

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, February 19, 2024
5:30 PM - City Council Chambers

Roll Call.

Excuse Absences.

Open Meetings Act Announcement.

Invocation - McCook Ministerial Association - Jeremy Labrie, Memorial Methodist Church.

Pledge of Allegiance.

Call to Order.

Items.

1. Announcements & Recognitions.
2. Presentations.
 - A. Presentation of the Annual Cashflow Analysis for the Water and Wastewater Utility Funds, as prepared by PFM Financial Advisors, LLC.
3. Public Hearings.
 - A. Public Hearing - Request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.
 1. Adjourn the Public Hearing.
 - B. Approve the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditioned on the Board of Zoning Adjustment granting the two variance requests.
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 February 5, 2024 regular City Council meeting and the February 13, 2024 joint City Council and Airport Advisory Commission meeting.
 - B. Award the bid for the 2024 Armor Coating Project to Topkote Inc. of Yankton, South Dakota in the amount of \$5.297 per gallon, that being the lowest best bid.
 - C. Award the bid for McCook Business Park Phase II grading and paving project to Gerih Concrete & Construction in the amount of \$588,393.98, that being the lowest best bid.
 - D. Receive and file the claims for the month of January 2024, published February 13, 2024.
 - E. Receive and file the Financial Report for the period ending January 31, 2024.
 - F. Accept the minutes of the February 12, 2024 Planning Commission meeting.
 - G. Approve proposed lease agreement for leasing 68 acres of farmable land located in the City of McCook Well Field and set the date to open bids for March 6, 2024 at 2:00 P.M.
5. Regular Agenda.
- A. Recommend to the Department of Transportation to accept the proposal from Denver Air Connection to operate 12 nonstop round trips per week from McCook Ben Nelson Regional Airport to Denver International Airport for a 2-year contract as recommended by the Airport Advisory Commission.
 - B. Council Comments.
 - C. 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 real estate purchase for Sports Complex.
 - 1. Nebraska Open Meetings Act statement, if the motion to close passes.
 - 2. Close Executive Session.

Adjournment.

**CITY MANAGER'S REPORT
FEBRUARY 15, 2024 CITY COUNCIL MEETING**

ITEM: 2.A.

RECOMMENDATION:

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

BACKGROUND:

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

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

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

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

FISCAL IMPACT: None.

APPROVALS:



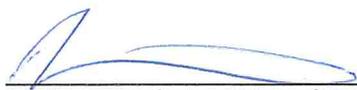
Pat Fawver, Utilities Director

February 15, 2024



Lea Ann Doak, City Clerk-Treasurer

February 15, 2024



Nathan A. Schneider, City Manager

February 15, 2024

**Presentation information will be attached on Friday
when received from PFM.**



City of McCook, Nebraska

Financial & Capital Cashflow Analyses

Prepared by: PFM Financial Advisors LLC

Presented by: Matthew Stoffel, CFA

February 19, 2024

PFM Financial
Advisors LLC

801 Grand Avenue
Suite 3300
Des Moines, IA

www.pfm.com



Water Utility Fund



February 19, 2024

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

Dear Nate,

Attached for your review is an update to the Water Enterprise Fund Financial and Capital Planning Model which was previously presented to the McCook City Council on February 20, 2023. Based on this analysis PFM recommends implementing a 8.50% rate increase to all rate categories on May 1, 2024 and October 1, 2024. This recommendation is higher than the projections in the prior year's analysis driven primarily by a combination of actual usage below projected water sales as well as the expected capital costs for the water treatment plant and the distribution system.

In updating this model, PFM Financial Advisors LLC ("PFM") has reviewed and incorporated information from the City's FY 2023 Audited Financial Statements and the FY 2024 Budget. In addition, we have incorporated the current capital improvement plan for the Water Enterprise Fund that includes \$18,193,500 for the high priority projects. The important points of the update are summarized below.

(i) Usage

- a. Total water sales decreased by 16.08% in FY 2023 after increasing by 2.64% in FY 2022. Actual usage has been up and down from year-to-year, but FY 2023 represents the lowest water sales since FY 2019 and is three million cubic feet below the 15-year average. This is likely attributed to the weather during FY 2023 more than a change in customer behaviors.
- b. PFM & City staff have made the assumption that future usage will be approximately 70 million cubic feet and remain flat at that level. This is a reduction to the previous assumption of 72 million cubic feet for future years.
- c. We have stress tested the cash flow between the range of selling 65 million cubic feet and to 80 million cubic feet. We observe that usage regularly fluctuates between 10% to 15% depending on the weather.

(ii) Revenues

- a. FY 2023 operating revenues were down 6.7% from the prior fiscal year after increasing 6.0% in FY 2022.
- b. On average, operating revenues have increased approximately 3.8% annually over the last 5 years and have exhibited volatility year to year.

pfm

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- (iii) Expenditures
 - a. FY 2023 operating expenditures (excluding depreciation and sales tax) increased by 8.3% from the prior fiscal year after a 15.6% increase in FY 2022. Both years were above the projected increase of 7.0%.
 - b. The FY 2024 budget includes a 5.1% increase in total operating expenditures which is slightly below the long term estimate of 7.0%.
 - c. In FY 2025 and thereafter, this analysis assumes a moderate 7.0% annual growth rate for all operating expenditures.

- (iv) Debt service coverage
 - a. Coverage of 2.38 times in FY 2023 and budgeted 3.09 times FY 2024, is strong for a water system of this size.
 - b. In FY 2027 while the City is constructing the \$18,193,500 of improvements to the Water Treatment plant and distribution system, PFM is projecting only a slight buffer above the legally required minimum coverage. The projected coverage in FY 2027 is 1.21 times and satisfies the minimum requirement of 1.10 times. The projected decrease in coverage is a result of the debt incurred to fund the capital improvements currently in the capital budget.
 - c. The current projection model assumes USDA financing at the market rate of 3.75% with a 40-year term. This will require an interim loan during construction with a higher interest rate and interest only payments. Currently we have assumed a rate of 6.25% for the interim loan with a 30-month construction period.

- (v) Other Considerations
 - a. Pursuant to City staff's recommendation, we have assumed annual ongoing capital costs in the future will be \$255,000 per year, not including the high priority projects. In addition, we have assumed annual transfers to the following designated funds: \$3,200 to the Repermitting Fund, \$40,000 into the Equipment Replacement Fund, \$120,000 into the Water Plant Replacement Fund, and \$200,000 into the Capital Replacement Fund until FY 2026.
 - b. In FY 2027 when the high priority projects are constructed the City plans to use \$3,000,000 from its capital reserve to decrease the required loan amount. After this time the transfers to the Water Plan Replacement Fund and Capital Replacement fund are projected to decrease to \$100,000 to each fund annually in an effort to limit the required rate increases.



- (vi) Annual Surplus/Deficit
 - a. FY 2023 ended with an operating cash deficit of <\$578,039> versus a projected deficit of <\$787,732> from our analysis last year.
 - b. The primary difference in FY 2023 was the decrease in usage leading to lower than projected revenues along with a delay on some capital projects. The financial projection model had included \$2,152,875 compared with the actual audited capital expenditures of \$968,315. Most of the planned capital expenditures that were not completed were moved forward into the FY 2024 budget or delayed for further evaluation.
 - c. Projected operating deficits in FY 2024 are expected due to \$2,928,776 of capital projects planned. FY 2025 and FY 2026 assume a surplus in preparation for the future debt service requirements. FY 2027 to FY 2029 are projecting deficits once the debt service to fund the high priority projects comes online. FY 2030 is designed to be a balanced budget once the projects are completed and the debt service is fixed for term of the debt. This projection includes annual transfers that will adjust as necessary to balance the budget and prepare for future capital needs.
- (vii) Cash Balance
 - a. Ending operating cash balance on September 30, 2023 was \$2,424,748 which represents 143.7%, or approximately seventeen (17) months, of operating expenditures.
 - b. Overall, total cash in the Water Enterprise Fund is expected to decrease to \$6.18 million in FY 2024 from \$6.6 million in FY 2023 after capital expenditures of \$2.928 million.
 - c. Operating cash is expected to trend downward over the six-year planning period ending FY 2030 to approximately \$1.94 million. During that time total cash balance is expected to decrease to \$4.89 million after expending \$22.7 million on capital projects over that time period.
 - d. Through conservative financial management the \$120,000 annual set-aside to the Water Plant Replacement Fund will build this fund's cash balance to \$2.09 million in FY 2026 and then spend \$1.9 million of these funds for the high priority projects in FY 2027. The \$200,000 annual set-aside to the Capital Replacement Fund will help build this fund's cash balance to \$1.4 million in FY 2026 and then spend \$1.28 million of this fund's cash on the high priority projects in FY 2027.
- (viii) Recommended Future Rate Increases
 - a. Based on the assumptions listed above, PFM is recommending a higher rate increase than previously projected during FY 2024 and the six-year planning horizon. This assumption is heavily reliant on trends in future water usage, realized growth in future operating expenditures, and planned capital expenditures for water system improvements and repairs.



- b. As the City considers the higher rate increases, it may consider evaluating its current rate structure to ensure equity among the various users. Currently the City has a declining block rate structure with usage over 5,000 cubic feet getting a 25% discount on the water consumed. This rate structure provides a financial benefit to larger users and encourages consumption.
- c. In the table below, we have incorporated the following rate adjustments as compared to the prior rate adjustments suggested in the February 20, 2023 study.

<u>Applicable Fiscal Year</u>	<u>Recommended Date of Change</u>	<u>February 20, 2023 Analysis</u>	<u>February 19, 2024 Analysis</u>
FY 2023-24	May 1, 2024	6.00% (all rates)	8.50% (all rates)
FY 2024-25	October 1, 2024	6.00% (all rates)	8.50% (all rates)
FY 2025-26	October 1, 2025	6.00% (all rates)	8.50% (all rates)
FY 2026-27	October 1, 2026	6.00% (all rates)	8.50% (all rates)
FY 2027-28	October 1, 2027	6.00% (all rates)	6.25% (all rates)
FY 2028-29	October 1, 2028	N/A	6.25% (all rates)
FY 2029-30	October 1, 2029	N/A	6.25% (all rates)

The Water Enterprise Fund is planning to accommodate future capital improvements while maintaining sufficient cash balances. Through continued strong management practices, coverage is anticipated to reduce significantly in FY 2027 once the high priority projects are funded. The recommended rate increases allow the utility to make debt service payments, cover estimated capital expenditures, and set aside some cash reserves for future capital projects. If total water sales to customers should decrease meaningfully below 70 million cubic feet, the operating expenses increase at a rate greater than 7.0%, or the high priority capital projects are significantly higher than \$18,193,000, larger rate adjustments may be needed in future years.

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

Sincerely,

Matthew Stoffel, CFA
Director

PFM Financial Advisors LLC
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 801 Grand Ave, Suite 3300 | Des Moines, IA 50309



City of McCook, Nebraska
Water Enterprise Fund

EXHIBIT 1

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

Water Revenue Adjustments					
1-Jan-20	6.00%	1-May-24	8.50%	1-Oct-27	6.25%
1-May-21	2.50%	1-Oct-24	8.50%	1-Oct-28	6.25%
1-May-22	6.00%	1-Oct-25	8.50%	1-Oct-29	6.25%
1-May-23	6.00%	1-Oct-26	8.50%		

	Audited		Audited		Budget		Projected		Projected		Projected		Projected	
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30				
Water Rates:														
1 First 5,000 cu. ft.	5/1/2021	5/1/2022	5/1/2023	5/1/2024	10/1/2024	10/1/2025	10/1/2026	10/1/2027	10/1/2028	10/1/2029				
2 Over 5,000 cu. ft.	\$1,985	\$2,035	\$2,157	\$2,340	\$2,539	\$2,755	\$2,989	\$3,176	\$3,375	\$3,586				
3 Ready-to-Serve Monthly Fee	\$1,471	\$1,508	\$1,598	\$1,734	\$1,882	\$2,042	\$2,215	\$2,354	\$2,501	\$2,657				
4 Avg. Number of Water Customers	\$18.82	\$19.95	\$21.15	\$22.94	\$24.89	\$27.01	\$29.31	\$31.14	\$33.08	\$35.15				
5	3,590	3,605	3,589	3,589	3,589	3,589	3,589	3,589	3,589	3,589				
6	\$1,8680	\$2,0268	\$2,1991	\$2,3493	\$2,5490	\$2,7657	\$3,0008	\$3,1883	\$3,3876	\$3,5993				
7	\$2,8756	\$2,8974	\$3,2752	\$3,7610	\$4,0807	\$4,4275	\$4,8039	\$5,1041	\$5,4231	\$5,7621				
8	79,943,728	82,055,203	68,862,161	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000				
9	0.8%	6.0%	(6.7%)	15.3%	7.9%	7.9%	8.0%	5.9%	5.9%	5.9%				
10	\$1,493,335	\$1,542,775	\$1,374,402	\$1,644,528	\$1,784,312	\$1,935,979	\$2,100,537	\$2,231,821	\$2,371,310	\$2,519,516				
11	805,536	834,667	880,957	988,174	1,072,168	1,163,303	1,262,183	1,341,070	1,424,887	1,513,942				
12	119,673	31,625	20,442	23,862	25,891	28,091	30,479	32,384	34,408	36,558				
13	92,072	253,374	207,475	207,475	207,475	207,475	207,475	207,475	207,475	207,475				
14	\$2,510,616	\$2,662,441	\$2,483,276	\$2,864,038	\$3,089,846	\$3,334,848	\$3,600,674	\$3,812,749	\$4,038,079	\$4,277,492				
15	10.2%	15.6%	8.3%	5.1%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%				
16	\$510,153	\$636,405	\$703,509	\$752,683	\$805,371	\$861,747	\$922,069	\$986,614	\$1,055,677	\$1,129,574				
17	253,717	293,268	289,445	330,000	353,100	377,817	404,264	432,563	462,842	495,241				
18	144,486	141,710	128,699	155,000	165,850	177,460	189,882	203,173	217,396	232,613				
19	290,212	328,598	281,192	308,579	330,180	353,292	378,023	404,484	432,798	463,094				
20	12,986	17,911	13,560	15,100	16,157	17,288	18,498	19,793	21,179	22,661				
21	120,123	121,025	250,589	191,200	204,584	218,905	234,228	250,624	268,168	286,940				
22	117,428	33,158	20,510	23,862	25,891	28,091	30,479	32,384	34,408	36,558				
23	836,781	868,011	931,424	996,624	1,066,387	1,141,034	1,220,907	1,306,370	1,397,816	1,495,663				
24	\$2,285,886	\$2,440,086	\$2,618,928	\$2,773,048	\$2,967,519	\$3,175,634	\$3,398,350	\$3,636,006	\$3,890,283	\$4,162,345				
25	\$224,730	\$222,355	(\$135,652)	\$90,990	\$122,327	\$159,214	\$202,325	\$176,744	\$147,796	\$115,147				
26	\$15,023	\$48,776	\$254,136	\$254,136	\$254,136	\$254,136	\$254,136	\$254,136	\$254,136	\$254,136				
27	\$36,781	\$68,011	\$31,424	\$96,624	\$106,638	\$114,034	\$122,907	\$130,637	\$139,816	\$149,563				
28	\$1,076,534	\$1,139,142	\$1,049,908	\$1,341,750	\$1,442,850	\$1,554,384	\$1,677,368	\$1,737,250	\$1,799,748	\$1,864,946				

City of McCook, Nebraska

Water Enterprise Fund

EXHIBIT 1

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

Water Revenue Adjustments	
1-Jan-20	6.00%
1-May-21	2.50%
1-May-22	6.00%
1-May-23	6.00%
1-May-24	8.50%
1-Oct-24	8.50%
1-Oct-25	8.50%
1-Oct-26	8.50%
1-Oct-27	6.25%
1-Oct-28	6.25%
1-Oct-29	6.25%

