notes shall at all times be recorded in such books. In the case of a negotiated sale with the Underwriter, any Note may be transferred pursuant to its provisions by said Paying Agent and Registrar by surrender of such Note for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the City will deliver (or send by registered mail to the transferee

owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new note or notes of the same series, interest rate, aggregate principal amount and maturity. In the case of a private placement with a bank, the Notes may be transferred, but only upon the bond register and only if (1) the registered owner has submitted to the Paying Agent and Registrar the Notes accompanied by an assignment in substantially the form attached to the Notes duly executed by the registered owner or the registered owner's attorney or legal representative, which assignment shall disclose the name, address and tax identification number of the assignee, and (2) the assignee is a bank or a qualified institutional buyer as defined in Rule 144A promulgated by the Securities and Exchange Commission and the owner has obtained from such proposed transferee and provided to the City, prior to such transfer and assignment, an investor letter or certificate in form satisfactory to the City. To the extent of the denominations authorized for the notes by this ordinance, one note may be transferred for several such notes of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such notes may be transferred for one or several such notes, respectively of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a note, the surrendered note shall be cancelled and destroyed. All notes issued upon transfer of the notes so surrendered shall be valid obligations of the City evidencing the same obligations as the notes surrendered and shall be entitled to all the benefits and protection of this ordinance to the same extent as the notes upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any note called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. Said Notes shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

Section 5. Said notes shall be substantially in the following form:

**UNITED STATES OF AMERICA**
**STATE OF NEBRASKA**
**COUNTY OF RED WILLOW**

**MUNICIPAL IMPROVEMENT BOND ANTICIPATION NOTE**

**OF THE CITY OF McCOOK, NEBRASKA**
**SERIES 2025B**

**No. R-1**

| Interest Rate | Maturity Date | Date of Original Issue | CUSIP |
|---|---|---|---|
| _____% | _____, 20__ | _____, 2025 | |

**Registered Owner:**

**Principal Amount:** _____ ($_____)

KNOW ALL PERSONS BY THESE PRESENTS: That the City of McCook, in the County of Red Willow, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner shown above and as shown on the registration books of the City on the maturity date shown above, the principal amount shown above in lawful money of the United States of America with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable semiannually on _____ and _____of each year, commencing _____, 20__ (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of this note and any interest due upon maturity or earlier call for redemption are payable at the office of _____, as Paying Agent and Registrar, in _____, Nebraska, upon presentation and surrender of the note when due or when called for payment prior to maturity. The interest payable on this note on any interest payment date shall be paid to the person in whose name this note is registered on the registration books maintained by the Paying Agent and Registrar at the close of business on the Record Date for such interest, which shall be the 15th day (whether or not a business day) next preceding the interest payment date. Such interest shall be payable by check or draft mailed by the Paying Agent and Registrar to the address of such registered owner shown on the note register. The principal or redemption price of and interest on this note shall be payable by check or draft in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

This note is redeemable at the option of the City prior to maturity at any time on or after _____, 20__ at par and accrued interest to date fixed for redemption. Notice of call of any note for redemption prior to maturity shall be sufficient if given in writing and mailed by first class mail, postage prepaid, to the registered owner at the address shown on the note register not less than thirty days prior to the date fixed for redemption.

This note is one of an issue of notes numbered from 1 upwards in order of issuance, of the total principal amount of _____ DOLLARS ($_____) in the denomination of $5,000 or integral multiples thereof, of even date and like tenor herewith, issued by the City of McCook for the purpose of providing interim financing, refinancing and reimbursing to pay a portion of the costs to construct, acquire, improve, furnish, and equip public infrastructure projects, including the cost of issuance of said notes, pending the issuance of permanent bonds of the City. The issuance of this note and the other notes of this issue has been lawfully authorized by ordinance duly passed, signed and published by the Mayor and City Council of said City in strict compliance with Section 77-27,142, R.R.S. Neb., as amended, and all other applicable laws.

The City agrees that the principal and interest of this note shall be payable from the proceeds of the issuance and sale of its bonds, the issuance and sale of its bond anticipation notes, or from other monies of the City lawfully available for such purposes.

The City reserves the right to issue additional bond anticipation notes for the purpose of paying the balance of the costs of the projects financed in part by this issue of notes or of other improvement projects of the City, for the purpose of refunding the notes of this issue at or prior to maturity and for the purpose of paying for additional improvements for the City. The ordinance under which these notes are issued constitutes an irrevocable contract between the City and the holders of all of said notes and said contract cannot be changed or altered without the written consent of the holders of seventy-five percent (75%) in principal amount of the notes of this series then outstanding.

[AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS NOTE MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS NOTE MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS NOTE IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY NOTE ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.]

This note shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this note did exist, did happen and were done and performed in regular and due form and time as provided by law.

IN WITNESS WHEREOF the Mayor and Council of the City of McCook, Nebraska, have caused this note to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF McCOOK, NEBRASKA

_____
Mayor

ATTEST:

_____
City Clerk
(SEAL)

CERTIFICATE OF AUTHENTICATION

This note is one of the notes of the issue designated therein and issued under the provisions of the ordinance authorizing said issue.

_____,
Paying Agent and Registrar

_____
Authorized Signature

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

_____
Print or Type Name, Address and Social Security Number
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: _____

_____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Medallion Signature Guarantee:

Section 6. Each of the Notes shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and shall have imprinted thereon the City's seal (which may be a facsimile seal). If the Notes are sold through a private placement with a bank, the provisions regarding DTC (defined herein) shall not apply. If the Notes are sold through a negotiated sale with the Underwriter, the Notes shall be issued initially as "book-entry-only" notes using the services of The Depository Trust Company ("DTC"), with one typewritten note certificate per maturity being issued to DTC. In such connection, said officers are authorized to execute and deliver a Letter of Representations in the form required by DTC (including any blanket letter previously executed and delivered by the City), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Notes. Upon the issuance of the Notes as "book-entry-only" notes, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Notes as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Note from a Bond Participant while the Notes are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Notes,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Notes, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Notes.

The Paying Agent and Registrar shall make payments with respect to the Notes only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Notes to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Note, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Notes requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Notes or (ii) to make available Notes registered in whatever name or names the Beneficial Owners transferring or exchanging such Notes shall designate.

(c) If the City determines that it is desirable that certificates representing the Notes be delivered to the Bond Participants and/or Beneficial Owners of the Notes and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify

the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of note certificates representing the Notes. In such event, the Paying Agent and Registrar shall issue, transfer and exchange note certificates representing the Notes as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Note is registered in the name of the Depository or any nominee thereof, all payments with respect to such Note and all notices with respect to such Note shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Notes may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Notes may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Note unless and until such partially redeemed Note has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Note as is then outstanding and all of the Notes issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the City shall immediately provide a supply of printed note certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Notes upon transfer or partial redemption, the City agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Mayor and City Clerk of such City. In case any officer whose signature or facsimile thereof shall appear on any Note shall cease to be such officer before the delivery of such Note (including any note certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Note. The Notes shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The City Treasurer shall cause the Notes to be

registered and authenticated. Upon execution, registration and authentication of the Notes, the City Treasurer is authorized to deliver them to the purchaser in the case of a private placement to a bank, or to the Underwriter, as initial purchaser, in the case of a negotiated sale, upon receipt of (a) the total stated principal amount of the Notes, plus accrued interest thereon to date of payment for the Notes, less any applicable Underwriter's discount or placement agent fee in an amount determined in the Designation and (b) in the case of a private placement, delivery to the City of an Investor Letter in form satisfactory to an Authorized Officer. In the case of a negotiated sale, the initial purchaser shall have the right to direct the registration of the Notes, subject to the restrictions of this Ordinance. Such purchaser and its agents, representatives and counsel (including the City's Bond Counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Notes, including, without limitation, authorizing the release of the Notes by the Depository at closing. In the case of a negotiated sale, the Authorized Officers are each individually authorized to execute the Note Purchase Agreement with respect to the Notes. The officers of the City, including but not limited to the Authorized Officers, are hereby further authorized to do any and all things and take any and all actions deemed by them to be necessary or appropriate in connection with the sale and issuance of the Notes.

Section 7. Proceeds of the Notes shall be applied to pay costs of the projects as described in Section 1 hereof. Costs of issuance may be paid out of Note proceeds.

Section 8. The City covenants and agrees that it will take all steps required to complete and maintain the improvements described in Section 1 hereof in a manner to allow it to issue and sell its municipal improvement bonds or other bonds as necessary to pay the outstanding principal amount of the Notes at or prior to maturity. The City covenants and agrees to issue and sell its municipal improvement bonds or other bonds in a sufficient amount and at such times as will enable it to take up and pay off the bond anticipation notes herein ordered issued, both principal and interest, at or prior to maturity, to the extent not paid from other sources. The Notes are special obligations of the City payable from, and secured as to the payment of principal and interest by, such bonds and from a pledge of the Tax. The City hereby pledges the Tax to the payment of the principal of and interest on the Notes. The City hereby further agrees

that it shall dedicate such portion of its property tax levy authority (as provided in Section 77-3442, R.R.S. Neb., as amended) as is necessary to provide funds which, together with receipts from the Tax as pledged to the payment of the Notes, bonds issued to repay the Notes, and any other monies made available and used for such purpose, will be sufficient to pay the principal of and interest on the Notes as the same fall due (including mandatory sinking fund redemptions). The pledge of the Tax provided for in this Section 8 for the Notes shall not prevent the City from otherwise applying receipts from the Tax in any year. In addition, the City further reserves the right to issue additional bonds (including bond anticipation notes) payable on par with the Notes equally and ratably secured by a pledge of receipts from the Tax.