	Audited		Audited		Budget	Projected		Projected		Projected		Projected
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24		FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	
Revenue Available for Debt	28	\$1,076,534	\$1,139,142	\$1,049,908	\$1,341,750	\$1,442,850	\$1,554,384	\$1,677,368	\$1,737,250	\$1,799,748	\$1,864,946	
Parity Debt Obligations												
2013 SRF Loan - D311560	29	\$95,968	\$45,148	\$44,813	\$44,472	\$44,124	\$43,769	\$43,407	\$43,037	\$42,660	\$42,275	
Series 2016 Refunding Bonds	30	435,273	0	0	0	0	0	0	0	0	0	
Series 2021 Refunding Bonds	31	0	399,915	396,288	389,185	392,535	385,525	383,215	380,410	377,110	373,480	
Series 2022 SRF Loan	32	0	0	0	0	67,896	67,896	67,896	67,896	67,896	67,896	
Series 2025 Interim Loan	33	0	0	0	0	0	233,888	892,532	185,746	0	0	
Series 2027 USDA Loan	34	0	0	0	0	0	0	0	603,789	724,547	724,547	
Total Parity Debt Service	35	\$531,241	\$445,062	\$441,101	\$433,657	\$504,555	\$731,077	\$1,387,049	\$1,280,878	\$1,212,213	\$1,208,198	
Debt Coverage Ratios												
Parity Debt Coverage	36	2.03	2.56	2.38	3.09	2.86	2.13	1.21	1.36	1.48	1.54	
Cashflow After Debt	37	\$545,293	\$694,080	\$608,807	\$908,093	\$938,295	\$823,307	\$290,318	\$456,372	\$587,535	\$656,748	
Total Capital Expenditures	38	(\$524,409)	(\$488,819)	(\$968,315)	(\$2,928,779)	(\$255,000)	(\$255,000)	(\$18,483,500)	(\$255,000)	(\$255,000)	(\$255,000)	
Administrative Fee	39	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	
Transfers In / (Out)	40	49,820	6,824	17,463	0	0	0	0	0	0	0	
Loan to Self-Health Insurance	41	91,617	93,293	0	0	0	0	0	0	0	0	
Loan to General Fund	42	57,464	0	0	0	0	0	0	0	0	0	
Bond Proceeds	43	0	583,306	0	1,738,965	0	15,000,000	0	0	0	0	
Other Cash Adjustments	44	(57,557)	913	86,522	0	0	0	0	0	0	0	
SRF Loans/Construction Loans	45	(96,462)	(3,952)	763	0	0	0	0	0	0	0	
Loan Forgiveness	46	0	0	0	0	0	0	0	0	0	0	
Total Trans. From / (To) Restricted	47	152,607	22,053	(263,279)	(318,728)	(319,076)	(325,505)	3,150,300	(331,795)	(315,655)	(315,655)	
Annual Surplus / (Deficit)	48	\$158,373	\$847,698	(\$578,039)	(\$660,449)	\$304,219	\$182,802	(\$102,882)	(\$190,422)	(\$43,119)	\$26,093	
Beginning Cash Balance	49	\$1,996,717	\$2,155,090	\$3,002,787	\$2,424,748	\$1,764,299	\$2,068,518	\$2,251,320	\$2,148,438	\$1,958,016	\$1,914,897	
Annual Surplus / (Deficit)	50	158,373	847,698	(578,039)	(660,449)	304,219	182,802	(102,882)	(190,422)	(43,119)	26,093	
Ending Cash Balance	51	\$2,155,090	\$3,002,787	\$2,424,748	\$1,764,299	\$2,068,518	\$2,251,320	\$2,148,438	\$1,958,016	\$1,914,897	\$1,940,990	
Cash Balance as % O&M	52	148.7%	191.0%	143.7%	99.3%	108.8%	110.7%	98.7%	84.0%	76.8%	72.8%	

City of McCook, Nebraska
Water Enterprise Fund

EXHIBIT 1

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1-May-23	6.00%	1-Oct-26	8.50%		

	Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected	Projected
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30
Operating & Maintenance Cap. Ex. (70-050-56040)										
Future Replacement Cap. Ex. Placeholder				\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
1/2 Ton Work Truck				\$50,000						
Utility Trailer				\$4,000						
Doors for Ranger				\$3,000						
Replace Laptop				\$3,000						
Spare Brine Pump WTF				\$3,000						
VFD Upgrade W. 5th Street				\$16,000						
Stihl Yard Boss				\$1,500						
New 1 Ton Truck - Water				\$60,000						
Tool Box for Shop				\$2,000						
Utility Box				\$12,000						
Milwaukee Work Light				\$5,500						
Rycom Stick				\$2,400						
Boots for Locator Disks				\$2,200						
SK 10 Mastie Melter				\$1,000						
Cordless Tool				\$1,000						
Mower Blade Sharpener				\$650						
New Office Chair				\$1,000						
Ripsaw Nozzles for Vac.				\$1,200						
Total O & M Projects				\$169,450	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Replacement Cap. Ex. (70-053-56030)										
Future Replacement Cap. Ex. Placeholder				\$0	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Main Valve Replacement				40,000	0	0	0	0	0	0
Replace 6" WRT Main W. 5th Street				70,000	0	0	0	0	0	0
Connect W 2nd/W3rd North of W. S Street				23,000	0	0	0	0	0	0
Fire Hydrant Replacement				45,000	0	0	0	0	0	0
10" Team Valves on E. J.				50,000	0	0	0	0	0	0
SRF Reimbursement				391,141	0	0	0	0	0	0
Concrete WTF				10,000	0	0	0	0	0	0
USDA WTP System				0	0	0	9,965,000	0	0	0
USDA Distribution System				0	0	0	8,228,500	0	0	0
USDA Emergency Reserve				0	0	0	0	0	0	0
Uncommitted				0	0	0	0	0	0	0
Total Replacement Projects				\$629,141	\$200,000	\$200,000	\$18,393,500	\$200,000	\$200,000	\$200,000
Water SRF Projects (70-053-56032)										
Replace 12" Main South Street				1,084,825	0	0	0	0	0	0
South Street Water Main Shop to HWY 83				580,400	0	0	0	0	0	0
Uncommitted				73,740	0	0	0	0	0	0
Total Replacement Projects				\$1,738,965	\$0	\$0	\$0	\$0	\$0	\$0

City of McCook, Nebraska
Water Enterprise Fund

EXHIBIT 1

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

Water Revenue Adjustments	
1-Jan-20	6.00%
1-May-21	2.50%
1-May-22	6.00%
1-May-23	6.00%
1-May-24	8.50%
1-Oct-24	8.50%
1-Oct-25	8.50%
1-Oct-26	8.50%
1-Oct-27	6.25%
1-Oct-28	6.25%
1-Oct-29	6.25%

	Audited	Audited	Audited	Budget	Projected	Projected	Projected	Projected	Projected	Projected
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30
WTP Replacement Reserve Cap. Ex. (70-053-54685)										
Tonka System Controls				\$90,000	\$0	\$0	\$0	\$0	\$0	\$0
Upgrade Well/Pump SCADA				55,000	0	0	0	0	0	0
Plant Electronics HOA				241,223	0	0	0	0	0	0
Uncommitted				0	0	0	0	0	0	0
Total Replacement Projects				\$386,223	\$0	\$0	\$0	\$0	\$0	\$0
(70-053-56045)										
4 Million Gallon Cleaning and Inspection				\$5,000	\$5,000	\$5,000	\$40,000	\$5,000	\$5,000	\$5,000
Total Replacement Projects				\$5,000	\$5,000	\$5,000	\$40,000	\$5,000	\$5,000	\$5,000



Wastewater Utility Fund



February 19, 2024

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

Dear Nate,

Attached for your review is an update to the Wastewater Enterprise Fund Financial and Capital Planning Model which was previously presented to the McCook City Council on February 20, 2023. Based on this analysis PFM recommends implementing a 7.50% rate increase to all rate categories on May 1, 2024 and October 1, 2024. This recommendation is higher than the previous estimate of 6.00% and is primarily driven by the \$8.5M increase to the planned improvement to the wastewater treatment facility.

In updating this model, PFM Financial Advisors LLC ("PFM") has reviewed and incorporated information from the City's FY 2023 Audited Financial Statements and the FY 2024 Budget. In addition, we have incorporated the current capital improvement plan for the Wastewater Enterprise Fund that includes the \$13,436,500 for Alternative 3 that Miller and Association presented to the City Council on December 4, 2023. The important points of the updated rate analysis are below.

(i) Usage

- a. Wastewater usage decreased by 11.5% in FY 2023 after a decrease of 4.5% in FY 2022. The FY 2022 usage data include the adjustments made to the Parker Hannifin Corporation account in December 2021 for prior periods.
- b. Usage has been on a slow downward trend since 2001 but has stabilized at approximately 30 million cubic feet. The FY 2023 usage was lower than the 31 million cubic feet budgeted. We have projected future usage at 30 million cubic feet but we will want to watch this closely as it is a key input for the revenues of Wastewater Enterprise Fund.

(ii) Revenues

- a. FY 2023 operating revenue increased by 2.4% over the prior fiscal year to \$1.7M. This is the third consecutive increase after a period of flat revenues from FY 2017 to FY 2020 despite increases to the wastewater rates. The FY 2023 increase was not as large as planned but does reflect the 6.00% increase to rates in May 2023.
- b. FY 2024 operating revenues are projected to increase by 8.4% compared to FY 2023 due to the assumed billed consumption of 30 million cubic feet and the recommended rate increase.

(iii) Expenditures

- a. FY 2023 operating expenditures (excluding depreciation and sales tax) increased by 3.7% over FY 2022. This is below our long-term assumption of 6.0%.
- b. The FY 2024 budget includes a conservative 19.7% estimated growth in total operating expenditures which reflects a return to normal operations after lower-than-expected operating expenses in FY 2020 through FY 2023.
- c. In FY 2025 and thereafter, this analysis assumes a 6.0% annual growth rate for all operating expenditures.

pfm

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- (iv) Debt service coverage
 - a. Coverage of 4.45 times in FY 2023, is very strong for a wastewater system of this size.
 - b. The FY 2024 budget implies a strong projected coverage of 4.28 times.
 - c. In FY 2026, PFM is projecting coverage decreasing to 2.51 times when the wastewater portion of the Series 2021 Refunding Bonds are paid off. The final debt payment has a larger principal payment due to the release of the debt service reserve fund causing coverage to drop.
 - d. In FY 2027 to FY 2030 projected coverage is estimated to be between 1.42 times and 1.72 times revenue available for debt service. This includes a \$13,436,500 proposed USDA loan to be issued in FY 2027. The analysis assumes a market rate of 3.75% with a 40-year term. The USDA loan program requires the City to fund the construction of the project with an interim loan, we have assumed a 6.25% interim loan with a construction schedule matching the Miller and Associates presentation from December 2023.

- (v) Annual Surplus/Deficit
 - a. FY 2023 ended with an operating cash surplus of \$409,103 versus a projected surplus of \$109,190 from our analysis last year.
 - b. FY 2024 budget indicates a deficit of \$734,407. A key component for FY 2024 is planned capital projects that will be paid from fund balance. Major capital expenditures include a Vactor 2100i combo wastewater truck and additional improvements to the sluge fan press.
 - c. Projected future operating results in FY 2025 is expected to be a deficit to fund the collection system improvements from fund balance. FY 2026 to FY 2030 fluctuate between surplus and deficits based on timing of capital projects and debt service but over the planning horizon are projected to be balanced budgets. These projections include annual transfers totaling \$195,000 to build the cash balances in the Capital Replacement Fund and Equipment Reserve Fund.

- (vi) Cash Balance
 - a. Ending operating cash balance on September 30, 2023 was \$1,944,826 per the audited financial statements which represents 240.0%, or nearly twenty-nine months of operating expenditures.
 - b. Overall, total cash in the Wastewater Enterprise Fund increased by \$508,324 to \$2,718,163 in FY 2023.
 - c. Operating cash is expected to decrease in FY 2024 and FY 2025 and then remain stable between \$750,000 to \$908,000 from FY 2026 to FY 2030. However, this projection is heavily dependent on actual future usage, the actual final cost of the new treatment facility and the plan of finance and interest rates used to fund the facility.
 - d. During the same planning horizon, total cash balance is expected to reduce to \$1.9M and then build back up to the current level at approximately \$2.8 million. A primary driver of the overall cash position is the approximately \$16.5 million planned for capital projects over the planning horizon.



(vii) Recommended Future Rate Increases

- a. Based on the assumptions listed above, PFM is recommending a higher rate increase in the coming years. This assumption is heavily reliant on trends in future wastewater usage, realized growth in future operating expenditures, and planned capital expenditures for wastewater system improvements and repairs.
- b. In the table below, we have incorporated the following rate adjustments as compared to the prior rate adjustments suggested in the February 20, 2023 study.

<u>Applicable Fiscal Year</u>	<u>Recommended Date of Change</u>	<u>February 20, 2023 Analysis</u>	<u>February 19, 2024 Analysis</u>
FY 2023-24	May 1, 2024	6.00% (all rates)	7.50% (all rates)
FY 2024-25	October 1, 2024	6.00% (all rates)	7.50% (all rates)
FY 2025-26	October 1, 2025	6.00% (all rates)	7.50% (all rates)
FY 2026-27	October 1, 2026	6.00% (all rates)	7.50% (all rates)
FY 2027-28	October 1, 2027	6.00% (all rates)	6.00% (all rates)
FY 2028-29	October 1, 2028	N/A	6.00% (all rates)
FY 2029-30	October 1, 2029	N/A	6.00% (all rates)

The Wastewater Enterprise Fund is positioned to accommodate future capital improvements while maintaining healthy cash balances. Through continued strong management practices, coverage is expected to drop to a strong but reduced level in FY 2028 and remain at adequate levels through FY 2030. This is a result of the sewer portion of the Series 2021 is paid off and the new debt for the new wastewater treatment plant comes online. The utility needs to begin preparing for the new debt service now to keep up with the inflationary cost pressures and still make debt service payments and cover estimated capital expenditures. If total usage should decrease meaningfully, operating expenses increase at a rate greater than 6.0%, or the actual capital costs come in higher for the treatment plant improvements, larger rate adjustments may be needed in future years. Both ending cash and debt service coverage will be important metrics to monitor and we plan for future expenses.

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

Respectfully,

Matthew Stoffel, CFA
Director

PFM Financial Advisors LLC

stoffelm@pfm.com | 515 724 5737 **OFFICE** | 515 201 0772 **CELL**

801 Grand Ave, Suite 3300 | Des Moines, IA 50309



City of McCook, Nebraska
Wastewater Enterprise Fund

EXHIBIT 1

Growth Assumptions		Sewer Rate Adjustments					
Wastewater Sales & Customer Growth	0.00%	1-Oct-18	2.00%	1-May-23	6.00%	1-Oct-26	7.50%
Operating Expenses	6.00%	1-Jan-20	3.00%	1-May-24	7.50%	1-Oct-27	6.00%
Interest Earnings	1.00%	1-May-21	3.00%	1-Oct-24	7.50%	1-Oct-28	6.00%
		1-May-22	3.00%	1-Oct-25	7.50%	1-Oct-29	6.00%

	Audited		Audit		Budget	FY 2024-25		FY 2025-26		FY 2026-27		FY 2027-28		FY 2028-29		Projected
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24		FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30					
Residential:																
First 333 cu. ft.	5/1/2021	5/1/2022	5/1/2023	5/1/2024		10/1/2024	10/1/2025	10/1/2026	10/1/2027	10/1/2028	10/1/2029					
Additional 100 cu. ft.	\$17.03	\$17.54	\$18.59	\$19.98	\$19.98	\$21.48	\$23.09	\$24.83	\$26.32	\$27.90	\$29.57					
Commercial:																
First 333 cu. ft.	\$24.81	\$25.55	\$27.08	\$29.11	\$29.11	\$31.29	\$33.64	\$36.16	\$38.33	\$40.63	\$43.07					
Additional 100 cu. ft.	\$3.677	\$3.787	\$4.014	\$4.315	\$4.315	\$4.639	\$4.99	\$5.36	\$5.68	\$6.02	\$6.39					
Avg. # Residential Customers	2,931	2,934	2,928	2,928	2,928	2,928	2,928	2,928	2,928	2,928	2,928					
Avg. # Commercial Customers	422	418	425	425	425	425	425	425	425	425	425					
Avg \$ / 100 Cubic Ft. (w/o Base)	\$2.039	\$2.425	\$2.785	\$2.872	\$2.872	\$2.961	\$3.053	\$3.148	\$3.226	\$3.307	\$3.390					
Avg \$ / 100 Cubic Ft. (w/ Base)	\$4.101	\$4.653	\$5.404	\$5.707	\$5.707	\$6.009	\$6.330	\$6.670	\$6.960	\$7.265	\$7.585					
Total Sales (Cubic Feet)	34,539,960	33,002,743	29,212,828	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000					
Operating Revenues																
Retail Sales to Customers	6.8%	8.7%	2.4%	8.4%	\$888,300	\$888,300	\$915,900	\$944,400	\$967,800	\$992,100	\$1,017,000					
Base Charge (Residential)	\$704,103	\$800,303	\$813,501	\$861,600	754,934	811,546	872,410	924,771	967,800	1,017,000	1,039,084					
Base Charge (Commercial)	588,806	607,149	631,749	702,258	159,506	171,468	184,328	195,388	207,111	219,538	244,240					
Sales Tax	89,956	92,864	98,828	108,556	114,294	120,391	126,872	132,377	138,178	144,274	150,000					
Other Misc. Operating Rev.	20,235	31,372	22,937	22,500	22,500	22,500	22,500	22,500	22,500	22,500	22,500					
Total Operating Revenues	\$1,526,698	\$1,659,889	\$1,700,508	\$1,843,292	\$1,939,533	\$2,041,806	\$2,150,511	\$2,242,836	\$2,340,148	\$2,442,397	\$2,500,000					
Operating Expenses																
Personal Services	1.4%	(0.1%)	3.7%	19.7%	\$498,755	\$528,681	\$560,402	\$594,026	\$629,667	\$667,447	\$700,000					
Other Services & Charges	\$345,694	\$362,648	\$385,853	\$470,524	\$498,755	\$528,681	\$560,402	\$594,026	\$629,667	\$667,447	\$700,000					
Pumping Power	193,029	179,175	175,832	205,069	217,373	230,416	244,240	258,895	274,429	290,894	300,000					
Supplies	85,785	77,803	76,249	90,000	95,400	101,124	107,191	113,623	120,440	127,667	135,000					
Repairs & Maintenance	14,301	19,739	14,701	20,600	21,836	23,146	24,535	26,007	27,567	29,221	30,000					
Sales Tax	48,409	47,277	59,699	66,500	70,490	74,719	79,203	83,955	88,992	94,332	100,000					
Depreciation/Amortization	91,075	91,015	97,860	98,000	114,294	120,391	126,872	132,377	138,178	144,274	150,000					
Total Operating Expenses	\$1,185,693	\$1,187,879	\$1,247,659	\$1,388,158	\$1,481,861	\$1,570,013	\$1,663,471	\$1,761,171	\$1,864,701	\$1,974,388	\$2,000,000					
Net Operating Income	\$341,005	\$472,010	\$452,849	\$455,134	\$457,672	\$471,793	\$487,040	\$481,664	\$475,447	\$468,008	\$468,008					

City of McCook, Nebraska
Wastewater Enterprise Fund

EXHIBIT 1

	Growth Assumptions				Sewer Rate Adjustments								
	Wastewater Sales & Customer Growth	Operating Expenses	Interest Earnings		1-Oct-18	1-May-23	1-May-24	1-Oct-24	1-Oct-25	1-Oct-26	1-Oct-27	1-Oct-28	1-Oct-29
	0.00%	6.00%	1.00%		2.00%	6.00%	7.50%	7.50%	7.50%	6.00%	6.00%	6.00%	6.00%
27	\$341,005	\$472,010	\$452,849	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	Projected	Projected	Projected	Projected	Projected	Projected
28	\$3,110	\$17,089	\$92,993					\$457,672	\$471,793	\$487,040	\$481,664	\$475,447	\$468,008
29	407,400	410,222	437,465					\$27,182	\$27,182	\$27,182	\$27,182	\$27,182	\$27,182
30	\$751,515	\$899,321	\$983,307					463,713	491,536	521,028	552,289	585,427	620,552
31	\$228,683	\$0	\$0					\$948,567	\$990,510	\$1,035,249	\$1,061,135	\$1,088,056	\$1,115,743
32	0	225,165	221,145					\$0	\$0	\$0	\$0	\$0	\$0
33	0	0	0					213,710	352,450	0	0	0	0
34	0	0	0					0	107,533	605,010	205,105	0	0
35	\$228,683	\$225,165	\$221,145					\$213,712	\$459,985	\$605,012	\$745,961	\$649,027	\$649,027
36	3.29	3.99	4.45					4.44	2.51	1.71	1.42	1.68	1.72
37	\$522,833	\$674,156	\$762,162					\$734,855	\$530,525	\$430,237	\$315,174	\$439,029	\$466,716
38	(275,085)	(289,434)	(598,598)					(8,007,825)	(5,790,000)	(954,675)	(190,000)	(190,000)	(190,000)
39	(92,093)	(60,000)	(70,347)					(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)
40	0	9,384	425,009					0	0	0	0	0	0
41	0	0	0					0	0	0	0	0	0
42	0	0	0					7,071,825	5,600,000	764,675	0	0	0
43	(52,005)	37,441	(100,931)					(195,000)	(195,000)	(145,000)	(145,000)	(145,000)	(145,000)
44	32,814	(30,609)	1,710					(61,568)	130,000	(35,237)	(64,902)	(64,902)	(64,902)
45	(45,706)	(12,775)	(9,902)					0	0	0	0	0	0
46	\$90,757	\$328,163	\$409,103					(\$517,714)	\$215,525	(\$0)	(\$144,728)	(\$20,874)	\$6,813
47	\$1,116,803	\$1,207,560	\$1,535,723					\$1,210,419	\$692,705	\$908,230	\$908,230	\$763,502	\$742,628
48	90,757	328,163	409,103					(517,714)	215,525	(0)	(144,728)	(20,874)	6,813
49	\$1,207,560	\$1,535,723	\$1,944,826					\$692,705	\$908,230	\$908,230	\$763,502	\$742,628	\$749,442
50	155.2%	197.5%	240.0%					68.0%	84.2%	79.5%	63.2%	58.1%	55.4%
51	\$166,257	\$166,257	\$166,257					\$166,257	\$0	\$0	\$0	\$0	\$0
52	\$0	\$0	\$0					\$0	\$0	\$64,902	\$129,805	\$194,707	\$194,707
53	\$3,739	\$64,348	\$62,638					114,996	151,253	186,490	186,490	186,490	186,490
54	\$199,996	\$230,605	\$228,895					\$281,253	\$151,253	\$186,490	\$251,393	\$316,295	\$381,198

City of McCook, Nebraska
Wastewater Enterprise Fund

EXHIBIT 1

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

Sewer Rate Adjustments					
1-Oct-18	2.00%	1-May-23	6.00%	1-Oct-26	7.50%
1-Jan-20	3.00%	1-May-24	7.50%	1-Oct-27	6.00%
1-May-21	3.00%	1-Oct-24	7.50%	1-Oct-28	6.00%
1-May-22	3.00%	1-Oct-25	7.50%	1-Oct-29	6.00%

	Audited	Audited	Audit	Budget	FY 2024-25		FY 2025-26		FY 2026-27		FY 2027-28		FY 2028-29		Projected
					Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	
Designated Cash															
55	479,596	397,150	453,085	603,085	753,085	903,085	1,003,085	1,103,085	1,203,085	1,303,085	1,403,085	1,503,085	1,603,085	1,703,085	1,803,085
56	0	45,000	90,000	135,000	180,000	225,000	270,000	315,000	360,000	405,000	450,000	495,000	540,000	585,000	630,000
57	1,356	1,361	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357
58	\$480,952	\$443,511	\$544,442	\$739,442	\$934,442	\$1,129,442	\$1,274,442	\$1,419,442	\$1,564,442	\$1,709,442	\$1,854,442	\$2,000,000	\$2,145,000	\$2,290,000	\$2,435,000
59	\$1,888,508	\$2,209,839	\$2,718,163	\$2,169,546	\$1,908,401	\$2,188,925	\$2,369,163	\$2,434,337	\$2,623,366	\$2,840,081	\$3,057,166	\$3,274,301	\$3,491,436	\$3,708,571	\$3,925,706
Operating & Maintenance Cap. Ex. (70-058-56040)															
			Factor 21001	\$450,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
			Shop Tool Box	2,000	0	0	0	0	0	0	0	0	0	0	0
			3/4 Ton Work Truck	60,000	0	0	0	0	0	0	0	0	0	0	0
			Lap Top	1,500	0	0	0	0	0	0	0	0	0	0	0
			WWTP Concrete	10,000	0	0	0	0	0	0	0	0	0	0	0
			Zero Turn Mower	13,000	0	0	0	0	0	0	0	0	0	0	0
			Mower Blade Sharpener	650	0	0	0	0	0	0	0	0	0	0	0
			Binds for Press	2,500	0	0	0	0	0	0	0	0	0	0	0
			Broom for loader	7,000	0	0	0	0	0	0	0	0	0	0	0
			Air Monitors	2,500	0	0	0	0	0	0	0	0	0	0	0
			Cordless Tools	2,500	0	0	0	0	0	0	0	0	0	0	0
			HOA	98,528	0	0	0	0	0	0	0	0	0	0	0
			Office Chair	959	0	0	0	0	0	0	0	0	0	0	0
			Future O&M Cap. Ex. Placeholder	0	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000
			Total O&M Projects	\$651,137	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
			Replacement Cap. Ex. (70-061-56030)												
			Labor to Remove RBC	\$30,000	0	0	0	0	0	0	0	0	0	0	0
			Sewer Main Maintenance	87,500	0	0	0	0	0	0	0	0	0	0	0
			Replace Dry Storage Building	150,000	0	0	0	0	0	0	0	0	0	0	0
			Future Replacement Cap. Ex. Placeholder	0	145,000	145,000	145,000	145,000	145,000	145,000	145,000	145,000	145,000	145,000	145,000
			Total Replacement Projects	\$267,500	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000	\$145,000
			Other Bonding Improvements (70-061-5603003)												
			Sludge Fan Press	\$275,000	0	0	0	0	0	0	0	0	0	0	0
			Collection System	0	746,000	0	0	0	0	0	0	0	0	0	0
			Alternative No. 3 - Sequencing Batch Reactor with No Clarifiers	0	7,071,825	5,600,000	764,675	0	0	0	0	0	0	0	0
			Total Replacement Projects	\$275,000	\$7,817,825	\$5,600,000	\$764,675	$0	$0	$0	$0	$0	$0	$0	\$0
			Total Capital	1,193,637	8,007,825	5,790,000	954,675	190,000	190,000	190,000	190,000	190,000	190,000	190,000	190,000

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 MCCOOK CITY COUNCIL MEETING**

ITEM 3.A Public Hearing - Request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the South 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.

ITEM 3.B Approve the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), at property legally described as Lots 16, 17, 18, and the South 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), said special exception based upon special exception requirements A - I, and conditioned on the Board of Zoning Adjustment granting the two variance requests.

BACKGROUND:

An application for a special exception has been submitted by the Community Hospital requesting a special exception for the allowance of a structure containing only residential uses in the CB District. The property is located at 409 West 1st Street. Specifically, the Community Hospital requests a special exception to allow for the building of a 12 unit multi-family structure to house students that are in the community completing internships, medical residencies and other training programs. The building would consist of a basement, main level, and second floor. The property is currently owned by Michael and Linda Nielsen. A purchase agreement between the applicant and current property owners is included with the application to establish the Community Hospital's interest in the property for purposes of standing to request the special exception. Accompanying the special exception request are 2 variance requests that operate hand-in-hand with the matter before the Planning Commission. The variance requests will be taken up by the Board of Zoning Adjustment on February 20th.

Staff has reviewed the request in conjunction with the special exception criteria found in Article 24 of the McCook Zoning Ordinance. Staff paid particular attention to off-street parking during the review process. During their research, staff reviewed a provision in the McCook Zoning Ordinance that addresses potential off-street parking concerns. Section 2111 of the McCook Zoning Ordinance states, "if minimum off-street parking and loading space cannot be reasonably provided on the same lot on which the principal structure or use is conducted in the opinion of the Board of Zoning Adjustment, the Board of Zoning Adjustment may permit such space to be provided on other off-street property, provided, that such space lies within four hundred (400) feet of the entrance to each principal structure or use." The Community Hospital has submitted an application to the Board of Zoning Adjustment for a variance, requesting that the public parking lot located to the north of 409 West 1st be utilized for parking in order to satisfy the City of McCook's off-street parking requirements. Per Section 2111, minimum off-street parking and loading requirements are not applicable to the CB District, however, it is an important factor to consider when granting the special exception. According to the Community Hospital's application, only 13 parking stalls will be required for the building. A combination of the public parking lot and adjacent on-street parking stalls will adequately serve the parking needs of stakeholders in the area. As mentioned, the Board of Zoning Adjustment will take up the variance requests later this month. If the planning commission chooses to make a conditional recommendation pending the granting of the variances, that would be acceptable. Staff does not want to hold up a final determination.

All other special exception criteria can be met by the Community Hospital without concern. Staff does not believe ingress and egress would be negatively impacted by the grant of a special exception.

EXHIBIT #1

PAGE(S) - 2

Staff also noted that the McCook Comprehensive Plan stresses the importance of creating additional residential space, specifically citing the need to develop residential units in McCook's downtown district.

The Planning Commission voted unanimously to recommend approval of the special exception request at their meeting held on February 12, 2024. At the meeting, there were questions regarding parking and refuse collection. The Community Hospital expressed a willingness to be flexible in order to assure compliance with McCook's special exception requirements.

APPROVALS:

Lea Ann Doak, City Clerk

February 14, 2024



Nathan A. Schneider, City Manager

February 14, 2024

**NOTICE OF PUBLIC HEARING
REQUEST FOR A SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of McCook Planning Commission on February 12, 2024, at 5:15 P.M. and by the McCook City Council on January 19, 2024, at 5:30 P.M. The hearings will be held in the City Council Chambers, 505 West "C" Street, McCook, Nebraska, to consider a request for a special exception to allow a structure containing only residential use in a Central Business District (CB). Property located at 409 West 1st Street; Lots 16, 17, 18, & S 5' Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska. Project Sponsor/Developer, The Community Hospital Association. Land Owner, Michael & Linda Nielsen. Any and all persons desiring to comment on the above-described special exception may attend said public hearings and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: February 2, 2024.

EXHIBIT #2

PAGE(S) - 1

CORRECTED NOTICE OF PUBLIC HEARING
REQUEST FOR A SPECIAL EXCEPTION

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of McCook Planning Commission on February 12, 2024, at 5:15 P.M. and by the McCook City Council on February 19, 2024, at 5:30 P.M. The hearings will be held in the City Council Chambers, 505 West "C" Street, McCook, Nebraska, to consider a request for a special exception to allow a structure containing only residential use in a Central Business District (CB). Property located at 409 West 1st Street; Lots 16, 17, 18, & S 5' Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska. Project Sponsor/Developer, The Community Hospital Association. Land Owner, Michael & Linda Nielsen. Any and all persons desiring to comment on the above-described special exception may attend said public hearings and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: February 6, 2024.

EXHIBIT #3

PAGE(S) - 1

**NOTICE OF HEARING
REQUEST FOR
SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held on a request to allow a structure containing only residential use in a Central Business District (CB) in the City of McCook.

ADDRESS: 409 West 1st Street

LEGAL DESCRIPTION: Lots 16, 17, 18, & S 5' Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.

PROJECT SPONSOR/
DEVELOPER: The Community Hospital Association

LAND OWNER: Michael and Linda Nielsen

Public Hearings will be held on the dates, times, and at the places listed below:

FEBRUARY 12, 2024 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

FEBRUARY 19, 2024 - 5:30 P.M.
MCCOOK CITY COUNCIL
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described request will be given an opportunity to be heard. Please direct all inquiries to Nate Schneider, City Manager, at 308-345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: February 2, 2024
Post: February 2, 2024
Mail: February 2, 2024

EXHIBIT #4

PAGE(S) - 1

OWNERSHIP LIST FOR MAILING:

President
McCook Public Schools
600 West 7th Street
McCook NE 69001

Red Willow Co. School Dist. #17
700 West 7th Street
McCook NE 69001

Red Willow County
%Penelope Cooper
502 Norris Avenue
McCook NE 69001

Red Willow County Planning Commission
502 Norris Avenue
McCook NE 69001

Christ & Peggy Beck
503 W 2nd
McCook NE 69001

Four B's Properties, LLC
James A Brandt
512 W 4th
McCook NE 69001

Fred Allen
4341 N 56th Street
Omaha NE 68104

Gary & Lory Power
71874 Drive 386
McCook NE 69001

Scott M. Harpham
407 W 2nd
McCook NE 69001

Sid Doak
PO Box 761
McCook NE 69001

Delton & Vicky Young
1010 W 1st
McCook NE 69001

Cherri Fune
401 W 2nd
McCook NE 69001

Stamm & Gray LLC
PO Box 1808
McCook NE 69001

Quality Farm & Ranch Center LLC
PO Box 185
Yuma CO 80759

Horizon Bank
10841 N 142nd Street
PO Box 447
Waverly NE 68462-0447

Northwestern Bell Telephone CO
%Tax Manager
100 South 19th
Room 730
Omaha NE 68102

Country Estate Apartments LL
Kelley Roth
5873 South Prince Street
Apt #311
Littleton CO 80120

Blackwood Enterprises LLC
James Hegwood, Jr. Manager
1010 E 6th Street
McCook NE 69001

Josiane Dominguez
PO Box 75
McCook NE 69001

WMB Investments LLC
Billy & Michele Witt
2105 Blake Drive
McCook NE 69001

Michaelis Rental LLC
Brian Michaelis
502 W 1st Street'
McCook NE 69001

Elisabet Browne
506 West 1st
McCook NE 69001

EXHIBIT #5

Rust Publishing NE LLC
Dick Caldwell
PO Box 1268
McCook NE 69001

Michael & Linda Nielsen
909 West K Street
McCook NE 69001

6th Floor Project
Chad Graff & Joann Falkenburg
402 Norris Avenue
Suite 600
McCook NE 69001

Leslie Longnecker
314 Norris Avenue
McCook NE 69001

Masonic Temple Craft
PO Box 649
Alma NE 68920-0649

Alliance for Encouragement of
Visual & Performing Arts
PO Box 211
McCook NE 69001

Daniel Miller
71363 Road 385
McCook NE 69001

Memorial Methodist Church of McCook
105 East E Street
McCook NE 69001

Sharon Huegel
515 Norris Avenue
McCook NE 69001

K R A N K, LLC
Randy Bauer
PO Box 91
McCook NE 69001

The Community Hospital Association
PO Box 1328
McCook NE 69001

Billy & Catherine Graham
1505 Parkway Drive
McCook NE 69001

On the Bricks LTD
111 West D Street
PO Box 36
McCook NE 69001

Ambriz Holdings LLC
1403 West Circle Drive
McCook NE 69001

John F. Hanson
316 Norris Avenue
PO Box 338
McCook NE 69001

McCook Economic Development Corp
402 Norris Avenue
Suite 301
McCook NE 69001

Procrastinators LLC
Jon & Ronda Graff
38575 Drive 713
McCook NE 69001

P R P Holdings McCook LLC
Phil Perry
9200 Andermatt Drive
Lincoln NE 68526-9639

High Plains Historical Society
421 Norris Avenue
McCook NE 69001

The Speckled Hen LLC
Kimberly Schilling
37957 Road 713
McCook NE 69001

Michael & Laura Ford
315 Norris Avenue
McCook NE 69001

CITY OF McCOOK

LAND USE ACTION REQUEST FORM

This request is for a:
(Check all that apply)

- Zone Change
- Special Exception
- Administrative Permit (Personal Wireless Facility)
- Special Exception (Personal Wireless Facility)
- Minor Subdivision
- Major Subdivision
- Planned Development(Includes Zone Change)

Name of Project: Community Hospital Association Student Housing

Description of Project: Community Hospital wishes to build a 12 unit multi-family residential structure to house students that are in the community completing internships, medical residencies and other training programs. A special exception is requested to allow for a non-mixed use, multi-family only building with apartments on the first floor and second floor of the structure without any retail space.