Section 9. The City hereby reserves the right to issue additional bond anticipation notes for the purpose of paying the balance of the cost of the projects of the City set out in Section 1 hereof, for the purpose of refunding the Notes herein ordered issued at or prior to maturity or for the purpose of paying for additional improvements for the City.

Section 10. The City Clerk shall make and certify a complete transcript of the proceedings had and done by said City precedent to the issuance of said Notes, a copy of which shall be delivered to the Underwriter in the case of a negotiated sale, or the purchaser in the case of a private placement with a bank. After being executed by the Mayor and Clerk said Notes shall be delivered to the City Treasurer who shall be responsible therefor under her official bond. The City Treasurer is authorized and directed to deliver said Notes to the purchaser upon receipt of payment of the purchase price in accordance with the contract of the City with said purchaser.

Section 11. The City hereby covenants to the purchasers and holders of the Notes that it will make no use of the proceeds of said Notes issue, including money held in any sinking fund attributable to said Notes which would cause the Notes to be arbitrage bonds within the meaning of the Internal Revenue Code of 1986, as amended, and further covenants and agrees to take all actions necessary under current federal law to maintain the tax-exempt status (as to taxpayers generally) of interest payable on the Notes. The City agrees to take all further actions, if any, necessary to qualify the Notes herein authorized for such treatment if available.

Section 12. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 13. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of said conflict hereby repealed.

Section 14. In the case of a negotiated sale with the Underwriter, the City Council hereby authorizes one or more Authorized Officers to approve, deem final and deliver a Preliminary Official Statement and a final Official Statement for and on behalf of the City, all in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission.

Section 15. This Ordinance shall be published in pamphlet or electronic form as provided by law. This Ordinance shall take effect immediately upon its publication in pamphlet or electronic form.

PASSED AND APPROVED this 3rd day of November, 2025.

_____
Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____
Lea Ann Doak, City Clerk

[SEAL]

I, the undersigned City Clerk for the City of McCook, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on November 3, 2025; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_____

City Clerk

[SEAL]

D|A|DAVIDSON
FIXED INCOME CAPITAL MARKETS
D.A. Davidson & Co. member SIPC and FINRA

# City of McCook, Nebraska
## Municipal Improvement Bond Anticipation Notes, Series 2025B
## Preliminary Timeline

| | |
|---|---|
| October 22, 2025 | Draft proceedings circulated for review |
| November 3, 2025 | Council approves BAN ordinance and related proceedings |
| October 31, 2025 | Draft POS cirulated for review |
| November 7, 2025 | Call with Moody's analysts |
| November 18, 2025 | Credit rating received<br>Finalize due diligence - Preliminary Official Statement deemed final |
| December 9, 2025 | Davidson takes orders for the notes |
| December 10, 2025 | Purchase Agreement signed by the City and Davidson |
| December 18, 2025 | Closing - all funds wired to the City |

**Paul Grieger | pgrieger@dadco.com | 402.392.7986**
**450 Regency Parkway, Ste. 400 | Omaha, NE 68114**

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

ITEM: **3.A.** Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review committee regarding meeting held October 27, 2025.

ITEM: **3.B.** Accept the minutes of the July 28, 2025 Economic Development Plan Citizen's Advisory Review Committee meeting.

---

**BACKGROUND:**

Quarter Economic Development Plan Citizen's Advisory Review Committee meetings were held on July 28, 2025 and October 27, 2025. Per the City's Plan, a public hearing will be held to discuss the contents of the meetings.

**FISCAL IMPACT:** None.

**APPROVALS:**

Lea Ann Doak, City Clerk — October 29, 2025

Tera Koetter, Assistant City Manager — October 29, 2025

Nathan A. Schneider, City Manager — October 29, 2025

**EXHIBIT #1**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mayor and City Council of McCook, Nebraska will hold a public hearing on November 3, 2025 at 5:30 p.m. in the City Council Chambers of the McCook Municipal Center concerning the findings and suggestions of the LB840 Citizens Advisory Committee regarding the functions and progress of the economic development program for the City of McCook. Individuals requiring physical or sensory accommodations including interpreter services, braille, large print, or recorded materials, please contact the City Clerk at 308-345-2022.

-s- Lea Ann Doak,
City Clerk-Treasurer

Publish: October 30, 2025

EXHIBIT #2

PAGE(S) - 1

# AGENDA

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

## QUARTERLY MEETING

**MONDAY, October 27, 2025**
**12:00 P.M.**
**HERITAGE SENIOR CENTER CONFERENCE ROOM**

**CALL TO ORDER**

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

| | |
|---|---|
| **ITEM NO. 1** | Review and approve minutes of the July 28, 2025 meeting. |
| **ITEM NO. 2** | Review McCook LB840 Economic Development Program Quarterly Reports. |
| **ITEM NO. 3** | Update of LB840 Program Balances. |
| **ITEM NO. 4** | MEDC Director's Report |
| **ITEM NO. 5** | Open Discussion |
| **ITEM NO. 6** | Next meeting date: January 26, 2026 |
| **ITEM NO. 7** | Adjournment |

**EXHIBIT #3**

**PAGE(S) - 6**

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

Program Year 10/01/24 - 9/30/25

### Q4 - 09/30/2025

| | Beginning Cash on Hand | YTD Receipts | YTD Expenditures | Ending Balance | Program Total |
|---|---|---|---|---|---|
| **Loan & Grant Program** | $ 1,030,292.54 | $ 332,355.98 | $ 506,713.00 | $ 995,649.53 | |
| Loan Repayments | | $ 124,164.87 | | | |
| Legal | | | $ 1,461.50 | | |
| Publishing | | | $ 105.57 | | |
| Miscellaneous | | $ 365.43 | | | |
| Interest | | $ 16,750.78 | | | |
| TOTAL | | | | | $ 995,649.53 |
| **Ending Balance** | | | | | **$ 995,649.53** |
| MEDC Administration | $ - | $ 152,196.00 | $ 152,196.00 | $ - | |

**McCook Growth Fund (LB840) AVAILABLE FUNDS**

Program Year 10/01/24-09/30/2025

## Q4 - Balances as 09/30/2025

| | Program Balance | Reserved Funds | Available |
|---|---|---|---|
| **Loan, Grants and Projects** | $ 995,649.53 | | |
| North Pointe Term Loan Interest (estimate) | | $25,500.00 | |
| Business Park Phase II 2025 Interest, Legal, & Professional | | $101,845.97 | |
| North Pointe Home Owner's Association (HOA) legal | | $1,044.55 | |
| McCook Airport Fuel & Operation Assets | | $52,716.72 | |
| Publishing Fees | | $23.05 | |
| Early Childhood Education | | | |
| New Provider Scholarship/Startup Funds/Infant Incentives - YTD | | $31,756.00 | |
| *Early Childhood Donation YMCA | | $80,000.00 | |
| Total Reserved and Committed | | $292,886.29 | |
| **Total Funds Available** | | | **$ 702,763.24** |

*This will be paid over 5 year @ $20,000 per year
$20,000 - 2025 (pd. January 2025)
$20,000 - 2026
$20,000 - 2027
$20,000 - 2028
$20,000 - 2029

McCook Growth Fund (LB840) Loan Status Report
9-30-2025

| Current Loans | Loan Amount (a) | Late Payment Fees (b) | Interest Rate | Loan Term (Years) | Date Loan Made | Current Loans Interest Earned (c) | Payments Made (d) | Loan Balance Remaining (a+b+c-d) | Loan Status |
|---|---|---|---|---|---|---|---|---|---|
| City of McCook (Walter's Land Purchase) | $ 250,000.00 | | 0% | | 10/1/2024 | $ - | $ - | $ 250,000.00 | Current |
| MEDC North Pointe Phase II | $ 240,341.37 | | 0% | | 7/23/2024 | $ - | $ - | $ 240,341.37 | Current |
| HOKYL, LLC (Purchased Bee Little) | $ 100,000.00 | | 4% | 5 | 4/1/2024 | $ 5,809.50 | $ 18,252.00 | $ 87,557.50 | Current |
| Hot Tub Brokers | $ 100,000.00 | | 2% | 10 | 12/13/2021 | $ 5,840.23 | $ 35,862.84 | $ 68,860.99 | *Not Current- In Banruptcy July 2025 |
| Early Morning Cackle, LLC | $ 55,700.00 | $ 240.00 | 3% | 10 | 3/19/2020 | $ 6,938.34 | $ 35,337.59 | $ 27,540.75 | Current |
| Straight Align, LLC | $ 50,000.00 | | 3% | 10 | 10/1/2019 | $ 6,285.72 | $ 56,707.62 | $ - | Current |
| American Agricultural Laboratory | $ 75,000.00 | | 2% | 10 | 2/5/2017 | $7,657.24 | $ 71,770.50 | $ 10,886.74 | Current |
| MEDC North Pointe Phase I TIF Bond | $ 208,000.00 | | 0% | 22 | 4/2/2015 | $0.00 | $ 207,264.78 | $ 735.22 | Current |
| Clary Village Equity (Non-Recourse Loan) | $ 120,000.00 | | 4% | 15 | 3/16/2015 | $48,686.50 | $ 47,304.65 | $ 121,381.85 | Current* |
| MEDC Clary Village TIF | $ 178,622.92 | | 0% | 17 | 3/16/2015 | $0.00 | $ 108,444.46 | $ 70,178.46 | Current |
| East Ward Village (Non-Recourse Loan) | $ 105,000.00 | | 2% | 15 | 7/11/2012 | $16,599.02 | $ 98,286.58 | $ 15,754.59 | Current |
| Totals | $ 1,482,664.29 | $ 240.00 | | | | $97,816.55 | $679,231.02 | $ 893,237.47 | |

*This Non-Recourse Developer Loan/Agreement structure requires loan payments from available Net Cash Flow as outlined in the Operating Agreement over the agreed term. At the Maturity Date, the borrower is responsible for the unpaid principal balance and accrued interest. Given its non-recourse nature, any remaining balance after the Maturity Date may prompt MEDC to seek final payment from the borrower or explore grant options. Ultimately, at the term's end, MEDC would acquire all land, property, and project equity, typically of significantly higher value.