Project sponsor or developer:

Name: The Community Hospital Association
Address: 1301 East H St; PO Box 1328; McCook NE
Phone number: 308-344-2650
Fax number: _____
E-mail Address: swolfe@chmccook.org

Land owner or owners: Please see attached signed purchase agreement

Name: Michael and Linda Nielsen
Address: 909 W K St; McCook NE
Phone number: 308-345-1755
Fax number: _____
E-Mail Address: niechiro@questoffice.net

EXHIBIT #6

PAGE(S) - 16

REQUIRED ATTACHMENTS:

For Zone Changes and Special Exceptions:

(For Zone Changes or Amendments see Article 27 of the Zoning Ordinance; for Special Exceptions see Article 24 Special Exceptions)

- X Include a description of the reason for the request for a change of zone:
The Hospital is proposing building an apartment building on this property located in the Central Business District. Goal 2: New Housing Developments. New housing developments in the City of McCook should address the needs of both owner and renter households, of all age and income sectors, of varied price products.
- X Include a description of any special exception requested including the section of the zoning ordinance under which it is requested; (Example: Special exception to construct multi-family dwellings in (RM) Residential Medium Density area comprised of single family dwellings.)
Special exception to construct a Multi-Family Housing building containing only residential in the Central Business District (CB). The zoning ordinance, section 1204 #2, allows for structures containing only residential. The request proposes to allow an only residential building for apartments, including residential only use on the first floor, in lieu of mixed-use/retail on the first floor.
- X Include a site plan (minimum 17" X 11") and a letter of explanation showing and explaining the following special exception requirements:
See attached Civil Site Plan and letter of explanation.
- (A) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - (B) off-street parking and loading areas where required, with particular attention to the items in (A) above, the economic, noise, glare or odor effects of the special exception or change of zone on adjoining properties and the properties generally in the district or the area;
 - (C) the location of refuse and service areas, with particular reference to the items in (A) and (B) above;
 - (D) utilities, with reference to locations, availability, and compatibility;
 - (E) screening and buffering with reference to type, dimensions, and character;
 - (F) signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

- (G) required yards and other open space;
- (H) general compatibility with adjacent properties and other properties in the district;
- (I) compatibility with existing and future land use plan in the McCook Comprehensive Plan.

 X Explain how the project complies with the Comprehensive Plan: _____

Goal 2 of the 2013-2023 comprehensive plan: "New Housing Developments. New housing developments in the City of McCook should address the needs of both owner- and renter households, of all age and income sectors, of varied price products." Specifically, "Action Step 4: One or two additional multifamily rental projects are recommended for the City of McCook, by 2023, to meet the housing needs of young, single workers in the Community. These projects should be designed and developed in a size and scale suitable for the neighborhood location. The development of a SRO (Single Room Occupancy) facility of eight to 16 units should be given consideration to house single persons in the local workforce." and "Action Step 7: Several Downtown commercial buildings should be promoted for upper level housing to diversify the local housing market and emphasize the Downtown as a vibrant commercial and residential center. One example is the Keystone Business Center, where the top two floors should be considered for moderate - to upper-income housing units. A total of 52 units, 12 owner and 40 renter units, should be developed in Downtown McCook, by 2023."

This projects hits on both of these action step goals fairly directly; meeting the need for housing for young people coming to the community as part of their educational and training programs and is located to emphasize our downtown area, with the goal of giving these individuals a great experience and make it easier for businesses to recruit them back to the community.



DESIGN ASSOCIATES
architecture. engineering. consulting.

City of McCook
505 West C St
McCook, NE 69001

May 15, 2023

RE: Community Hospital Association Student Housing Special Exception

To Whom It May Concern:

Article 24: Special Exceptions #5 (in combination with attached Civil Site Plan):

- A. The main entry to the apartment building is located on the north side of the building (refer to site plan), adjacent to the city's public parking lot. Ingress and Egress to the site will be off W. 1st St. and the parking lot. The alley on the east side of the property also allows for a level of ingress and egress, as well as a loading area and access in case of fire or catastrophe. Pedestrians will use public and private sidewalks to flow throughout the site and get from parking to the building. Overall, the flow of the site and surrounding areas won't change drastically because they are already being used in a similar manner. The YMCA apartments utilizes the public parking lot throughout the day and night. The Keystone building uses it during the day. The parking lot is also used for special events in the downtown area. (Please refer to the site plan for existing parking utilization.) The areas around the site will have less activity with an all-residential unit, in lieu of a mixed-use building.
- B. A variance is being submitted at the same time for permission to use the city parking lot and on-street parking to fulfill the off-street parking requirements, since the property is in the Central Business District zoning, which is exempt from the off-street parking requirements. Per the zoning code, there will be 13 parking stalls required for this building. The plan is to use both adjacent, on-street parking on W. 1st St. and the public parking lot. (Please refer to the parking calculations on the site plan.) An all-residential building will have a slightly higher parking stall requirement, verses retail and/or business on the first floor, but there should be less traffic coming and going. The effects of odor, glare, noise and economic will not be different with the proposed use or the current use of the surrounding neighborhood.
- C. There won't be a need for a service area on this property. The plan for the refuse is to work out a deal with the MEDC to use their existing dumpster or place a new dumpster on the southeast corner of the lot. It is important for the Community Hospital Association to keep a well-kept site with little to no odor or visual disturbances.
- D. The city utilities are close and accessible for this site and are compatible with this specific project. (Please refer to the site plan for further information.) The city has an 8" domestic water main that is located under W. 1st St., and it will be tapped for the building water and fire sprinkler system. The sanitary sewer main is located in the alley behind the property and is deep enough to handle basement plumbing. Overhead electrical lines are also in the alley, and they will provide power to the site. Natural Gas is also in the alley. Lastly, the city storm sewer is located on W. 1st St., and the project may utilize it by tying in the drainage from the roof.



DESIGN ASSOCIATES
architecture. engineering. consulting.

- E. On the west and south sides of the building, turf will be used, along with landscaping some small trees, shrubs, and plants to create a slight buffer between the neighboring properties. On the north side, a sidewalk will connect to the parking lot and landscaping by the building will help integrate the property into its surroundings. On the east side, a patio and deck will be constructed to help connect the property to Norris Alley and the surround downtown area. The patio will have planters and landscaping to soften the transition between spaces.
- F. The building will have a back-lite sign for the building name and possibly address. The building will have security lighting around it, as well as lighting for the sidewalks and patio/deck areas. The lighting will be designed to minimize glare and/or lighting into neighboring properties. The patio and deck areas will be lite in a similar way as Norris Alley. There won't be any LED video screens used for advertising since there is no retail or business space in the project.
- G. The building will fit into the required multi-family setbacks for the sides and rear. A variance has been submitted to allow for a front yard setback of 10'-0" instead of the required 20'-0". The building will line up with other buildings in this district and the additional room will allow for more room on the alley for the apartments and neighbors. The main reason is to allow more room behind Norris Alley for access to their site, as well as loading/unloading for the Fox Theatre.
- H. The surrounding neighborhood is a mix of commercial, multi-family and residential. The concept for this 12-unit multi-family house building fits with these uses. This property is on the edge of full commercial, so this building is designed to help with the transition of uses. The rectilinear design of the building fits into the urban surrounds. The materials used are a modern look, yet they blend with the surrounding landscape. The project fits into the Comprehensive Plan for McCook (see explanation on form). The building is also designed to fit into the newly created art district, as well as create a connection between private housing and the public spaces, like Norris Alley.
- I. This projects hits on both action step goals fairly directly; meeting the need for housing for young people coming to the community as part of their educational and training programs and is located to emphasize our downtown area, with the goal of giving these individuals a great experience and make it easier for businesses to recruit them back to the community. A new multi-family housing building that is centrally located in the business and art district is a great concept (now and in the future) to bring new people into the community and help them connect with the community. The revitalization of the downtown area with new housing is one of the main objectives of the comprehensive plan. It also mentions the strategic development of infill lots and this project will be redeveloping a degrading house and site. The goal is to better utilize this property with a denser utilization of the property by having multi-family housing; since the property is in an important district and property, while using existing utilities and city infrastructure.

Respectfully,

Matthew B Clause

Date: _____

HOUSING PROJECT - PRELIMINARY

COMMUNITY HOSPITAL

MCCOOK, NEBRASKA

DESIGN ASSOCIATES
 1001 S. 10TH STREET, SUITE 200
 LINCOLN, NEBRASKA 68502
 TEL: 402.426.1234
 WWW.DA-NE.COM

PRELIMINARY
 NOT FOR CONSTRUCTION

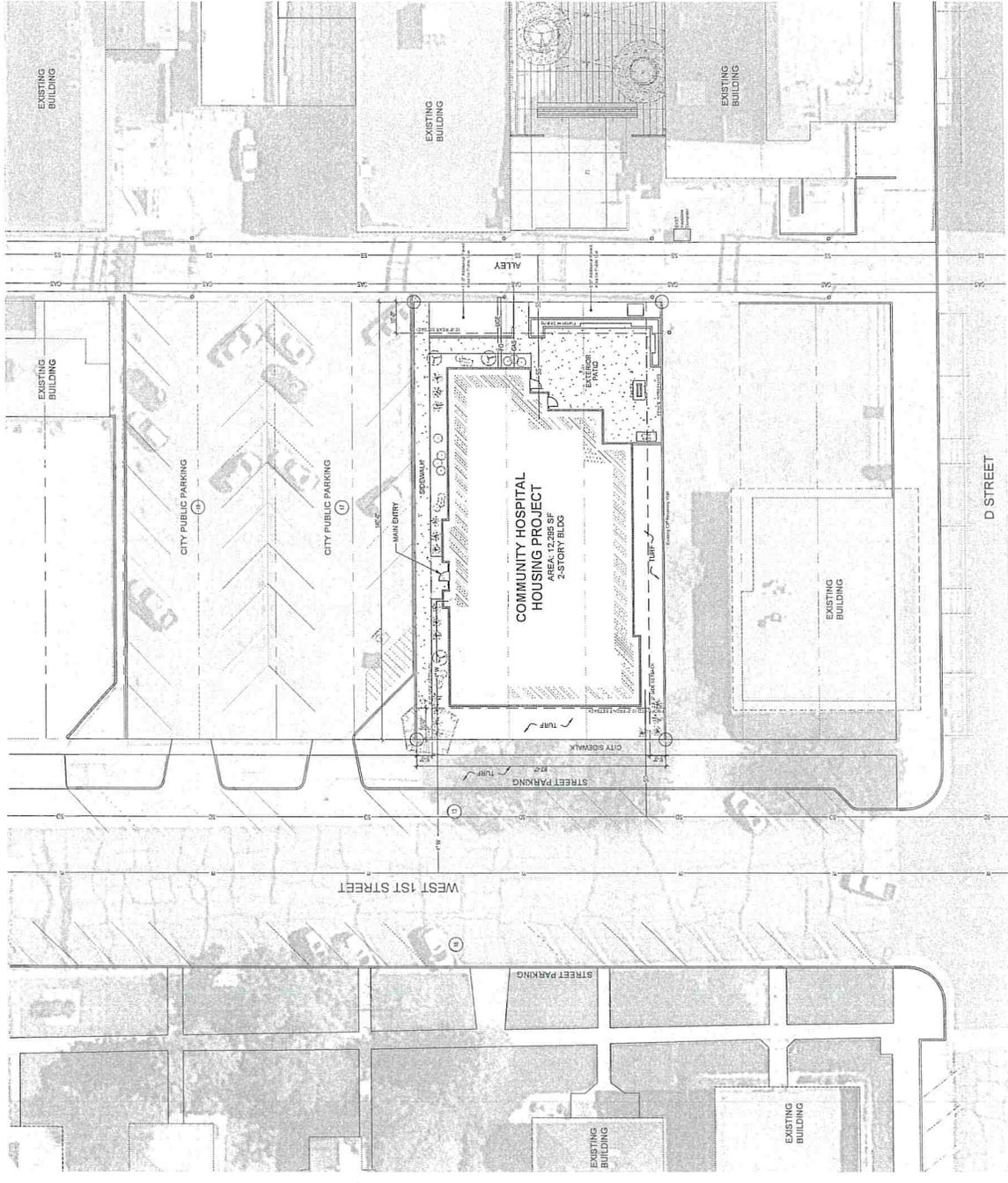
DWG:	16-23-C-01
DRAWN:	MBC
CHECKED:	
REVISIONS:	

C-1
 DATE: OCTOBER 2023

BUILDING DATA
 COMMUNITY HOSPITAL ASSOCIATION (STUDENT HOUSING)
 ZONING CLASSIFICATION: CB (CENTRAL BUSINESS DISTRICT)
 USE GROUP: 12 (APARTMENT COMPLEX)
 OCCUPANCY COUNT: 75 TOTAL
 NUMBER OF UNITS: 120 UNITS (60 FULLY SPRINKLED)
 BUILDING FOOTPRINT AREA: 20,200 SQ FT
 CORNER ZONE: 12,398 SQ FT

PARKING DATA
 RETAILWAY BANK PARKING: ONE (1) PARKING STALL PER 1-BEDROOM & ONE AND A HALF (1 1/2) STALL PER 2-BEDROOM APARTMENT. TWO (2) BICYCLE STALLS PER 1-BEDROOM & THREE (3) BICYCLE STALLS PER 2-BEDROOM.
 TOTAL PARKING: 13 STALLS
 PROVIDED: REFER TO DETAILED PARKING USAGE BELOW
 ADA PARKING STALL REQUIREMENTS: ONE (1) ADA STALL REQUIRED (ONE (1) BEING MAIN ACCESSIBLE)
 ADA BARRING STALLS EXCLUDED: ONE (1) ADA STALL TOTAL
 ONE (1) OF WHICH ARE VAN ACCESSIBLE STALL

EXISTING PUBLIC PARKING USAGE
 PUBLIC PARKING LOTS STALLS AVAILABLE:
 MORNING: 19 VEHICLES
 AFTERNOON: 18 VEHICLES
 EVENING: 18 VEHICLES
 NIGHT: 18 VEHICLES
 VEHICLE TRAFFIC DURING OFFICE HOURS (SEE EXISTING STALLS AVAILABLE):
 MORNING: 7 VEHICLES
 AFTERNOON: 8 VEHICLES
 EVENING: 8 VEHICLES
 NIGHT: 8 VEHICLES
 STREET PARKING - SEE SHEET 133 STALLS AVAILABLE:
 MORNING: 1 VEHICLE
 AFTERNOON: 5 VEHICLES
 EVENING: 1 VEHICLE
 NIGHT: 0 VEHICLES
 * AVERAGE VEHICLE COUNTS TAKEN OVER SEVERAL DAYS IN DECEMBER 2022 AND JANUARY 2024



ARCHITECTURAL SITE PLAN
 SCALE 1/8" = 1'-0"

DATE: OCTOBER 2023

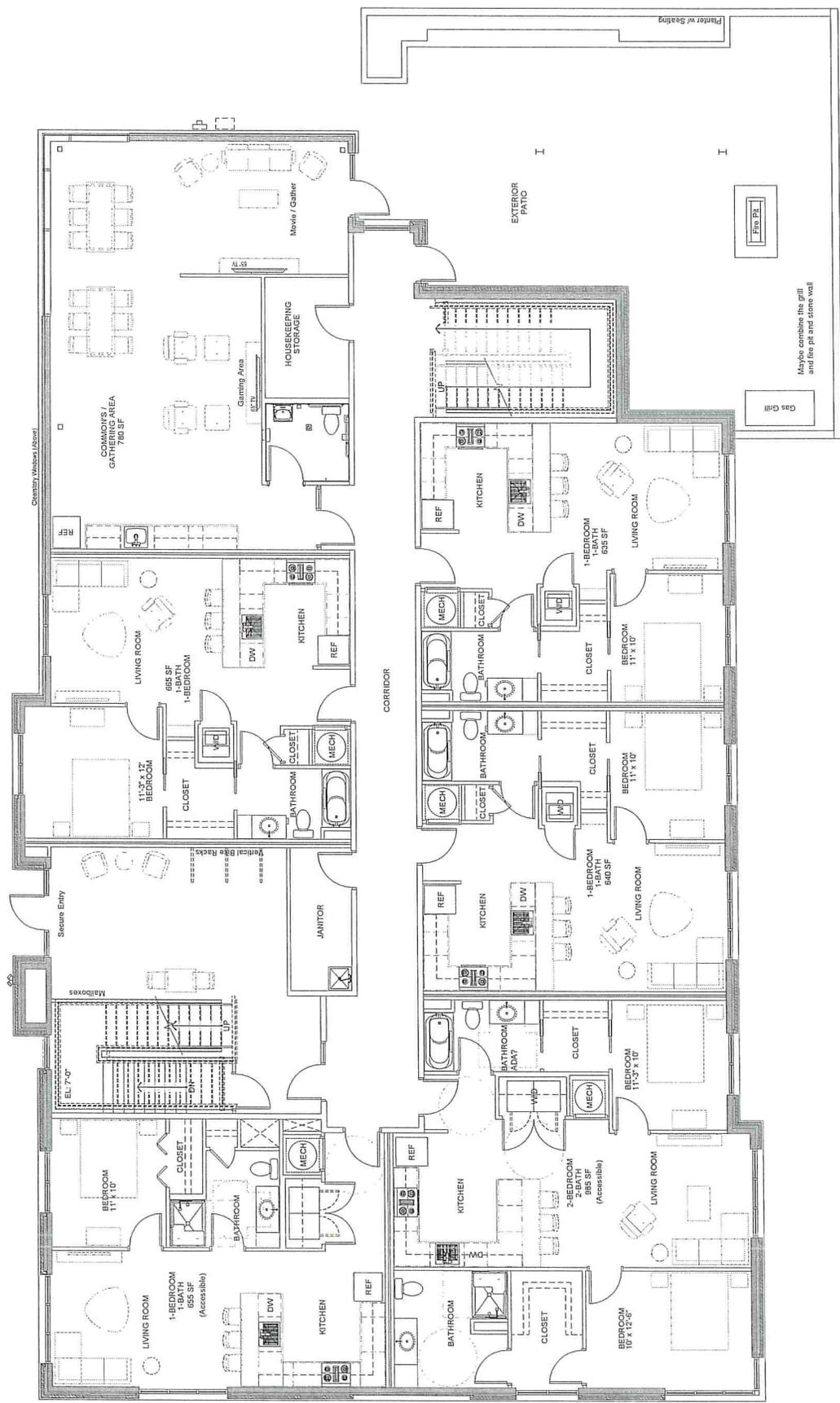
HOUSING PROJECT - PRELIMINARY
COMMUNITY HOSPITAL
MCCOOK, NEBRASKA

DESIGN ASSOCIATES
1001 S. 10TH STREET, SUITE 100
MCCOOK, NEBRASKA 68801
TEL: 402.281.1234
WWW.DESIGNASSOCIATES.COM

PRELIMINARY
NOT FOR CONSTRUCTION

DATE:	10/20/2023
DWG:	25-20-A-01
DRAWN:	MSC
CHECKED:	
REVISIONS:	

A-1b
DATE: OCTOBER 2023



MAIN LEVEL - FLOOR PLAN v2 (6,075 SF)
SCALE: 1/4" = 1'-0"
12 APARTMENT OPTION
NORTH

Checked by: [Signature]
Date: [Signature]

HOUSING PROJECT - PRELIMINARY
COMMUNITY HOSPITAL
MCCOOK, NEBRASKA

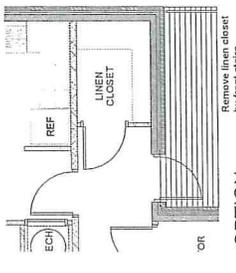
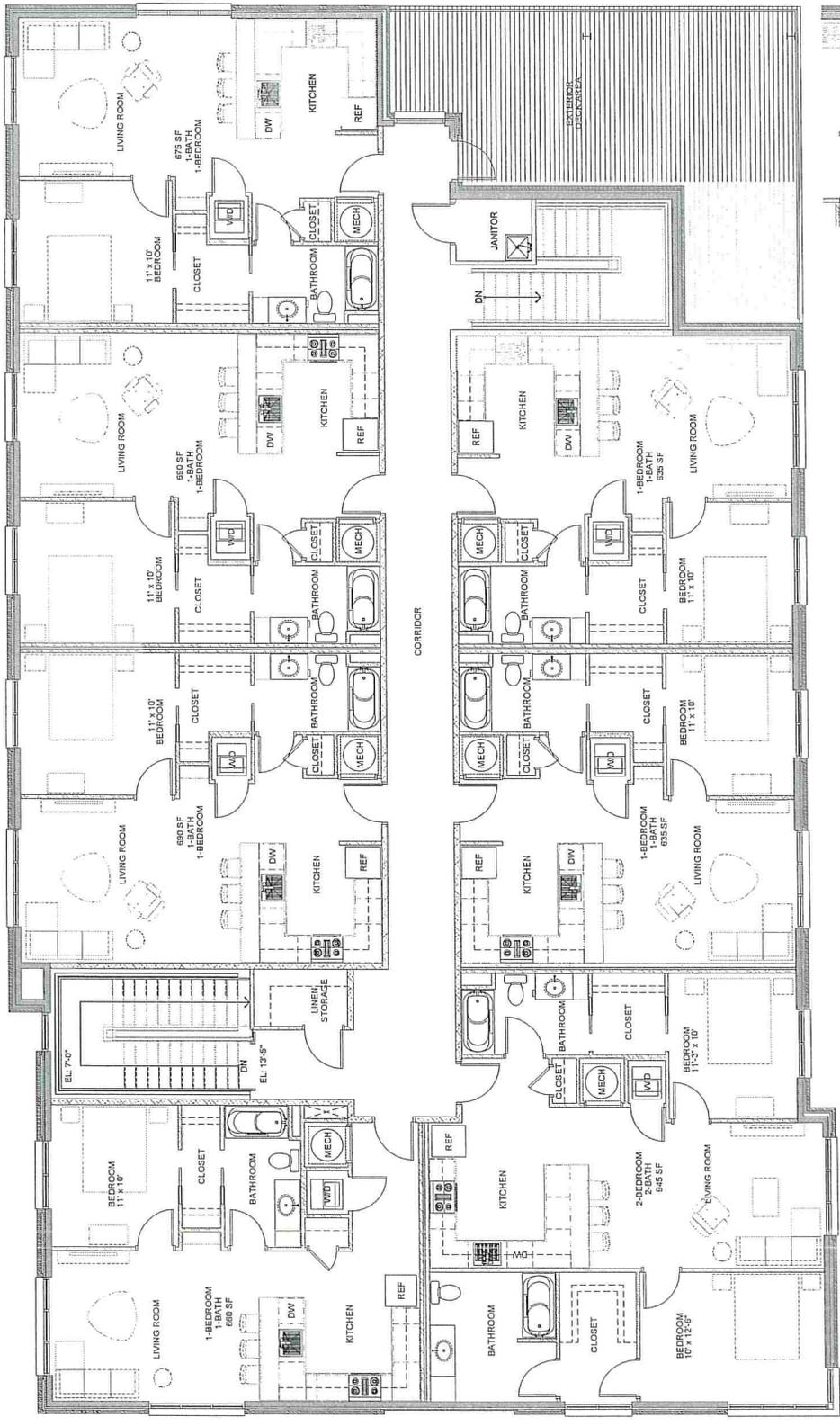
DESIGN ASSOCIATES
FOR ARCHITECTURAL AND ENGINEERING SERVICES
1001 WEST 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.4400
WWW.DA-ARCHITECTS.COM

PRELIMINARY
NOT FOR CONSTRUCTION

DATE:	10-23-2011
DWG:	10-23-2011
DRWN:	MBC
CHKD:	
REVISIONS:	

A-2

DATE: OCTOBER 2011



Remove linen closet
by front stairs

OPTION
SCALE: 1/4" = 1'-0"



SECOND LEVEL - FLOOR PLAN [6,220 SF]
SCALE: 1/4" = 1'-0"

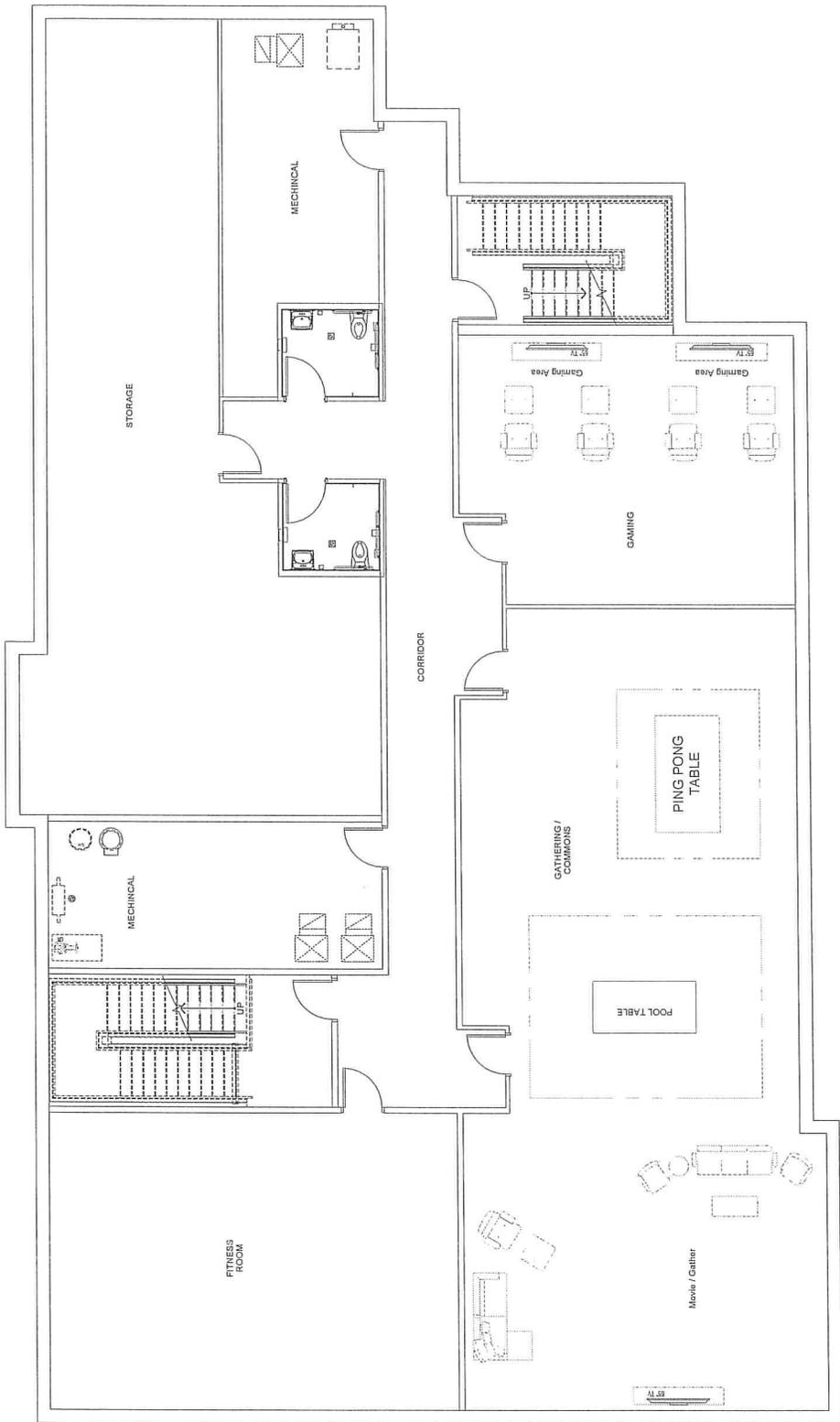
HOUSING PROJECT - PRELIMINARY
 COMMUNITY HOSPITAL
 MCCOOK, NEBRASKA

DESIGN ASSOCIATES
 1000 S. 10th Street, Suite 100
 Lincoln, NE 68502
 TEL: 402.476.1234
 FAX: 402.476.1235
 WWW: DESIGNASSOCIATES.COM

PRELIMINARY
 NOT FOR CONSTRUCTION

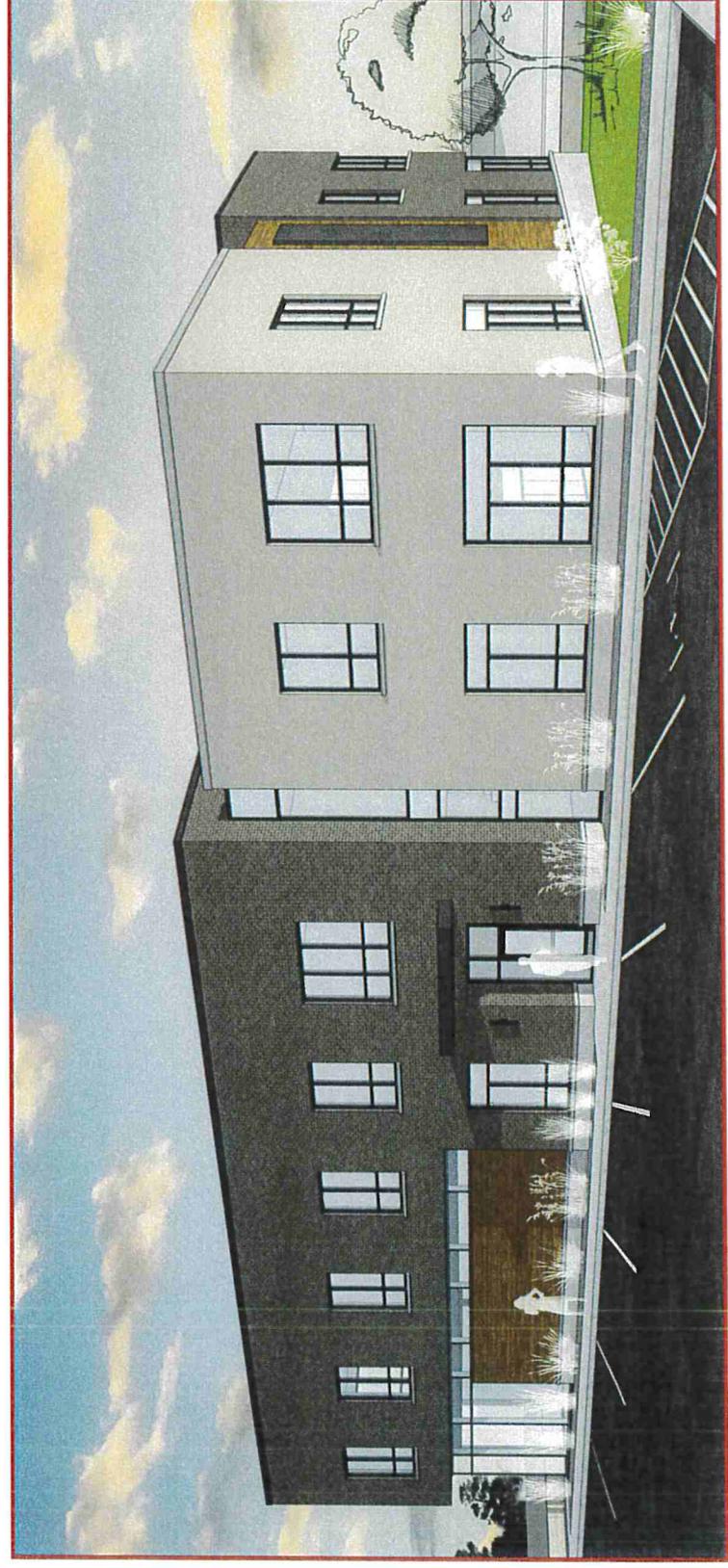
DATE:	10-23-2023
DRAWN:	MSC
CHECKED:	
REVISIONS:	