McCook Growth Fund (LB840) Economic Development Program
Fourth Quarter Report
October 1, 2024 - September 30, 2025

**Approved, but not yet completed or paid:**

**North Pointe Housing Development** **2024/2025** **$25,500.00**

As the housing development progresses, we are actively enhancing infrastructure within the North Pointe Addition project area. Our strategy integrates Tax Increment Financing (TIF) and other funding sources to support these improvements. Street paving, along with the installation of water, sewer, and electrical services, has been successfully completed. To manage initial costs, the MEDC is accruing interest in the project funds, which will be offset by proceeds from lot and house sales over time. This approach ensures sustainable financing through TIF revenues throughout the project's duration.

**Early Childhood / MEDC Infant Incentive Program** **2024/2025** **$30,500.00**

The MEDC Board of Directors remains committed to supporting early childcare and education in our community. Our funding continues to provide resources for the Infant Program as well as Startup and Expansion initiatives, with the goal of sustaining and enhancing the efforts of local early childcare providers and centers.

**Early Childhood/Youth Dev. Center Donation to YMCA Proj.** **2025/2029** **$80,000.00**

The MEDC demonstrates its commitment to early childcare in McCook through initiatives that support our community providers. These programs are essential in aiding families and fostering workforce development, ensuring our youngest residents receive exceptional care and education. The board has furthered its support by committing $100,000 over 5 years ($20,000 annually) to the YMCA's renovation and expansion project. This funding will specifically benefit the Early Childhood/Youth Development Center, enhancing programming, activities, child watch services, and more. The first payment was made in 2025.

**LB 840 Expenses in the 4th Quarter**

**Loan, Grant, and Program Fund**

**McCook Business/Industrial Park Expansion** **2024/2025** **$101,845.97**

The McCook Business Park - Phase II project has made remarkable strides over the past year and is now nearing the completion of this important expansion. A key milestone is the industry track and spur, which recently underwent an inspection by BNSF. We are awaiting their feedback to make the track fully operational, which will be a critical asset for future tenants and operations at the park.

In addition, Performance Plus is making significant progress with their new facility. They are nearing completion of construction, have hired three full-time employees, and have started producing small batches of feed. As they refine their production processes, they plan to

gradually scale up feed volume and increase their workforce, bringing additional economic benefits to the community.

| | | |
|---|---|---|
| **North Pointe Home Owner's Association (HOA) Setup & Legal Fees** | **2024/2025** | **$1,044.55** |

As part of the continuation of the development of the North Pointe subdivision, this expense covers the legal and administrative costs associated with establishing the North Pointe Homeowner's Association. The fees include document preparation, filing, and legal review necessary to formalize the HOA structure, ensure compliance with local and state regulations, and support the long-term governance and maintenance of the North Pointe subdivision.

| | | |
|---|---|---|
| **McCook Airport Fuel & Fixed Base Operator (FBO) Operation Assets** | **2025** | **$52,716.72** |

In collaboration with the City of McCook, these items represent a small portion of the overall expenses associated with the development, maintenance, and operational setup of fuel and Fixed Base Operator (FBO) assets at the McCook Ben Nelson Regional Airport the MEDC recently purchased. These costs cover select equipment, supplies, and services necessary to support fuel operations, ground handling, and facility readiness as part of the airport's transition to locally managed FBO services.

| | | |
|---|---|---|
| **MEDC Infant Incentive Program** | **2025** | **$1,800.00** |

During this quarter, we received three claim requests from an early childcare provider covering the infant incentives for May and June.

| | | |
|---|---|---|
| **Publishing Fees** | **2025** | **$23.05** |

**Other Expenses**

| | | |
|---|---|---|
| **Program Administration and Operations** | **07/16/2025** | **$12,683.00** |
| **Program Administration and Operations** | **08/13/2025** | **$12,683.00** |
| **Program Administration and Operations** | **09/10/2025** | **$12,683.00** |

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

Monday – July 28, 2025
12:00 P.M. at the Heritage Senior Center Conference Room

The Economic Development Plan Citizen's Advisory Review Committee of the City of McCook was called to order by Sean Wolfe and began at 12:15 P.M.

A copy of the Open Meetings Act is posted on the in the Heritage Senior Center Conference room and is available for public review.

**Present:** Members:, Sean Wolfe, Rick Sinner, Sarah Renner, Jordan Johnson; Nate Schneider, City Manager; Charlie McPherson, MEDC Director; Tera Koetter, Assistant City Manager; Tracy Burkey, Recording Secretary.

**Absent:** Members: Jeanette Peters, Warren Jones, and Alexis Davidson

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 18, 2025, 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 all members of the Economic Development Plan Citizen's Advisory Review Committee. Availability of the agenda was communicated in advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

(1) REVIEW AND APPROVE MINUTES OF April 28, 2025, MEETING.

Renner introduced a motion to approve April 28, 2025, minutes; Johnson seconded the motion. All members present voted in the affirmative. Motion passed. 4 VOTES YEA, 0 NAY, 3 ABSENT.

(2) REVIEW LB840 ECONOMIC DEVELOPMENT PROGRAM QUARTERLY REPORTS.

MEDC Director McPherson reviewed the McCook Growth Fund Program Balances and McCook Growth Fund Available Funds reports prepared by MEDC for the 10/01/24 – 09/30/25 program year with the committee.

As of 6/30/2025 the LB840 Program balance is $1,006,233.78. Funds are currently allocated in the amount of $241,613.50. This leaves an available balance of $764,620.28.

(3) UPDATE OF REVENUES COLLECTED The McCook Growth Fund Loan Status Report shows all but one loan is current. Hot Tub Brokers is no longer in business, and they have filed bankruptcy. The board is deciding how to handle this. The LB840 Program Balances report, receipt register and check register were provided.

**EXHIBIT #4**

**PAGE(S) - 4**

(4) ECONOMIC DEVELOPMENT DIRECTOR REPORT

**Approved, but not yet completed or paid:**

**North Pointe Housing Development**

"As the housing development progresses, we are actively enhancing infrastructure within the North Pointe Addition project area. Our strategy integrates Tax Increment Financing (TIF) and other funding sources to support these improvements. Street paving, along with the installation of water, sewer, and electrical services, has been successfully completed. To manage initial costs, the MEDC is accruing interest in the project funds, which will be offset by proceeds from lot and house sales over time. This approach ensures sustainable financing through TIF revenues throughout the project's duration."

**McCook Business/Industrial Park Expansion**

"The McCook Business Park-Phase II project has made remarkable strides over the past year and is now nearing the completion of this important expansion. A key milestone is the industry track and spur, which recently underwent an inspection by BNSF. We are awaiting their feedback to make the track fully operational, which will be a critical asset for future tenants and operations at the park.

In addition, Performance Plus is making significant progress with their new facility. They are nearing completion of construction, have hired three full-time employees, and have started producing small batches of feed. As they refine their production processes, they plan to gradually scale up feed volume and increase their workforce, bringing additional economic benefits to the community."

**Early Childhood/MEDC Infant Incentive Program**

"The MEDC Board of Directors remains committed to supporting early childcare and education in our community. Our funding continues to provide resources for the Infant Program as well as Startup and Expansion initiatives, with the goal of sustaining and enhancing the efforts of local early childcare providers and centers."

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**LB840 Expenses in the 3rd Quarter**

**Loan, Grant, and Program Fund**

**North Pointe and Business Park Phase II-Engineering Fees**

"Throughout our ongoing housing and business park development initiatives, the MEDC has been working with and engaged in collaborating with architects and engineers. This quarter we received their invoice covering professional services rendered across various stages of the projects, from preliminary work in 2023 to the buildouts completed in 2024 and 2025."

**Midlands Contracting Services (Business Park Phase II)**

"During the business park expansion project, Midlands Contracting Services was contracted to extend water and sewer lines into Phase II of the park. Following completion, a change order was issued at the City of McCook's request to raise the fire hydrants in the area. This adjustment was made to improve visibility and accessibility for both the public and city staff."

**NE Dept. of Environment and Energy (NDEE) Fee**

"As part of the Business Park expansion project, the engineers had to submit test samples to the Nebraska Department of Environment and Energy (NDEE) to comply with state requirements, and this fee covered the associated costs."

**MEDC Infant Incentive Program**

"During this quarter, we received two claim requests from an early childcare provider covering the infant incentives for May and June."

(5) OPEN DISCUSSION

Lots of conversations have been had regarding options at Walter's First Addition regarding commercial business options.
Developers from Lincoln will be building 5 more homes in North Pointe.
Sales tax receipts came in over the projections.
The sports complex is making progress. Horizontal build-out will be starting soon.

(6) NEXT MEETING DATE

Next meeting date will be October 27, 2025, at 12:00 PM at the Heritage Senior Center conference room.

(7) ADJOURNMENT

The meeting was adjourned at 12:58 PM.

Tracy Burkey, Recording Secretary

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** 4.A.

Approve the minutes of the October 20, 2025 regular City Council meeting and the September 10, 2025 special City Council meeting.

**BACKGROUND:**

Receive and approve the minutes.

**FISCAL IMPACT:** None.

**APPROVALS:**

Lea Ann Doak, City Clerk

October 30, 2025

McCook City Council
October 20, 2025
5:30 P.M.

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 Linda Taylor, Councilmembers Jerry Calvin, Gene Weedin, Jared Muehlenkamp, Darcy Rambali.

Absent: None.

City Officials present: City Manager Nate Schneider, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Assistant City Manager Tera Koetter, Utilities Director Pat Fawver, Fire Chief Marc Harpham, Police Chief Kevin Hodgson, Public Works Director Kyle Potthoff, and Senior Services Director Beth Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 16, 2025, 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 Father Kimminau, of the St. Patrick Catholic Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

Mayor Taylor also announced that individuals who have appropriate items for City Council consideration should complete the "Topic for Consideration for City Council Agenda" form located at the information table by the entrance to the Council Chambers. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting, notification of the date will be given.

**1. Announcements & Recognitions.**

City Manager announced that a NDOT community meeting is scheduled for 8:30 A.M. on October 24 at the McCook Community College East Campus; the city's auditors will be here on October 28 and 29; and a meeting of the Health Board is planned for November 4.

**2. Public Hearings.**

2.A. Public Hearing - Request for a special exception by Linda and Lee Maiden to locate a Bed and Breakfast/Vacation Rental in a Residential Medium Density District (RM) - property located at #2 Gemini Court, legally described as Lots 8 and 9, Block 2, Third Century II Addition to the City of McCook, Red Willow County, Nebraska.

City Manager Schneider announced that because they have the basement leased out for the coming year and will not be using it as an Airbnb, applicant Linda Maiden withdrew their request for a special exception.

No action was taken on Item 2.A or 2.B.

2.B. Approve a special exception application by Linda and Lee Maiden to locate a Bed and Breakfast/Vacation Rental in a Residential Medium Density District (RM) - property located at #2 Gemini Court, legally described as Lots 8 and 9, Block 2, Third Century II Addition to the City of McCook, Red Willow County, Nebraska; finding Special Exception considerations A-I are satisfied, and said grant conditioned upon the applicant procuring proper commercial insurance and listing the City of McCook as an additional insured.

**3. Consent Agenda.**

McCook Chamber of Commerce Director, Sarah Schneider, requested that Item K be removed for the consent agenda and placed on the regular agenda.

Motion to approve the remaining consent agenda. This motion, made by Muehlenkamp and seconded by Weedin, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3.A. Approve the minutes of the October 6, 2025 regular City Council meeting.

3.B. Approve a request from Parker to intermittently close Karrer Street north of South Street, along the west side of their facility, to install new equipment beginning October 16, 2025 and continuing through the end of 2025.

3.C. Forward to the City's Insurance carrier for review and appropriate action a general liability claim from Carrie Goltl.

3.D. Ratify the Mayor's appointments to the: Board of Zoning Adjustment - appoint Dave Winder as the Extra Territorial Representative - term expires September 2028; Economic Development Plan Citizen's Advisory Review Committee - reappoint Alexis Davidson - term expires July 2028; Housing Agency Board - appoint Darius Bolli (resident) - term expires November 2030.

3.E. Approve the Addendum to McCook Humane Society Agreement, increasing the contract amount the City of McCook pays for animal services for Fiscal Year 25/26 and authorize the

Mayor to sign.

3.F. Approve an application from Telcom construction to occupy city right-of-way for the purpose of replacing telephone cable for 336 N. Cherokee Drive.

3.G. Approve the specifications for the 2026 Armor Coating Project and set the time and date to receive bids as 2:30 P.M. November 10, 2025.

3.H. Approve the specifications for the 2026 Crack Sealing Project and set the time and date of bid at 2:30 P.M. on November 10, 2025.

3.I. Receive and file the City of McCook Snow and Ice Control and Removal Operation Procedures and Policies.

3.J. Receive and file the claims for the month of September 2025 and published October 14, 2025.

3.L. Accept the minutes of the October 13, 2025 Planning Commission meeting.

4. Regular Agenda.

3.K. Approve the McCook Area Chamber of Commerce request to use City facilities for a Christmas Celebration on December 6, 2025. The request includes the use of Norris Park (including electricity) beginning at 3:00 P.M. which will include entertainment in the bandshell; the lighting of the park; conducting the Annual Christmas "Light up the Bricks" Parade beginning at 6:00 P.M., including participation by the Fire and Police departments; and the closing of East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street for carriage rides; and permission to hang lights on City property.

Motion to approve the request from the McCook Area Chamber of Commerce to use City facilities for a Christmas Celebration on December 6, 2025. The request includes the use of Norris Park (including electricity) beginning at 3:00 P.M. which will include entertainment in the bandshell; the lighting of the park; conducting the Annual Christmas "Light up the Bricks" Parade beginning at 6:00 P.M., including participation by the Fire and Police departments; and the closing of East "G" Street from the northbound lane of Norris Avenue to East 2nd Street; East 1st Street from East "F" Street to East "I" Street; East "H" Street from northbound lane of Norris Avenue to East 2nd Street; and the Norris Avenue north bound lane from East "G" Street to East "H" Street for carriage rides; and permission to hang lights on City property. This motion, made by Calvin and seconded by Rambali, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.A. Consider request and authorize the use of Community Betterment Funds to cover the rental fees for the "Share the Heat" fundraising event to be held at the Heritage Senior Center on October 19, 2025.

Motion to authorize the use of Community Betterment Funds to cover the rental fees for the "Share the Heat" fundraising event to be held at the Heritage Senior Center on October 19, 2025. This motion, made by Calvin and seconded by Muehlenkamp, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.B. Update regarding the youth sports complex project.

City Manager Schneider gave an update on the youth sports complex. A preconstruction meeting has been held for the paving, water, sewer, and drainage infrastructure project; discussion options for financing the infrastructure were held; a draft bond ordinance with be brought for council consideration in November; and work on grant applications continues.

4.C. Review and approve the proposed Water and Wastewater bill adjustment policy.

Utilities Director Fawver reviewed the proposed policy with the Council.

Motion to approve the proposed Water and Wastewater bill adjustment policy. This motion, made by Rambali and seconded by Muehlenkamp, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

4.D. Ordinance No. 2025-3109 providing for the amendment of Chapter 38: Appendix F, Solid Waste Collection Fees.

Mayor Taylor asked the Clerk to read Ordinance No. 2025-3109 by title.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF APPENDIX F, SOLID WASTE COLLECTION FEES, OF THE CITY OF MCCOOK, NEBRASKA CODE OF ORDINANCES; PROVIDING FOR A RATE TO BE CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 2024-3087 AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ordinance No. 2025-3109 has been read by title and I move to approve upon its third and final reading. This motion, made by Muehlenkamp and seconded by Calvin, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

Mayor Taylor stated for the record that Ordinance No. 2025-3109 is declared lawfully passed and adopted upon publication as required by law.

4.E. Council Comments.

There were no council comments.

**Adjournment.**

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 5:53 P.M.

_____

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____

Lea Ann Doak, City Clerk-Treasurer

McCook City Council
September 10, 2025
12:30 P.M.

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, special, and public session at 12:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Linda Taylor, Councilmembers Jerry Calvin, Gene Weedin, Jared Muehlenkamp, Darcy Rambali.

Absent: None.

City Officials present: City Manager Nate Schneider, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Assistant City Manager Tera Koetter and Public Works Director Kyle Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on September 5, 2025, 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 and then called the meeting to order.

1. Approve the Memorandum of Understanding (MOU) between the City of McCook and the McCook Economic Development Corporation for the purchase of airport assets and establishing an airport manager position at McCook Ben Nelson Regional Airport and authorize the Mayor to sign.

Motion to approve the Memorandum of Understanding (MOU) between the City of McCook and the McCook Economic Development Corporation for the purchase of airport assets and establishing an airport manager position at McCook Ben Nelson Regional Airport and authorize the Mayor to sign. This motion, made by Muehlenkamp and seconded by Rambali, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

2. Approve a Memorandum of Understanding between the City of McCook and the McCook Economic Development Corporation, outlining the initial land lease between the two entities for the former Red Willow Aviation hangar assets.

Motion to approve a Memorandum of Understanding between the City of McCook and the McCook Economic Development Corporation, outlining the initial land lease between the two entities for the

former Red Willow Aviation hangar assets. This motion, made by Calvin and seconded by Weedin, passed.
Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

**Adjournment.**

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 12:46 P.M.

_____
Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____
Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT**
**November 3rd, 2025 CITY COUNCIL MEETING**

**ITEM:** **4.B.**

**RECOMMENDATION:**

**Approve an application from Great Plains Communications to occupy city right-of-way for the purpose of installing underground fiber optic conduit & cable on Airport Rd. & East H St.**

**BACKGROUND:**

Great Plains Communications (GPC) of Blair, NE is seeking permission to occupy City property for the installation of fiber optic conduit & cable on Airport Rd. & East H St.