A-3b
 DATE: OCTOBER 2023



BASEMENT LEVEL - FLOOR PLAN -v2 [6,000 SF]
 SCALE: 1/4" = 1'-0"
 NORTH

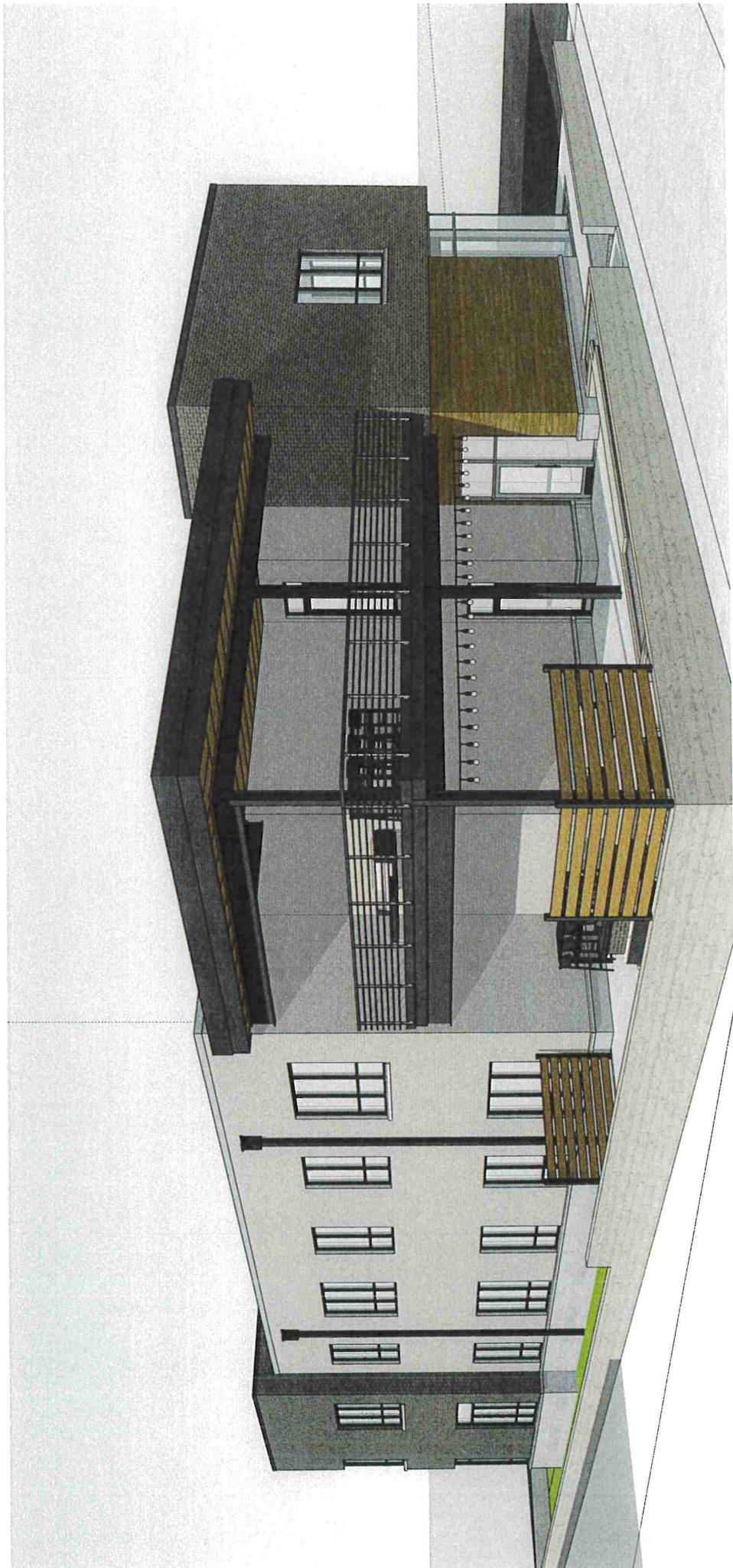
Approved: [Signature]
 Title: [Title]
 Date: [Date]



SCHEMATIC DESIGN CONCEPT
Document for Design Intent Only.

3D VISUALIZATION - NORTH FACADE
NOT TO SCALE







RESIDENTIAL PURCHASE AGREEMENT

The undersigned, as Buyer, agrees to purchase the following:

Property Address: 409 West 1st Street, McCook NE 69001

Legal Description: 0 3 29 ORIGINAL MCCOOK BLK 9 LOTS 16, 17, 18 & S 5' LOT 19

The seller has the right to remove any and all Real and Personal property prior to the date of closing.

If still occupied by tenant:

In the event that the property is still occupied by a tenant upon the closing date, the seller agrees to leave Real and Personal Property as currently supplied for tenant to use property. Seller represents that there are no latent defects in the Property of which the Seller is aware in its current use and it is equipped with smoke detectors as required by law.

Buyer will notify the Seller upon the tenant vacating the property and the Seller will retain the right to a 45 day period to remove any and all remaining Real and Personal Property the Seller wishes; with the exception of any property added or installed by the Buyer.

Date:

The date of this purchase shall be Friday, March 1st, 2024 unless a change is agreed to by both parties.

Title:

Seller agrees to furnish a title insurance commitment insuring marketability and Buyer shall be furnished a current title insurance commitment by Seller at least 5 days before closing. The cost of title insurance issued for this sale shall be equally divided. Should a valid title defect exist, Seller has a reasonable time to correct said defect. If the title defects are not cured within a reasonable time period, the Buyer may declare this Agreement null and void. Seller agrees to convey to Buyer by warranty deed or free and clear of all liens, encumbrances, special assessments levied or assessed, and subject to all easements and restrictions or covenants new of record.

The documentary stamp tax shall be paid by the Seller.

Consideration:

Buyer agrees to pay \$120,000.00 at the time of delivery of deed.

All consolidated real estate taxes for the year in which closing takes place shall be prorated, based on Current assessment and tax rate, as of date of closing. All real estate taxes for prior years shall be paid by Seller.

Offer:

This offer is based upon Buyer's personal inspection or investigation of the Property. Buyer agrees to accept the property in its present condition; and acknowledges and agrees that Seller can remove any and all Real and Personal property as described above.

This agreement shall in no manner be construed to convey the Property or to give any right of possession. Risk of loss or damage Property, prior to closing date, shall be the responsibility of Seller.

This RESIDENTIAL PURCHASE AGREEMENT is hereby agreed to by the Buyer and Seller:

Buyer: The Community Hospital Association

Address: 1301 East H Street, PO Box 1328; McCook NE 69001

Buyer Sean Wolfe, CFO

Date 10/2/2023

By Sean Wolfe, CFO

E-mail: swolfe@chmccook.org Phone: 308-344-8306

Sellers: Michael R and Linda C Nielsen

Address: 909 W. K St, McCook, NE 69001

Seller Michael R. Nielsen

Date 10/6/23

Seller Linda C. Nielsen

Date 10/6/23

E-mail: niechi@nielsenstaffice.net Phone: 308-345-1755

ARTICLE 24
SPECIAL EXCEPTIONS

Article 24 - Special Exceptions

Section 2401. Special Exceptions. As the zoning ordinance is established at the present time, the McCook City Council has been given the authority to hear and decide requests for special exceptions. This is consistent with State Law; however, the City also has the option to delegating this power to the Planning Commission through the Zoning Ordinance.

Section 2402. Conditions for Granting Special Exceptions. A special exception shall not be granted by the City Council unless and until:

1. A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested;
2. Notice shall be given at least ten (10) days in advance of public hearing. The owner of the property for which special exception is sought or his agent shall be notified by certified mail. Notice of such hearings shall be posted on the property for which special exception is sought at least ten (10) days prior to the public hearing;
3. The public hearing shall be held. Any party may appear in person, or agent or attorney;
4. The City Council shall make a finding that is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest;
5. Before any special exception shall be issued, the City Council shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provisions and arrangements have been made concerning the following where applicable:
 - A. ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - B. off-street parking and loading areas where required, with particular attention to the items in A above, and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district;
 - C. refuse and service area, with particular reference to the items in A and B above;
 - D. utilities, with reference to locations, availability, and compatibility;
 - E. screening and buffering with reference to type, dimensions, and character;
 - F. signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;
 - G. required yards and other open space;
 - H. general compatibility with adjacent properties and other property in the district.
 - I. compatibility with the existing and future land use plans in the McCook Comprehensive Plan.

FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

SPECIAL EXCEPTION CONSIDERATIONS:

YES NO

1. The proposed special exception use would satisfactorily provide for:
 - a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;
 - c) refuse and service areas, with particular attention to the items in a) and b) above;
 - d) utilities, with reference to locations, availability and compatibility;
 - e) screening and buffering with reference to type, dimensions and character;
 - f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;
 - g) required yard and other open space;
 - h) general compatibility with adjacent properties and other property in the district.
 - i) Compatibility with existing and future land use plan in the McCook Comprehensive Plan.
2. The specific rules governing special exceptions have been complied with.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CITY COUNCIL FINDINGS AND DECISION:

The McCook City Council hereby determines that the special exception will _____, will not _____ adversely affect the public interest. The special exception herein requested is _____, is not _____ hereby granted subject to the stipulations noted below, if any.

THIS _____ DAY OF _____, 20_____.

INSTRUCTIONS TO APPLICANT FOR A VARIANCE

1. Apply for building permit.
2. You will be sent a letter of denial for your building permit, stating the reason your building permit cannot be issued by the Building Department.
3. Receive Variance Application from Building Department.
4. Complete Variance Application and submit to the Building Department. Proof of ownership and legal description must be included. A filing fee of \$75.00 is due with application. Checks should be made payable to the City of McCook.
5. Application will be reviewed by the City of McCook Zoning Administrator.

You will be notified by letter of either the recommended approval or recommended denial of your application. Application will be forwarded to the Board of Zoning Adjustment for final determination. The applicant will be notified of the scheduled Board of Zoning Adjustment hearing.

6. The Board of Zoning Adjustment meets on the fourth Monday of each month at 5:30 P.M. at the Municipal Facility, in the City Council Chambers, 505 West "C" Street.
7. If Board determines that they cannot grant a variance, applicant, or effected party, may present a petition to the District Court. Appeal must be filed within 15 days.
8. If the Board grants the variance, you must then supply the Building Department with the information to approve the building permit. No building permit will be issued before the appeals period has ended.
9. If the variance is for a property setback, and is approved by the Board of Zoning Adjustments, the certificate will need to be filed with the Red Willow County Clerk. This filing fee must be paid to the City of McCook before a building permit will be issued.

EXHIBIT #9

PAGE(S) - 21

VARIANCE APPLICATION

APPLICATION NO. _____ DATE: _____

FEE ATTACHED: _____

APPLICATION COMPLETE: _____ SIGNED: _____

Applicant

1. Applicant's Name: The Community Hospital Association

2. Applicant's Address: 1301 East H St; PO Box 1328; McCook NE Phone: 308-344-2650

Email Address: swolfe@chmccook.org

3. Address of Property Affected: 409 West 1st Street, McCook NE 69001

4. Legal Description of Property: 0 3 29 ORIGINAL MCCOOK BLK 9 LOTS 16, 17, 18 & S 5' LOT 19

5. Zoning Central Business District Corner Lot? Yes _____ No X

6. Applicant's interest in the Property (i.e. owner, tenant), attached proof of ownership:
Signed purchase agreement from Michael and Linda Nielsen with an anticipated closing date of March 1, 2024

7. Description of variance requested: (Example: Variance of side lot set back requirement from 5 feet to 3 feet). Variance of the property's front yard set back requirement from 20 feet to 10 feet.

8. Sections of Zoning Ordinance No. 2016-2929 which are affected (to be completed by staff)

ARTICLE: _____

SECTION: _____

9. Draw the general area of your property and structure (existing and proposed) and adjacent properties and structures. (Not to scale).

Please see attached site plan

N
W E
S

The Applicant must provide proof that the following criteria are met regarding the parcel of property for which the variance is being requested:

1. Referring to the specific parcel of property,
 - a) the parcel of property is exceptionally narrow;
 - b) the parcel of property is exceptionally shallow; or
 - c) the shape of the parcel of property is exceptional.

OR

 - YES d) the parcel of property has exceptional topographic conditions; or
 - YES e) the parcel of property has other exceptional or extraordinary conditions.
The benefit to the surrounding neighbors, as well as the apartment tenants, is important. This includes more room for events at the Fox Theatre and Norris Alley, especially with loading and unloading during events.
2. Strict application of the zoning ordinance would result in:
 - YES a. peculiar and exceptional practicable difficulties to the owner; OR
 - b. exceptional and undue hardships on the owner of such property.
3. Such relief may be granted without:
 - YES a. substantial detriment to the public good; AND
 - YES b. without substantially impairing the intent and purpose of the ordinance.
4. No variance shall be authorized unless the Board finds:
 - YES a. strict application of the zoning ordinance would produce undue hardship;
 - YES b. such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
 - YES c. authorization of such variance will not be a substantial detriment to adjacent property and the character of the district will not be changed by granting the variance;
 - YES d. granting the variance is based upon reason of demonstrable and exceptional hardship as distinguished from variation for purposes of convenience, profit, or caprice.
5. No variance shall be authorized if request is:
 - a. of a general and recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

Please provide documentation of the above, such as maps, photographs, or other evidence to substantiate your application.

THE BOARD MUST FIND THAT ALL OF THE ABOVE REQUIREMENTS ARE MET BY THE APPLICANT BY A CONCURRING VOTE OF FOUR MEMBERS OF THE BOARD.

APPLICANT DECLARATIONS

1. The following special conditions or circumstances exist on the land which pose an undue hardship on the applicant: (Describe conditions and circumstances.)

A front yard setback of 10 feet will allow the proposed building additional space in the rear yard which will allow additional room for loading and unloading and other needs in the alley for the use of rear yard neighbors, namely the Norris Alley and Fox Theater.

This exception will keep the building in line with the office space to the south and other central business structures that have narrower setbacks. Residents of this of this property have access to nearby parks and other outdoor areas, similarly to other residents living in the central business district. The additional rear yard space will be more valuable and useful for the residents given it's proximity to Norris Alley.

2. Please state the minimum variance necessary to permit the proposed construction

This building can be constructed without a variance, it is just less ideal to have a larger front yard than rear yard.

3. Without the granting of this variance the applicant would suffer a hardship not suffered by other properties located in the same zoning district and same vicinity.

X Yes _____ No

4. The granting of the variance will not adversely affect the rights of the adjacent property owners or residents nor will it confer upon the applicant any special privilege denied by the Zoning Ordinance. X Yes _____ No
(Attach approval certifications from adjacent property owners.)

5. The variance will not adversely affect the public health, safety, morals, order, convenience or welfare. X Yes _____ No

ADJACENT PROPERTY OWNER CERTIFICATION

I, Charlie McParson/MEDC, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Charlie McParson

ADDRESS: 402 Norris Ave.

ADJACENT PROPERTY OWNER CERTIFICATION

I, Margaret Repass/Morris Institute, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Margaret Repass

ADDRESS: 402 Norris Ave

ADJACENT PROPERTY OWNER CERTIFICATION

I, Jason Loop/On the Bricks, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Jason Loop

ADDRESS: 111 West D

**RECOMMENDATION OF THE
MCCOOK CITY ZONING ADMINISTRATOR**

The City of McCook Zoning Administrator hereby recommends that the variance should _____ be granted, _____ not be granted, _____ be granted with conditions. Conditions, modifications or safeguards prescribed as a part of the variance approval are as follows: _____

Dated this _____ day of _____, 20 _____.

**FINDINGS AND DETERMINATIONS OF
MCCOOK BOARD OF ZONING ADJUSTMENT**

DATE: _____

SIGNED: _____
Chairman

VARIANCE CRITERIA

JUSTIFIES VARIANCE

	<u>YES</u>	<u>NO</u>
1. Referring to the specific parcel of property,		
a) the parcel of property is exceptionally narrow;	_____	_____
b) the parcel of property is exceptionally shallow; <u>or</u>	_____	_____
c) the shape of the parcel of property is exceptional.	_____	_____
OR		
d) the parcel of property has exceptional topographic conditions; <u>or</u>	_____	_____
e) the parcel of property has other exceptional or extraordinary conditions.	_____	_____
2. Strict application of the zoning ordinance would result in:		
a) peculiar and exceptional practicable difficulties to the owner; OR	_____	_____
b) exceptional and undue hardships on the owner of such property.	_____	_____
3. Such relief may be granted without:		
a) substantial detriment to the public good; AND	_____	_____
b) without substantially impairing the intent and purpose of the ordinance.	_____	_____
4. No variance shall be authorized unless the Board finds:		
a) The strict application of the provisions of the Zoning Ordinance would produce an undue hardship on the applicant.	_____	_____

- b) Such hardship is not generally shared by other properties in the same zoning district and in the same vicinity. _____
 - c) The granting of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed. _____
 - d) The variance request is based upon reasons of demonstrable and exceptional hardship as distinguished from convenience, profit or caprice. _____
5. The variance requested is not so general or of re-occurring nature that it might more reasonably be addressed through a change in the Zoning Regulations. _____
6. The applicant has filed a proper and complete application. _____
7. Application for a variance submitted must demonstrate the following:
- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not found in the same zoning district and which were not created by an action of the property owner or the applicant; _____
 - B. The reduction of the minimum requirements of this Ordinance which would be necessary to permit the proposed use or construction; _____
 - C. The literal interpretation of the provision of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance; _____
 - D. The granting of the variance will not adversely affect the rights of adjacent property owners or residents nor will it confer upon the applicant any special privilege denied by this Ordinance to other land or structures in the same district; _____
 - E. The variance will not adversely affect the public health, safety, morals, order, convenience or welfare; _____
 - F. The variance requested is the minimum variance that will make possible the reasonable use of the land or structure; _____
 - G. Granting the variance requested will not be opposed to the general spirit and intent of this Ordinance. _____
8. The notice of meeting appeared in the paper and applicants and other parties of interest have been sent written notice of the meeting at which a hearing on the variance request is being considered. _____

9. The variance requested does not allow a use not permissible under the Zoning Ordinance in the district in which it is presently located.

BOARD OF ZONING ADJUSTMENT DECISION

The McCook Board of Zoning Adjustment hereby determines that the variance should _____ be granted, _____ not be granted, _____ be granted with conditions. Conditions, modifications or safeguards prescribed as a part of the variance approval are as follows: _____

Variance criteria not met are as follows: _____

Dated this _____ day of, _____, 20 ____.