Starting 75' North of East H St. centerline & 30' West of Airport Rd centerline at an existing ground level vault. Bore South 45', then turn West and continue boring 290', From this point bore North for 20' to its end point on private property

This permit is only for City owned ROW. Great Plains will also be responsible for obtaining permits or permissions from all other property owners that may be utilized for this project.

**FISCAL IMPACT:**(None)

**APPROVALS:**

Pat Fawver Utilities Dir. — November 3rd, 2025

Kyle Potthoff, Public Works Dir. — November 3rd, 2025

Nate Schneider, City Manager — November 3rd, 2025

Attn: Pat + Kyle

City of McCOOK

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

# APPLICATION TO OCCUPY RIGHT-OF-WAY

APPLICANT NAME: Great Plains Communications DATE: 10/15/25

ADDRESS: 1009 West B st PHONE: 402-533-4044

FAX: 308 364 9060 START DATE: October 2025 FINISH DATE: November 2025

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

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

**Location:**
Starting location: 75 feet north of East H st centerline, 30 feet West of Airport Road Centerline at existing GPC flush mount underground vault, boring South 45 feet, then turning West and boring 290 feet, then turning North and boring 20 feet crossing onto private property with 1.25" HDPE / Fiber Optic.

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

**Performance Guarantee:** **(Make Payable to City of McCook)**
Amount: $2,500.00 Check No. _____ Or FID No. _____
This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the City of McCook will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the right-of-way to its previous condition prior to the activities of the Applicant.

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

Applicant's Signature

Director of Utilities Approval

Recommended By Mayor

Date

Director of Public Works Approval

# GPC Airport Rd & East H st

October 15, 2025
15:05 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:1,353

0 62.5 125 250 ft

0 15 30 60 m

Parcels

Sections

• Green line indicates proposed path of new 1.25" HDPE Duct/ Fiber Optic on City ROW

Red Willow County
gWorks.

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** 4.C.

Accept City Manager Nate Schneider's appointment of Greg A. Wolford, Class A License S-875 and Professional Engineer License No. E-6362, as the City of McCook Street Superintendent January 1 through December 31, 2026, for the purpose of the 2026 calendar year Highway Incentive Payment, to be issued to the City by the Nebraska Department of Transportation, in February 2027.

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**BACKGROUND:**

The attached agreement outlines the services to be provided by Mr. Wolford for the 2026 calendar year.

Municipalities are required to formally appoint the street superintendent, by name, and have it reflected in their minutes, in order to receive the Highway Incentive Payment. Because McCook has the City Manager form of government, the Street Superintendent is appointed by the City Manager, not the Council. This item on the Consent Agenda will allow the City to meet the requirements.

**FISCAL IMPACT:** None.

**APPROVALS:**

Lea Ann Doak, City Clerk — October 29, 2025

Kyle Potthoff, Public Works Director — October 29, 2025

Tera Koetter, Assistant City Manager — October 29, 2025

Nathan A. Schneider, City Manager — October 29, 2025

# AGREEMENT FOR STREET SUPERINTENDENT SERVICES

This **AGREEMENT** made and entered into by and between the **CITY OF MCCOOK**, Nebraska (hereinafter referred to as the **OWNER**), and **GREG A. WOLFORD** of **W DESIGN ASSOCIATES, INC.** of McCook/Hastings, Nebraska (hereinafter referred to as the **ENGINEER**).

Whereas, **ENGINEER** holds Nebraska City Street Superintendent Class A License Number S-875.

Whereas the **OWNER**, by and through its City Manager, Nathan a. Schneider, appoints the **ENGINEER** as the City Street Superintendent to provide such services as required for the operation and maintenance of the City of the McCook's roads and streets for the period of January 1, 2026 to December 31, 2026.

## RESPONSIBILITY OF THE ENGINEER

The **ENGINEER** shall:

1. Consult with the McCook Public Works Director on issues involving the operation and maintenance of roads and streets in the City of McCook.

2. Prepare and annually update long-range plans for highways, roads and streets based on the needs of the City of McCook and coordinated with adjacent governmental units.

3. Prepare annual programs for design, construction, and maintenance of highways, roads and streets of the City of McCook.

4. Prepare annual budgets based on programmed projects and activities.

5. Assist the City in implementing the capital improvements and maintenance activities provided in the approved plans, programs and budgets. Engineering design and construction services shall be negotiated under separate agreements on a project by project basis.

6. Prepare the annual Plan of Street Improvements for the City of McCook.

7. Present the Plan of Street Improvements at an annual hearing in front of the McCook City Council.

8. Submit such plans, programs, and budgets to the local governing body for approval.

## RESPONSIBILITY OF THE OWNER

The **OWNER** shall provide the **ENGINEER** their priorities, opinions and the information as needed to develop the long range plans, budgets and reports for street improvements.

**FEES AND PAYMENTS**

The **OWNER** shall pay the **ENGINEER** hourly plus expenses at the **ENGINEER's** standard hourly rate with the fee not to exceed $6000 per year.

**TERMS AND CONDITIONS**

The following attachments are hereby made a part of this Agreement:

A. SPECIAL TERMS AND CONDITIONS

B. GENERAL TERMS AND CONDITIONS

Now, Therefore, This Agreement Witnesseth: That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed that the **ENGINEER** shall furnish street superintendent services and the **OWNER** will make payment for same in accordance with the terms and conditions set forth herein, and annually thereafter.

Dated this 3rd day of November, 2025.

**Nathan A. Schneider**
**CITY OF MCCOOK**
**MCCOOK, NEBRASKA**

10/30/25
**DATE**

**Greg A. Wolford**
**W DESIGN ASSOCIATES, INC.**
**MCCOOK/HASTINGS, NEBRASKA**

30 Oct 25
**DATE**

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** **4.D.**

Adopt Resolution No. 2025-33 authorizing the signing of the Year-End Certification of City Street Superintendent Form 2025.

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**BACKGROUND:**

The signing of the Year-End Certification of City Street Superintendent form is the basis for determining our calendar year 2025 Incentive Funds. The City receives $6,000 annually in Incentive Funds and contracts with Greg Wolford to provide these services.

**FISCAL IMPACT:** None.

**APPROVALS:**

Lea Ann Doak, City Clerk — October 29, 2025

Kyle Potthoff, Public Works Director — October 29, 2025

Tera Koetter, Assistant City Manager — October 29, 2025

Nathan A. Schneider, City Manager — October 29, 2025

## RESOLUTION NO. 2025-33

## SIGNING OF THE
## YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM
## 2025

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form; and

**Whereas:** The NDOT requires that such certification shall include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

**Be it resolved** that the Mayor of the City of McCook is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 3rd day of November, 2025 at McCook, Nebraska.

_____
Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____
Lea Ann Doak, City Clerk

**Do not recreate or revise this document.** Revisions and recreations will not be accepted. **Failure to complete and return the necessary documents per instructions will result in your municipality not receiving an Incentive Payment for Calendar Year 2025.** Documents include the **original** Signing Resolution, Year-End Certification(s), and a copy of documentation of the appointment(s) of the City Street Superintendent(s). These must be received at the NDOT **by December 31, 2025.** **RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

# RESOLUTION

## SIGNING OF THE
## YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT
## 2025

Resolution No. 2025–33

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment(s) of the City Street Superintendent(s) to the NDOT using the Year-End Certification of City Street Superintendent form; and

**Whereas:** The NDOT requires that each certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

**Be it resolved** that the Mayor ☒ Village Board Chairperson ☐ of McCook
*(Check one box)* *(Print Name of Municipality)*
is hereby authorized to sign the attached Year-End Certification of City Street Superintendent completed form(s).

Adopted this 3rd day of November, 20 25 at McCook, Nebraska.
*(Date)* *(Month)*

City Council/Village Board Members

Linda Taylor, Mayor _____

Jerry Calvin _____

Gene Weedin _____

Jared Muehlenkamp _____

Darcy Rambali _____

City Council/Village Board Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed, and billed as adopted.

Attest:

_____
*(Signature of Clerk)*

**Do not recreate or revise this document**. Revisions and recreations will not be accepted. **Copying this form is acceptable; see (3) below**. **Failure to complete and return the necessary documents per instructions will result in your municipality not receiving an Incentive Payment for Calendar Year 2025**. Documents include the **original** Signing Resolution, Year-End Certification(s), and a copy of documentation of the appointment(s) of the City Street Superintendent(s). These must be received at the NDOT **by December 31, 2025**. **RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

# Year-End Certification of City Street Superintendent

## For Determining Incentive Payment in Calendar Year 2025

*Separate forms may be needed to account for the entire year, see (3) below*

**This Form Covers the Following Period:** January (Month) 1 (Day), 2025 to December (Month) 31 (Day), 2025

***(1)(a)** The municipality of McCook (Print name of City or Village) certifies that: Greg A. Wolford (Print name of Superintendent as it appears on license card if applicable) was the appointed City Street Superintendent during the above period. ***IF A NAME IS NOT ENTERED ABOVE (NO APPOINTED CITY STREET SUPERINTENDENT FOR THIS PERIOD), SKIP TO (2) BELOW.***

**(b)** the superintending services of the above listed individual were provided by: *(Check one box)*

- ☐ Employment with this Municipality
- ☒ Contract (consultant) with this Municipality
- ☐ Contract (interlocal agreement) between this Municipality and the following listed Municipality(ies) and/or County(ies) _____ _____,

**(c)** and the above listed individual **assisted** in the following: *Reference Neb. Rev. Stat. §39-2512*

1. Developing and annually updating a long-range plan based on needs and coordinated with adjacent local governmental units,
2. Developing an annual program for design, construction, and maintenance,
3. Developing an annual budget based on programmed projects and activities,
4. Submitting such plans, programs, and budgets to the local governing body for approval; and
5. Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets,

**(d)** the above listed individual also served as *(Check all boxes that apply)* *city engineer* ☐ *village engineer* ☐ *public works director* ☐ *city manager* ☐ *city administrator* ☐ *street commissioner* ☐

**(e)** If the above listed individual is a Licensed City Street Superintendent, enter their Superintendent's License Number S- 875 and Class of License A (A or B), and/or

**(f)** If the above listed individual is a Licensed Engineer in Nebraska, enter their Engineer's License Number E- _____

**(2)** _____

***Signature of Mayor*** ☒ ***Village Board Chairperson*** ☐ *(Check one box)*

***(3)** If during the calendar year your municipality **(a)** did not have an appointed City Street Superintendent for any portion(s) of the year; or **(b)** had one or more appointed City Street Superintendent(s) that were not licensed for any portion(s) of the year; or **(c)** had one or more appointed licensed City Street Superintendent(s) for any portion(s) of the year, please complete a separate Year-End Certification form for each period. **Copy this form as needed to account for these separate periods.**

**(4)** The payment amount will be computed based on **(a)** your most recent Federal Census as certified by the Tax Commissioner; **(b)** the number of full calendar months served by the appointed City Street Superintendent who is licensed or exempted from licensure under the Superintendents Act; **(c)** class of license, A or B if applicable; and **(d)** if the appointed City Street Superintendent assisted with the required duties in **(1)(c)** above. *Reference Neb. Rev. Stat. §§39-2302 and 39-2511 through 39-2515.*

**(5) Failure to return by December 31, 2025, the Year-End Certification(s), Signing Resolution, and a copy of documentation of the appointment(s) of the superintendent(s) per the instructions will result in your municipality not receiving an Incentive Payment.**

**Return the completed original resolution and certification(s), and a copy of the documentation of appointment(s) by December 31, 2025 to:**

Highway Local Liaison Coordinator
Boards-Liaison Services Section
Local Assistance Division
Nebraska Department of Transportation
PO Box 94759
Lincoln NE 68509-4759

## SUPERINTENDENT(S) APPOINTMENT DOCUMENTATION

**Attach Documentation of the City Street Superintendent(s) Appointment(s) for 2025 to the back of this Page**: For most municipalities this information may be found in the **November or December 2024 or the January 2025 meetings minutes**. Some may involve mayoral appointments, or interlocal agreement (relinquishment of funds).

Call (402) 479-4436 or email NDOT.BLSHelp@Nebraska.gov if you have any questions about what to attach for documentation.

**RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

NEBRASKA

Good Life. Great Journey.

**DEPARTMENT OF TRANSPORTATION**

October 16, 2025

**Notice to file the Year-End Certification of City Street Superintendent, Signing Resolution, and Documentation of the Appointment(s) of City Street Superintendent(s) for Calendar Year 2025 with the Nebraska Department of Transportation (NDOT) by December 31, 2025.**

**Please make this an agenda item for your next City Council / Village Board meeting and return to the NDOT by December 31, 2025. RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

The attached **YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT** and **SIGNING RESOLUTION**, together with a copy of the **DOCUMENTATION OF THE CITY STREET SUPERINTENDENT(S) APPOINTMENT(S) for CALENDAR YEAR 2025**, is the basis for determining the calendar year 2025 Incentive Payment. **Please complete and return the following to the NDOT by December 31, 2025:**

- **Signing Resolution** *(Page 1)*: The original Signing Resolution, authorizing the signing of the Year-End Certification(s) by the Mayor or the Village Board Chairperson.
- **Year-End Certification of City Street Superintendent** *(Page 2)*: If more than one individual provided street superintending services **during Calendar Year 2025**, or if the municipality did not have an appointed street superintendent, document each successive appointed city street superintendent and/or period without an appointed city street superintendent using a separate Year-End Certification form. **Copy the form as needed.**
- **Documentation of the City Street Superintendent(s) Appointment(s)** *(Page 3)*: Attach to page 3 a copy of the City Council or Village Board meeting minutes showing the appointment(s) of the City Street Superintendent(s) **for Calendar Year 2025** by their name as it appears on their License *(if applicable)*, their License Number *(if applicable)*, and Class of License *(if applicable)*, and the type of appointment, i.e., employed, contract (consultant or interlocal agreement with another county and/or incorporated municipality), and the **beginning date of the appointment**. **For most municipalities this information may be found in the November or December 2025 or the January 2025 meetings minutes.**

**Failure to complete and return:** If a municipality had an appointed and Licensed City Street Superintendent for all or part of Calendar Year 2025 and the municipality does not complete and return the above documentation to the NDOT **by December 31, 2025, the municipality will not receive an Incentive Payment for Calendar Year 2025.**

**Payment:** If your municipality qualifies, payment will be scheduled for February 2026. Reference Neb. Rev. Stat. §39-2515. **Additional information** on Incentive Payments is available on the NDOT Boards - Liaison Service Website: https://dot.nebraska.gov/business-center/lpa/boards-liaison/

Please let me know if you have any questions. Email: ndot.blshelp@Nebraska.gov
Phone: (402) 479-4436

Sincerely,

LeMoyne D. Schulz

LeMoyne D. Schulz
Highway Local Liaison Coordinator
Boards-Liaison Services Section
Local Assistance Division
Nebraska Department of Transportation

LDS/2025

Attachments (3)

Vicki Kramer, Director
**Department of Transportation**

**MAILING ADDRESS**
PO Box 94759
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**
1500 Nebraska Parkway
Lincoln, NE 68502

**dot.nebraska.gov**

McCook City Council
November 4, 2024
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 Weedin, Muehlenkamp, Rambali.

Absent: Councilmember Calvin.

Motion to excuse the absence of Councilmember Calvin. This motion, made by Weedin and seconded by Muehlenkamp, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Utilities Director Fawver, Fire Chief Harpham, Police Chief Hodgson, and Public Works Superintendent Kalinski.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 31, 2024, 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 Jamie Mockry. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

**1. Announcements & Recognitions.**

City Manager Schneider announced that the City of McCook received $1,500,000 from the Nebraska Department of Economic Development (DED) through the Rural Community Recovery Program. The funds are earmarked $500,000 for the Kelley Park all-inclusive playground, $400,000 for a new playground at Barnett Park, and $600,000 for amenities at the new sports complex. The DED received 49 applications requesting more than $43 million, resulting in an especially competitive evaluation process. Grants were awarded to 11 recipients. Mr. Schneider thanked Jessica Bortner, Tera Koetter, and Kyle Potthoff for all of the time that they put into McCook's successful application

**2. Public Hearings.**

2.A. Conduct a public hearing on the application of Schmitz Station, LLC; dba "The Station:, for a Class "I" - (Beer, Wine Distilled Spirits, On Sale Only) under the Nebraska Liquor Control Commission, to be located at 404 West "A" Street, McCook, Nebraska; replacing existing License #093350.

Motion to recess as a City Council and convene a public hearing for the purpose of receiving public comment on the application of Schmitz Station, LLC; dba "The Station:, for a Class "I" - (Beer, Wine Distilled Spirits, On Sale only) under the Nebraska Liquor Control Commission, to be located at 404 West "A" Street, McCook, Nebraska; replacing existing License #093350, with the City Attorney to act as hearing officer. This motion, made by Weedin and seconded by Muehlenkamp, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated November 4, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Redacted application and all attachments (30 pages); and Exhibit #4 - Police Department Report (6 pages).

City Manager Schneider stated that staff has completed their review and found that everything has been addressed and recommend approval of the application.

The applicants were present to address questions from the council and public.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a City Council. This motion, made by Taylor and seconded by Muehlenkamp, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.B. Recommend approval to the Nebraska Liquor Control Commission the application of Schmitz Station, LLC; dba "The Station", for a Class "I" License - (Beer, Wine Distilled Spirits, On Sale Only) under the Nebraska Liquor Control Commission, to be located at 404 West "A" Street, McCook, Nebraska; replacing existing License #093350.

Motion to recommend approval to the Nebraska Liquor Control Commission the application of Schmitz Station, LLC; dba "The Station", for a Class "I" License - (Beer, Wine Distilled Spirits, On Sale Off only) under the Nebraska Liquor Control Commission, to be located at 404 West "A" Street, McCook, Nebraska; replacing existing License #093350. This motion, made by Muehlenkamp and seconded by Rambali, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.C. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review committee regarding meeting held October 28, 2024.

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 October 28, 2024 with the City Attorney to act as hearing officer. This motion, made by Weedin and seconded by Rambali, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated November 4, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the July 22, 2023 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (7 pages); and Exhibit #4 - the minutes of the April 22, 2024 Economic Development Plan Citizen's Advisory Review Committee (4 pages).

Charlie McPherson, McCook Economic Development Director, reviewed the information presented in Exhibit #3, gave an update on the McCook Business Park Phase II, and answered questions from the Council. Mr. McPherson extended and invitation to the community to a duplex open house on December 10, 2024 from 2:00 - 4:00 P.M.

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.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

2.D. Accept the minutes of the July 22, 2024 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to accept the minutes of the July 22, 2024 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Muehlenkamp and seconded by Weedin, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

**3. Consent Agenda.**

Motion to approve the consent agenda. This motion, made by Weedin and seconded by Taylor, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

3.A. Approve the minutes of the October 21, 2024 regular City Council meeting and the October 25, 2024 special City Council meeting.