RESIDENTIAL PURCHASE AGREEMENT

The undersigned, as Buyer, agrees to purchase the following:

Property Address: 409 West 1st Street, McCook NE 69001

Legal Description: 0 3 29 ORIGINAL MCCOOK BLK 9 LOTS 16, 17, 18 & S 5' LOT 19

The seller has the right to remove any and all Real and Personal property prior to the date of closing.

If still occupied by tenant:

In the event that the property is still occupied by a tenant upon the closing date, the seller agrees to leave Real and Personal Property as currently supplied for tenant to use property. Seller represents that there are no latent defects in the Property of which the Seller is aware in its current use and it is equipped with smoke detectors as required by law.

Buyer will notify the Seller upon the tenant vacating the property and the Seller will retain the right to a 45 day period to remove any and all remaining Real and Personal Property the Seller wishes; with the exception of any property added or installed by the Buyer.

Date:

The date of this purchase shall be Friday, March 1st, 2024 unless a change is agreed to by both parties.

Title:

Seller agrees to furnish a title insurance commitment insuring marketability and Buyer shall be furnished a current title insurance commitment by Seller at least 5 days before closing. The cost of title insurance issued for this sale shall be equally divided. Should a valid title defect exist, Seller has a reasonable time to correct said defect. If the title defects are not cured within a reasonable time period, the Buyer may declare this Agreement null and void. Seller agrees to convey to Buyer by warranty deed or free and clear of all liens, encumbrances, special assessments levied or assessed, and subject to all easements and restrictions or covenants new of record.

The documentary stamp tax shall be paid by the Seller.

Consideration:

Buyer agrees to pay **\$120,000.00** at the time of delivery of deed.

All consolidated real estate taxes for the year in which closing takes place shall be prorated, based on Current assessment and tax rate, as of date of closing. All real estate taxes for prior years shall be paid by Seller.

Offer:

This offer is based upon Buyer's personal inspection or investigation of the Property. Buyer agrees to accept the property in its present condition; and acknowledges and agrees that Seller can remove any and all Real and Personal property as described above.

This agreement shall in no manner be construed to convey the Property or to give any right of possession. Risk of loss or damage Property, prior to closing date, shall be the responsibility of Seller.

This RESIDENTIAL PURCHASE AGREEMENT is hereby agreed to by the Buyer and Seller:

Buyer: **The Community Hospital Association**

Address: 1301 East H Street, PO Box 1328; McCook NE 69001

Buyer Sean Wolfe, CFO

Date 10/2/2023

By Sean Wolfe, CFO

E-mail: swolfe@chmccook.org Phone: 308-344-8306

Sellers: **Michael R and Linda C Nielsen**

Address: 909 W. K St, McCook, NE 69001

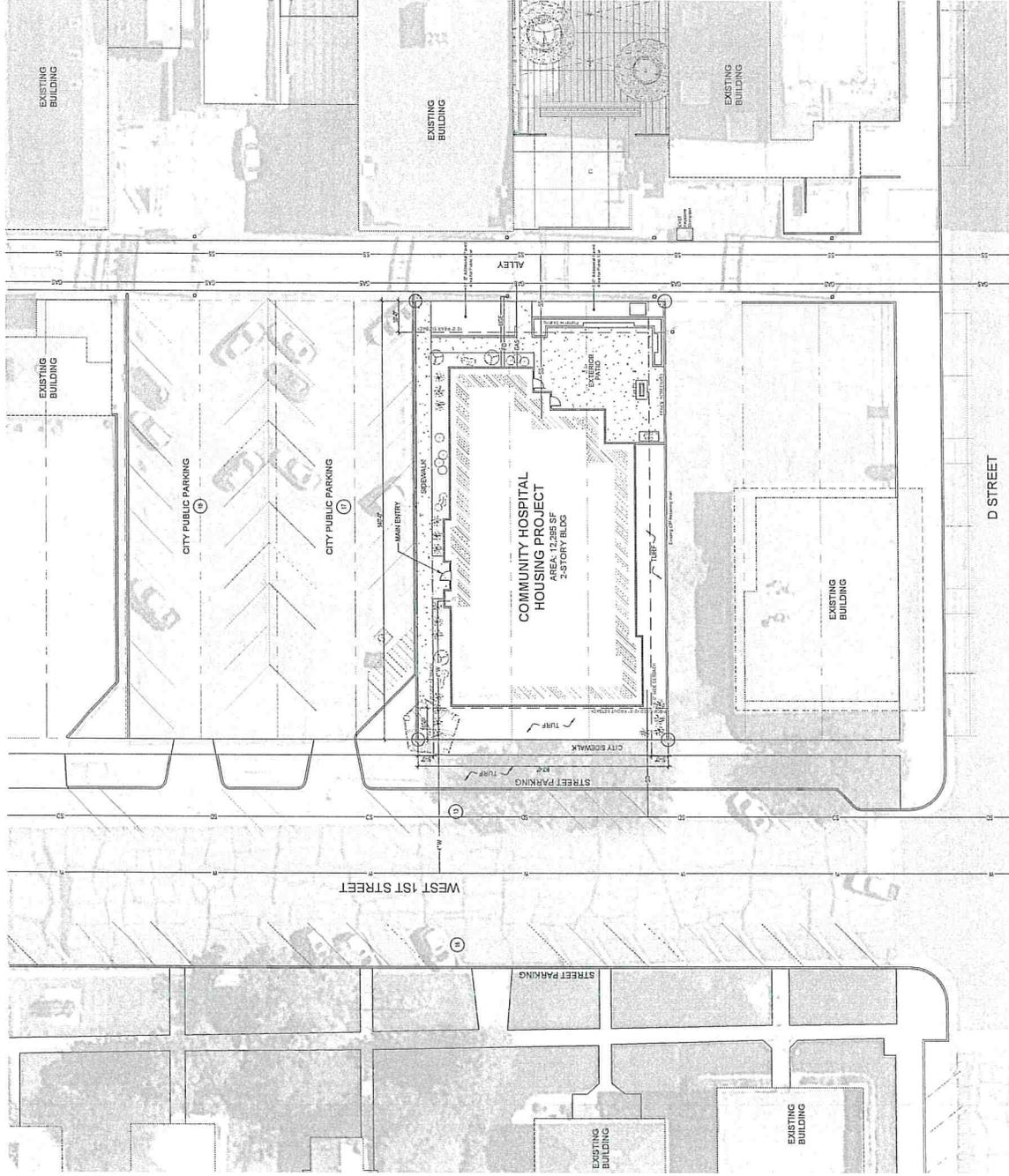
Seller Michael R. Nielsen

Date 10/6/23

Seller Linda C. Nielsen

Date 10/6/23

E-mail: niec@chmccook.org Phone: 308-345-1755



BUILDING DATA

COMMUNITY HOSPITAL ASSOCIATION (UTERUS) HOUSING

USE GROUP: R-2 (RESIDENTIAL)

STORY COUNT: 2

TYPE OF CONSTRUCTION: RECONSTRUCTION

MINIMUM WIND SPEED: 110 MPH (WIND SPEED ZONE 3)

BUILDING HEIGHT: 20'-0"

CLIMATE ZONE: 5A

FOUNDATION: 20'-0" x 20'-0" (MINIMUM)

PARKING DATA

STANDARD PARKING: 10 STALLS

REQUIRED: 10 STALLS

PROVIDED: 10 STALLS

STANDARD PARKING: 10 STALLS

REQUIRED: 10 STALLS

PROVIDED: 10 STALLS

STANDARD PARKING: 10 STALLS

REQUIRED: 10 STALLS

PROVIDED: 10 STALLS

EXISTING PUBLIC PARKING USAGE

PUBLIC PARKING LOT (10 STALLS AVAILABLE)

MORNING: 10 VEHICLES

AFTERNOON: 10 VEHICLES

NIGHT: 10 VEHICLES

STREET PARKING (10 STALLS AVAILABLE)

MORNING: 10 VEHICLES

AFTERNOON: 10 VEHICLES

NIGHT: 10 VEHICLES

HOUSING PROJECT - PRELIMINARY

COMMUNITY HOSPITAL

MCCOOK, NEBRASKA

DESIGN ASSOCIATES

2025-2026-2027

2025-2026-2027

2025-2026-2027

PRELIMINARY

NOT FOR CONSTRUCTION

DIMS: 205-22-C-61

BRAN: 185

CHECKED: []

REVISIONS: []

C-1

DATE: OCTOBER 2023



2025-2026-2027

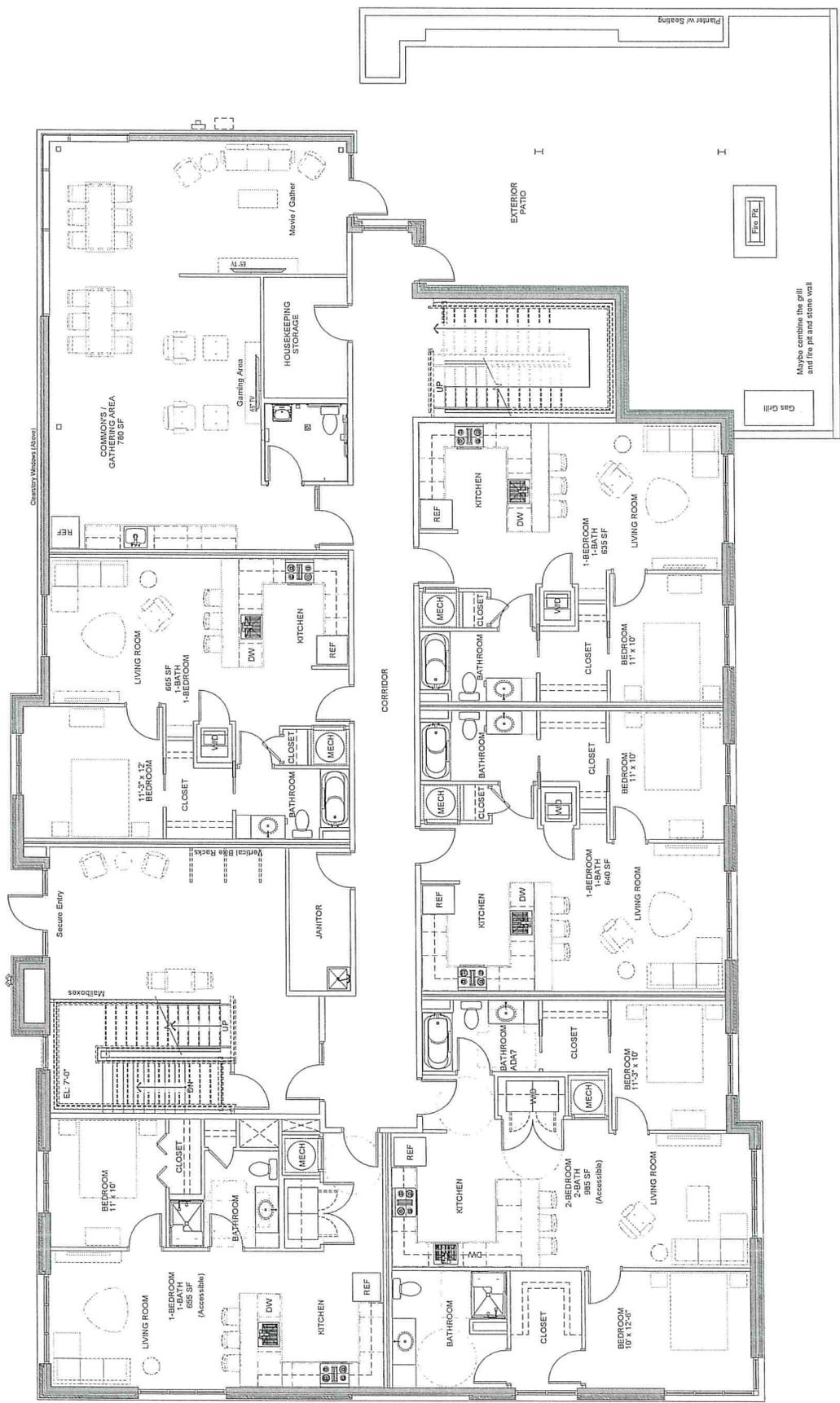
HOUSING PROJECT - PRELIMINARY
 COMMUNITY HOSPITAL
 MCCOOK, NEBRASKA

DESIGN ASSOCIATES
 1015 W. 16th Street, Suite 100
 McCook, NE 68901
 Phone: (402) 792-1111
 Fax: (402) 792-1112
 www.designassociates.com

PRELIMINARY
 NOT FOR CONSTRUCTION

DATE:	10-22-2023
PROJECT:	COMMUNITY HOSPITAL
DESIGNER:	DESIGN ASSOCIATES
CHECKED:	
REVISIONS:	

A-1b
 DATE: OCTOBER 2023



MAIN LEVEL - FLOOR PLAN v2 [6.075 SF]
 SCALE: 1/4" = 1'-0"
 12 APARTMENT OPTION NORTH

Approved for Construction
 This is a preliminary drawing and is not to be used for construction purposes without the written consent of the architect.

HOUSING PROJECT - PRELIMINARY
 COMMUNITY HOSPITAL
 MCCOOK, NEBRASKA

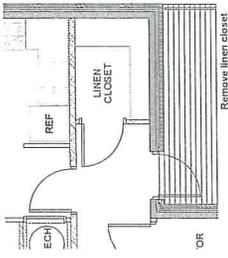
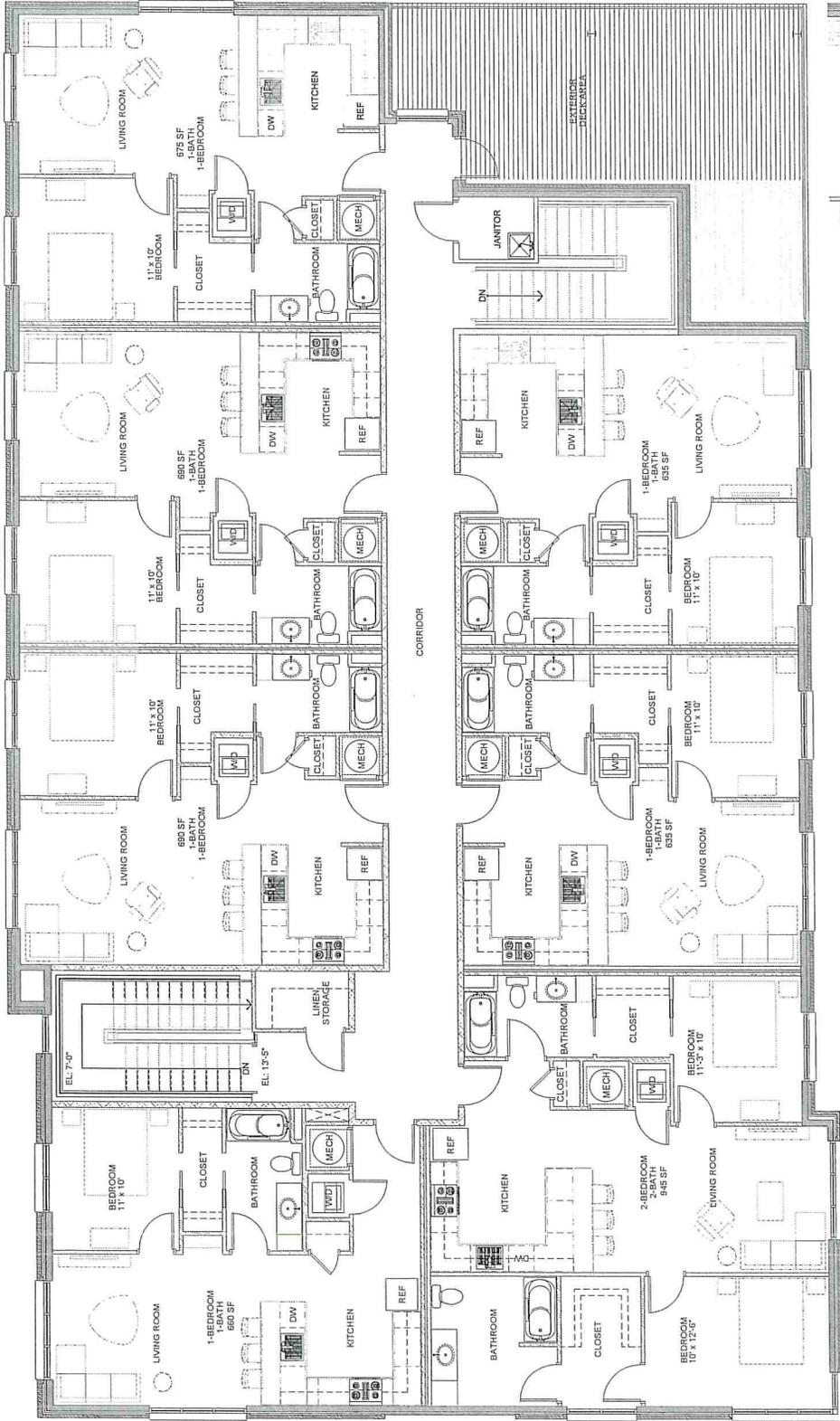
DESIGN ASSOCIATES
 200 S. 10th Street, Suite 100
 McCook, NE 68801
 402.281.4444