3.B. Approve technical specifications and procurement documents for Injection Well Building Modifications at the Wastewater Treatment Plant and set date to receive bids for December 5, 2024 at 2:00 P.M.

3.C. Accept the minutes of the July 16, 2024 Senior Center Advisory Board meeting.

3.D. Approve Bid Specifications for (1) one new current model year, all-wheel drive or 4-wheel drive police interceptor/pursuit utility vehicle for use by the McCook Police Department and set the date to receive bids as November 25, 2024.

3.E. Receive and file the City of McCook Snow and Ice Control and Removal Operation Procedures and Policies.

3.F. Receive and file the confirmation of an emergency purchase of one (1) used 2015 Ford F-750, 4 X 2 Terex HRX-55 Bucket Truck for the Street Department, from Custom Truck One Source at a cost of $55,000.00, which includes delivery.

3.G. Accept City Manager Nate Schneider's appointment of Greg A. Wolford, Class A License S-875 and Professional Engineer License No. E-6362, as the City of McCook Street Superintendent January 1 through December 31, 2025, for the purpose of the 2025 calendar year Highway Incentive Payment, to be issued to the City by the Nebraska Department of Transportation, in February 2026.

3.H. Adopt Resolution No. 2024-29 authorizing the signing of the Year-End Certification of City Street Superintendent Form 2024.

3.I. Accept and authorize the Mayor to sign the Annual Certification Form confirming that funds received by the City of McCook from the State of Nebraska Department of Transportation as part of the Federal Aid Transportation Fund Purchase-Sale Agreement have been used according to such agreement.

3.J. Approve Resolution No. 2024-30 approving the rates for the ambulance service and fire department services operated by the City of McCook, Nebraska.

**4. Regular Agenda.**

4.A. Council Comments.

Councilmember Muehlenkamp thanked those on Norris Avenue who helped to make Halloween night a success.

**Adjournment.**

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 5:55 P.M.

**MCCOOK COMMUNITY DEVELOPMENT AGENCY**
**REGULAR MEETING**

1. Meeting of the McCook Community Development Agency.

1.A. Call to Order and Roll Call.
1.B. Open Meetings Act Announcement.

A meeting of the Mayor and City Council of the City of McCook, Nebraska, acting as the governing body of the Community Development Agency of the City of McCook, Nebraska was convened in open and public session at 5:55 o'clock p.m. on November 4, 2024, at the McCook Municipal Center in McCook, Nebraska. Agency Members present were: Taylor, Weedin, Muehlenkamp, Rambali. Absent: Calvin. Notice of the meeting was given in advance thereof by publication, one of the City's designated methods for giving notice, a copy of the proof of publication being attached to these minutes. Advanced notice of the meeting was given to each member of the Agency and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and all members of the Council. Mayor Taylor presided and Clerk Doak recorded the proceedings. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

1.C. Receive and file a Promissory Note from the McCook Economic Development Corporation.

Upon the request of the McCook Economic Development Corporation, motion to move consideration of this item to a definite time, November18, 2024 at 5:30 P.M. This motion, made by Taylor and seconded by Weedin, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

1.D. Approve MEDC Infill Housing Project Exhibit "F" - Form of Certificate of Completion and Exhibit "G" - Form of Certification of Eligible Project Costs and authorize the Mayor as Chair of the Community Development Agency to sign.

Motion to approve MEDC Infill Housing Project Exhibit "F" - Form of Certificate of Completion and Exhibit "G" - Form of Certification of Eligible Project Costs and authorize the Mayor as Chair of the Community Development Agency to sign. This motion, made by Muehlenkamp and seconded by Weedin, passed.
Calvin: ABSENT, Taylor: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 4, NAY: 0, ABSENT: 1

1.E. Adjourn the McCook Community Development Agency meeting.

With no further business, Mayor Taylor declared the Community Development Agency meeting adjourned at 5:58 P.M.

_____

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** **4.E.**

Accept and authorize the Mayor to sign the Annual Certification Form confirming that funds received by the City of McCook from the State of Nebraska Department of Transportation as part of the Federal Aid Transportation Fund Purchase-Sale Agreement have been used according to such agreement.

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**BACKGROUND:**

The Federal Aid Transportation Fund Purchase-Sale program requires that each participating entity certify each year that the funds are being used according to the terms of the agreement. This program replaces the funds allocated to first class cities from federal dollars to state dollars. As part of this agreement all first class cities in the State of Nebraska agreed to receive $0.90 of state dollars for every $1.00 of federal dollars that would have been originally allocated. The goal of this program was to reduce the time and ultimately the cost of road projects within first class cities by eliminating some of the federal requirements that delayed projects and increased costs in the past.

During the period between October 1, 2024 and September 30, 2025 the 2024 Asphalt project was completed. The remaining balance in this fund is $271,410.54, including interest, which will be used on future street projects.

**FISCAL IMPACT:** None.

**APPROVALS:**

Kyle Potthoff, Public Works Director — October 30, 2025

Nathan A. Schneider, City Manager — October 30, 2025

**Lea Ann Doak**

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**From:** Gibson, Jodi <Jodi.Gibson@nebraska.gov>
**Sent:** Monday, October 20, 2025 3:00 PM
**To:** Lea Ann Doak
**Subject:** Federal Funds Purchase Annual Program Certification
**Attachments:** CITY OF MCCOOK FFLP Annual Certification.pdf

In March 2025, the 2024 allocation of STP and/or HBP Buyout Funds that resulted from the Federal Funds Purchase Program Agreement with NDOT were distributed. At this time, we are requesting the annual certification for those funds and any carryover funds that were not expended last year be report at this time. This certification period covers **October 1, 2024 to September 30, 2025.**

I have attached the Certification form to be filled out and returned to NDOT by **December 31, 2025.** Once the form has been completed, please e-mail the form back to be at **jodi.gibson@nebraska.gov** or send the hard copy back to me at:

**Jodi Gibson**
**NDOT**
**Local Assistance Division**
**1400 Nebraska Parkway**
**Lincoln, Nebraska 68502**

Please contact Jodi Gibson at 402-479-4337 if you have any questions.

Jodi Gibson
Nebraska Department of Transportation
Local Assistance Division Manager
**Email:** jodi.gibson@nebraska.gov
**Office:** 402-479-4337 **Cell:** 402-499-2722

## Annual Certification Form

**City of McCook** , hereinafter "Local Public Agency" or "LPA"

Period of Time Covered by Certification
**October 1, 2024 to September 30, 2025**

This certification is given by LPA pursuant to the requirement of the second paragraph of Neb. Rev. Stat. §39-1307 (as this section was amended by Section 1 of LB98, 2011 Legislative Session), as required by Section 5 of the Federal-Aid Transportation Fund Purchase-Sale Agreement (the Agreement) between the State of Nebraska Department of Transportation (State) and LPA.

LPA has received cash payment funds from the State according to the terms of the Agreement. LPA agreed in Section 5 of the Agreement to restrict LPA's use of the cash payment funds to certain specified uses. (See the language of Section 5 set out below). Section 6 of the Agreement requires LPA to make this certification annually. Further, the financial information on this form must also be reported in your annual reports to the Board of Public Roads Classifications and Standards.

The undersigned hereby certifies that he or she:

1) Has been properly authorized by LPA's governing body to make this certification on behalf of the LPA.
2) Has sufficient information to accurately, fully and fairly make this certification.
3) Is familiar with the terms of the Agreement between the LPA and the State, including particularly, the limitations on LPA's use of the cash payment funds set out in Section 5 of the Agreement.
4) Is familiar with LPA's accounting systems and bank and investment accounts and knows (a) where the cash payment funds have been deposited or invested and (b) how the cash payment funds have been managed and accounted for within LPA's financial records.
5) Is familiar with the details of all projects or activities of LPA for which funds in the cash payment account have been used by LPA.
6) Believes, that to the best of his or her knowledge and belief, (1) LPA's use of the cash payment funds fully and fairly complies with the requirements of Section 5 of the Agreement, and (2) LPA has segregated the cash payment it received from the State and has separately accounted for any STP and HBP portions of the cash payment within its accounting system.

11/03/2025
Date

Signature

Linda Taylor
Printed Name

Mayor
Title

| Fund Type | FY-2024 Carryover (funding amount reported last certification period as unexpended) | FY-2025 Allotment | Total Available Allotment (combination of FY-2024 carryover and new FY-2025 funds) | Allocation Expended (10/1/24 and 9/30/2025) | Remaining Allocation |
|---|---|---|---|---|---|
| 34750 Highway Street Buyback Program (STP) | $ 583,365.66 | $ 173,909.58 | $ 757,275.24 | $ 573,263.70 | $184,011.54 |
| Bridge Buyback Program (HBP) | $ - | $ - | $ - | | $271,410.54 w/interest |

**Project Location and Description**
(Please provide Accurate locations and an explanation of work completed with FFPP Funds)

| Location | Project Description/Work Completed |
|---|---|
| | 2024 Asphalt Paving Project including West "C" Street, |
| | West "D" Street, West 9th Street, Norris Avenue and |
| | West "Q" Street |
| | |

**SECTION 5. Limitations on LPA's Use of Cash Payment.** The portion of the cash payment received by LPA from the State for the purchase of **STP funds** shall be used solely for the cost of construction, reconstruction, maintenance, or repair of public highways, streets, roads, or bridges and facilities, appurtenances, and roadway structures deemed necessary in connection therewith. The portion of the cash payment received by LPA from the State for the purchase of **HBP funds** shall be used solely for the construction, reconstruction, improvement, repair or maintenance of LPA public road bridges. The LPA's use of the cash payment for "maintenance," under the prior two sentences, shall be limited to maintenance projects that preserve, restore or correct major roadway or bridge conditions and the cash payment will not be used for LPA's routine maintenance activities.

The phrase "facilities, appurtenances, and roadway structures deemed necessary in connection therewith," as used in the first sentence of this section, includes medians; accessory lanes; steps; handrails; sidewalks, adjoining trails, paths and related structures; drainage facilities such as storm sewers, curb or grate inlets, culverts, ditches, and other drainage structures; guardrails; lighting facilities; driveways; retaining walls and other similar facilities that are necessary or desirable and directly related to the proper design of streets, roads and highways.

LPA shall segregate the cash payment and shall separately account for the STP and HBP portions of any cash payment received from the State within its accounting system. The LPA may accumulate and invest the STP or HBP portions of the cash payment it receives so long as the earnings from such investments are used for the applicable purposes provided in this section. The cash payment funds may be used for any phase of an allowable project. The phases of an allowable project include, but are not limited to: 1) preliminary engineering, 2) right-of-way acquisition, 3) utility relocations, 4) construction, and 5) construction engineering.

All roads and bridges shall be designed and constructed to meet the minimum standards of the Nebraska Board of Public Roads Classifications and Standards.

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 4.F Approve Resolution No. 2025-34 adopting the Second Amendment to the City of McCook, Nebraska, Firefighters Retirement Plan..

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**BACKGROUND:**

Earlier this year the Nebraska legislature passed LB 179 which requires the City of McCook Firefighter Plan to be amended to adopt a small change made to the First Class Cities Firefighters Retirement Act related to optional distribution options under firefighter plans. The attached Second Amendment to the Plan adds "one or more partial payments in an amount or frequency elected by the Participant" as an optional form of distribution, as required under the Act.

**APPROVALS:**

September 11, 2025

Nathan A. Schneider, City Manager

Lea Ann Doak

September 11, 2025

Lea Ann Doak, City Clerk

**RESOLUTION NO. 2025-34**

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF McCOOK, NEBRASKA:

1. Adoption of Second Amendment to the City of McCook, Nebraska Firefighters Retirement Plan: NOW, BE IT RESOLVED, that the City shall amend and it hereby does adopt the Second Amendment to the City of McCook, Nebraska Firefighters Retirement Plan and Trust (the "Plan") in the form of the Second Amendment attached hereto and by this reference fully incorporated herein. The purpose of said Amendment is to adopt certain changes enacted under the Cities of the First Class Firefighters Retirement Act pursuant to 2025 Nebraska Legislative Bill 179.

2. Authorization: NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and other appropriate elected officials and officers of the City of McCook shall be, and they hereby are, authorized to do all things necessary to carry out and accomplish the foregoing Resolution, including the execution of any document or amendment which may be necessary or appropriate to amend and administer the Plan, including such actions as may be necessary or appropriate to achieve and maintain qualification of the Plan under Section 401(a) of the Internal Revenue Code of 1986, as amended, as such sections apply to government plans.

PASSED AND APPROVED this 3RD day of November, 2025.

_____
Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

_____
Lea Ann Doak, City Clerk-Treasurer

## SECOND AMENDMENT

## CITY OF MCCOOK, NEBRASKA FIREFIGHTERS RETIREMENT PLAN

The City of McCook, Nebraska Firefighters Retirement Plan (the "Plan"), as amended and restated effective January 1, 2013, and as subsequently amended, is hereby further amended to incorporate revisions to the Cities of the First Class Firefighters Retirement Act under 2025 Nebraska Legislative Bill 179, as follows:

### I.

The first paragraph of Section 8.3 of the Plan is hereby amended to provide as follows:

"In lieu of the normal form of retirement income provided under Section 8.2 of this Article VIII, one of the following optional benefit forms may be selected by the Participant, each of which shall be the actuarial equivalent of the normal form of benefit:

(a) An annuity for the life of the Participant with a survivor annuity for the life of the beneficiary selected by the Participant equal to fifty percent (50%), seventy-five percent (75%), or one hundred percent (100%) of the annuity payable during the joint lives of the Participant and his or her designated beneficiary at the time the annuity commences;

(b) An annuity for the life of the Participant with monthly payments continuing to the Participant's designated beneficiary or beneficiaries if the Participant dies before he or she has received sixty (60) monthly payments until the total number of monthly payments to the Participant and the designated beneficiary equals sixty (60);

(c) Installment or fixed period annuity, which provides for payments over a specific number of years, with no payments after the completion of such years;

(d) A single lump sum cash payment; or

(e) One or more partial payments in an amount and frequency elected by the Participant."

### II.

The foregoing amendments to the Plan shall supersede the existing provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Second Amendment. The remaining terms and provisions of the Plan are hereby confirmed and ratified in all respects except insofar as the foregoing provisions of this Second Amendment amend the same.

IN WITNESS WHEREOF, the City of McCook, Nebraska, has caused this Second Amendment to the City of McCook, Nebraska Firefighters Retirement Plan to be executed by its duly authorized City officer, and the Trustee has caused this Amendment to the Plan to be executed.

Executed this _____ day of _____, 2025.

**CITY OF MCCOOK, NEBRASKA,**
Employer

By:_____
Its:_____

**TRUSTEE**

By:_____
City Treasurer

6819221.1

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** 5.A.

Consider request and authorize the use of Community Betterment Funds to cover the rental fees for "Bison Days" to be held at the Municipal Auditorium on February 2 and 3, 2026.

**BACKGROUND:**

The Bison Days Committee made the request for use of the Municipal Auditorium for "Bison Days" and that the fees for use of the auditorium be waived. The Council has granted this type of request in the past, paying the fees with Community Betterment Funds. Staff is requesting Council approval of the use of these funds, which helps defray costs and ensure the viability of this event. The ending cash balance for Community Better Funds is sufficient to cover this expenditure.

**FISCAL IMPACT:** None.

**APPROVALS:**

Lea Ann Doak, City Clerk — October 30, 2025

Tera Koetter, Assistant City Manager — October 30, 2025

Nathan A. Schneider, City Manager — October 30, 2025

# McCook Senior High School

600 West 7th Street
McCook, 69001

PHONE: 308-344-4464
FAX: 308-217-1509

To McCook City Council and Administration
From Bison Days Committee

A request to use the City Auditorium February 2 – 3, 2026

Since the YMCA is under construction the Bison Days Committee needs to find another location for the very popular pickle ball classes.

Two three-hour sessions are scheduled to be held each day beginning at 8:30 and ending by 3:30. No more than 16 students, four volunteer instructors and at least one member of the MHS staff will be in attendance for each session. Painters tape will be used to mark the courts.

We are requesting permission to use the main floor of the city auditorium on February 2-3, 2026. We would also request, if possible, the use Community Betterment Funds in order to waive the rental fees.

Thank you for your consideration. We look forward to hearing from you soon.

Sharon Bohling
For the committee

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 MCCOOK CITY COUNCIL MEETING**

ITEM NO. 5.B. Presentation from Emma Castor with WCNDD (West Central Nebraska Development District) in regards to properties assigned to their designated area that need abatement.

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**BACKGROUND:**

Beginning in June 2025, WCNDD began evaluating properties that were assigned to their designated area. Letters were then sent out by WCNDD to property owners that were in violation of McCook's Code of Ordinances requesting that these violations be resolved. WCNDD has done several follow-up evaluations. Emma Castor, with WCNDD, will give a PowerPoint presentation showing properties in their designated area that still need to be abated. A Copy of the PowerPoint presentation is attached to this report.

**APPROVALS:**

Nathan A. Schneider, City Manager — October 28, 2025

Lea Ann Doak, City Clerk — October 28, 2025

Tera Koetter, Assistant City Manager — October 28, 2025

# 2025 McCook Nuisance Program

- 27 Vehicles
- 40 pallets
- 30 tires
- 6 appliances/machinery
- 10 receptacles/bins/buckets
- 4 properties with cement blocks and broken brick
- 4 properties with scrap metal
- 3 properties with trash
- 4 properties with scrap wood
- 3 properties with unsecure structures
- 4 properties with discarded household goods

# Church Volunteers

*** Need to sign waiver of liability

**CITY MANAGER'S REPORT**
**NOVEMBER 3, 2025 CITY COUNCIL MEETING**

**ITEM:** 5.D.

Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to pending litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.

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**BACKGROUND:**

The City Council may hold a closed or Executive Session as permitted by Neb. Rev. Stat. Sec. 84-1410. Closed sessions may be held for, but shall not be limited to such reasons as:

1. Protection of the public interest.

2. Needless injury to the reputation of an individual.

3. Strategy sessions with respect to

   a. collective bargaining,
   b. real estate purchases,
   c. pending litigation, or
   d. imminent or threatened litigation.

4. Discussion regarding deployment of security personnel or devices.

5. Investigative proceedings regarding allegations of criminal misconduct.

6. Evaluations of job performance.

**FISCAL IMPACT:** N/A

**APPROVALS:**

Lea Ann Doak, City Clerk — October 30, 2025

Tera Koetter, Assistant City Manager — October 30, 2025

Nathan A. Schneider, City Manager — October 30, 2025