PRELIMINARY
 NOT FOR CONSTRUCTION

DWG:	755-23-01
DATE:	OCTOBER 2023
DESIGNED BY:	
CHECKED BY:	
REVISIONS:	

A-2

DATE: OCTOBER 2023



Remove linen closet
 by front stairs
 OPTION
 SCALE: 1/4" = 1'-0"



SECOND LEVEL - FLOOR PLAN [6,220 SF]
 SCALE: 1/4" = 1'-0"

Client: Community Hospital
 Project: Housing Project
 Date: 10/2023

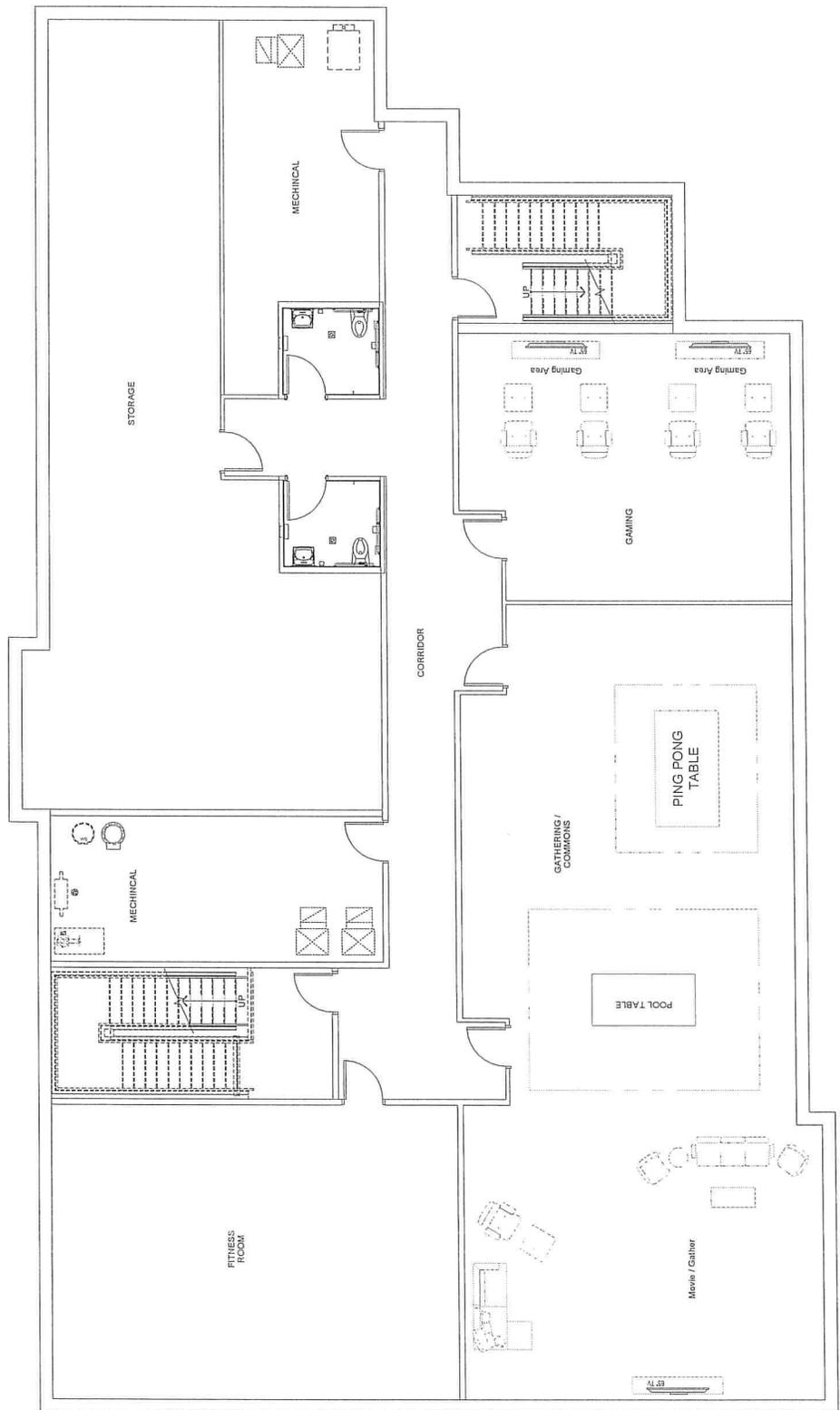
HOUSING PROJECT - PRELIMINARY
 COMMUNITY HOSPITAL
 MCCOOK, NEBRASKA

DESIGN ASSOCIATES
 2024 S. 10th St.
 Lincoln, NE 68502
 TEL: 402.426.1234 FAX: 402.426.1235
 WWW.DA-NE.COM

PRELIMINARY
 NOT FOR CONSTRUCTION

DATE:	2023-10-01
DRAWN:	MBC
CHECKED:	
REVISIONS:	

A-3b
 DATE: OCTOBER 2023

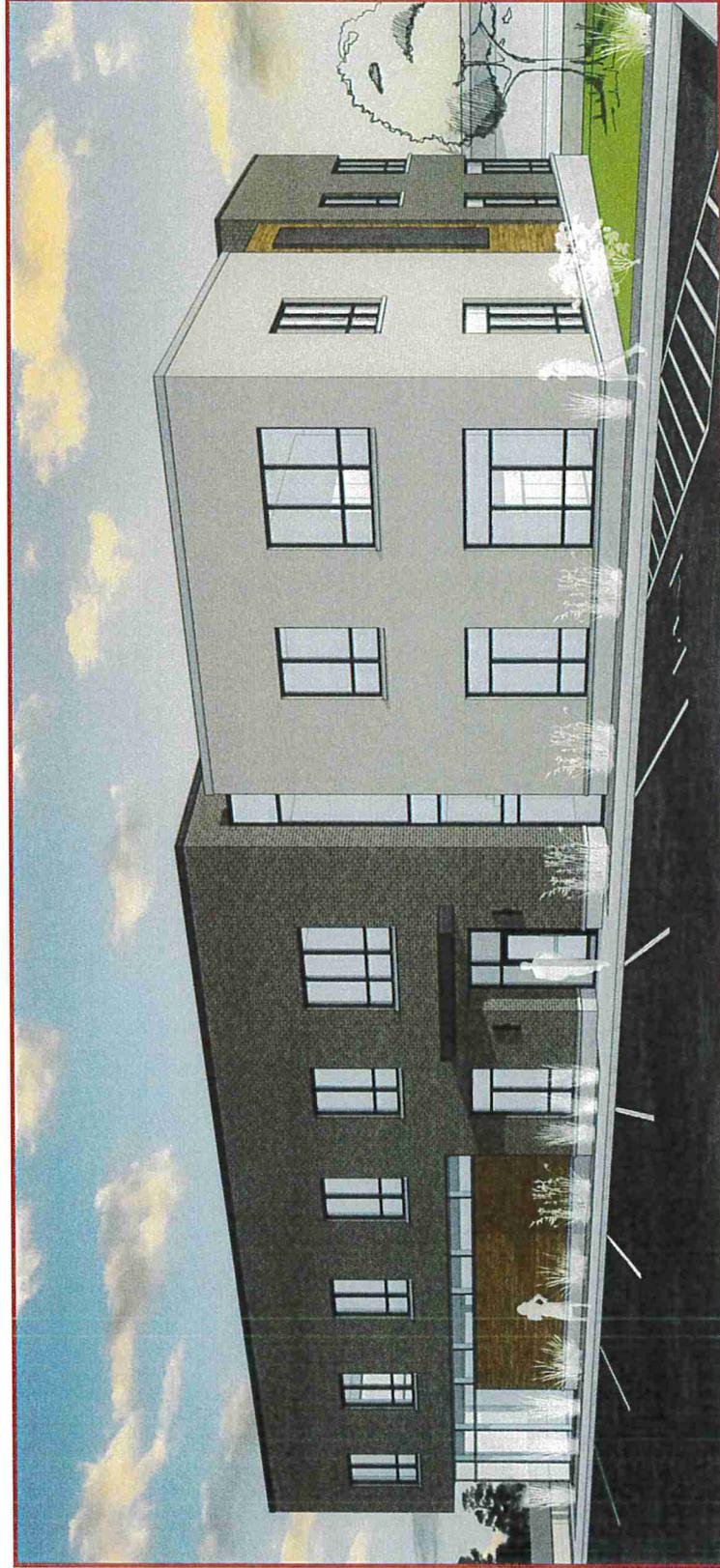


BASEMENT LEVEL - FLOOR PLAN -v2 [6,000 SF]
 SCALE: 1/4" = 1'-0"
 NORTH

This is a preliminary drawing and is not to be used for construction purposes without the written consent of the architect.

SCHEMATIC DESIGN CONCEPT
Document for Design Intent Only.

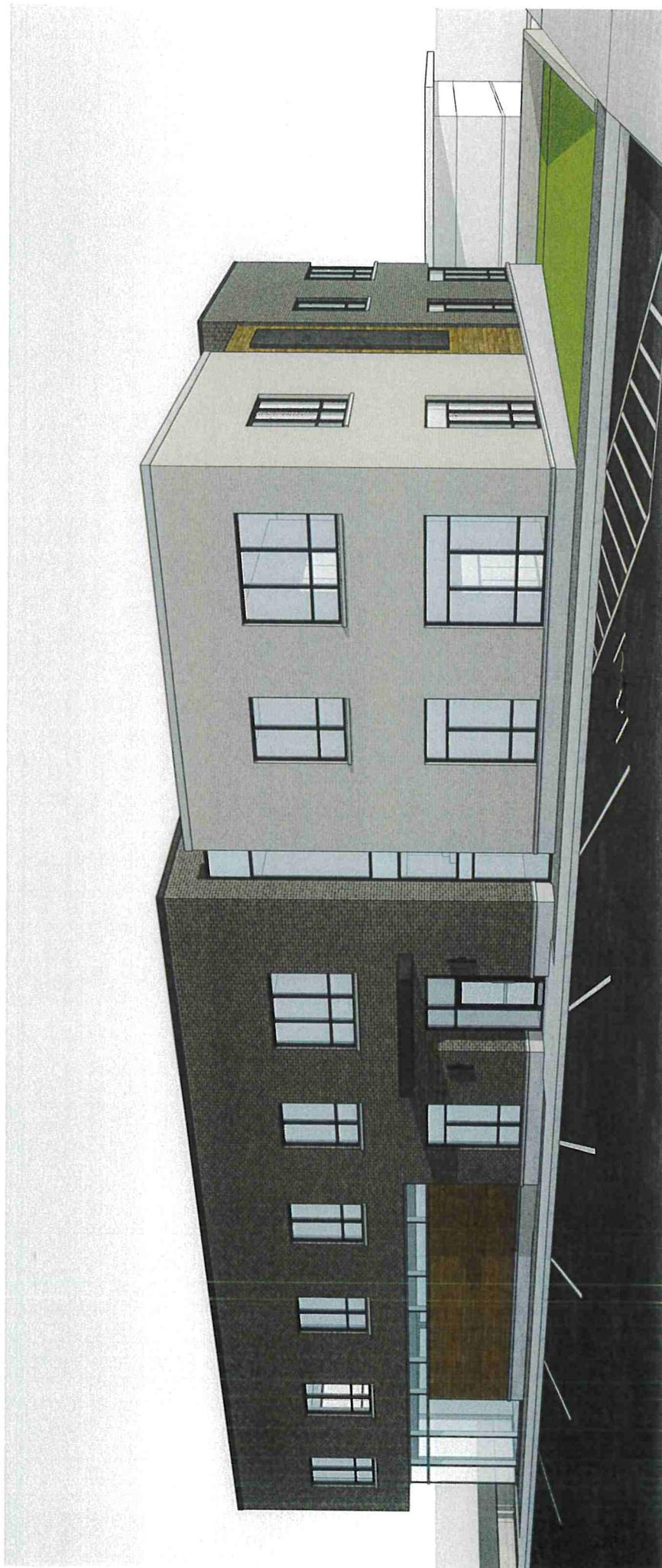
3D VISUALIZATION - NORTH FACADE
NOT TO SCALE



HOUSING PROJECT - PRELIMINARY
COMMUNITY HOSPITAL
MCCOOK, NEBRASKA

DECEMBER 2023

W DESIGN ASSOCIATES
214 E. 1ST ST. MCCOOK, NE 68001 | 308.345.2370 | WWW.WDESIGNEA.COM







INSTRUCTIONS TO APPLICANT FOR A VARIANCE

1. Apply for building permit.
2. You will be sent a letter of denial for your building permit, stating the reason your building permit cannot be issued by the Building Department.
3. Receive Variance Application from Building Department.
4. Complete Variance Application and submit to the Building Department. Proof of ownership and legal description must be included. A filing fee of \$75.00 is due with application. Checks should be made payable to the City of McCook.
5. Application will be reviewed by the City of McCook Zoning Administrator.

You will be notified by letter of either the recommended approval or recommended denial of your application. Application will be forwarded to the Board of Zoning Adjustment for final determination. The applicant will be notified of the scheduled Board of Zoning Adjustment hearing.

6. The Board of Zoning Adjustment meets on the fourth Monday of each month at 5:30 P.M. at the Municipal Facility, in the City Council Chambers, 505 West "C" Street.
7. If Board determines that they cannot grant a variance, applicant, or effected party, may present a petition to the District Court. Appeal must be filed within 15 days.
8. If the Board grants the variance, you must then supply the Building Department with the information to approve the building permit. No building permit will be issued before the appeals period has ended.
9. If the variance is for a property setback, and is approved by the Board of Zoning Adjustments, the certificate will need to be filed with the Red Willow County Clerk. This filing fee must be paid to the City of McCook before a building permit will be issued.

EXHIBIT #10

PAGE(S) - 14

VARIANCE APPLICATION

APPLICATION NO. _____ DATE: _____

FEE ATTACHED: _____

APPLICATION COMPLETE: _____ SIGNED: _____

Applicant

1. Applicant's Name: The Community Hospital Association

2. Applicant's Address: 1301 East H St; PO Box 1328; McCook NE Phone: 308-344-2650

Email Address: swolfe@chmccook.org

3. Address of Property Affected: 409 West 1st Street, McCook NE 69001

4. Legal Description of Property: 0 3 29 ORIGINAL MCCOOK BLK 9 LOTS 16, 17, 18 & S 5' LOT 19

5. Zoning Central Business District Corner Lot? Yes _____ No X

6. Applicant's interest in the Property (i.e. owner, tenant), attached proof of ownership:
Signed purchase agreement from Michael and Linda Nielsen with an anticipated closing date of March 1, 2024

7. Description of variance requested: (Example: Variance of side lot set back requirement from 5 feet to 3 feet). Variance of off-street parking requirements per Zoning Ordinance 2111: Minimum Off-Street parking, exception for Central Business District (CB). Seeking permission to use on-street parking and the City of McCook's public parking lot directly adjacent to the property to fulfill the required parking per the zoning ordinance.

8. Sections of Zoning Ordinance No. 2016-2929 which are affected (to be completed by staff)

ARTICLE: _____

SECTION: _____

9. Draw the general area of your property and structure (existing and proposed) and adjacent properties and structures. (Not to scale).

Please see attached site plan with required parking stalls and statistics of current use of existing public parking.

N

W E

S

The Applicant must provide proof that the following criteria are met regarding the parcel of property for which the variance is being requested:

1. Referring to the specific parcel of property,
 - a) the parcel of property is exceptionally narrow;
 - b) the parcel of property is exceptionally shallow; or
 - c) the shape of the parcel of property is exceptional.

OR

 - YES d) the parcel of property has exceptional topographic conditions; or
 - YES e) the parcel of property has other exceptional or extraordinary conditions.
2. Strict application of the zoning ordinance would result in:
 - a. peculiar and exceptional practicable difficulties to the owner; OR
 - YES b. exceptional and undue hardships on the owner of such property.
3. Such relief may be granted without:
 - YES a. substantial detriment to the public good; AND
 - YES b. without substantially impairing the intent and purpose of the ordinance.
4. No variance shall be authorized unless the Board finds:
 - YES a. strict application of the zoning ordinance would produce undue hardship;
 - YES b. such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
 - YES c. authorization of such variance will not be a substantial detriment to adjacent property and the character of the district will not be changed by granting the variance;
 - YES d. granting the variance is based upon reason of demonstrable and exceptional hardship as distinguished from variation for purposes of convenience, profit, or caprice.
5. No variance shall be authorized if request is:
 - a. of a general and recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

Please provide documentation of the above, such as maps, photographs, or other evidence to substantiate your application.

THE BOARD MUST FIND THAT ALL OF THE ABOVE REQUIREMENTS ARE MET BY THE APPLICANT BY A CONCURRING VOTE OF FOUR MEMBERS OF THE BOARD.

APPLICANT DECLARATIONS

1. The following special conditions or circumstances exist on the land which pose an undue hardship on the applicant: (Describe conditions and circumstances.)

The limited size of the lot and proposed multi-family housing project planned for the site in the Central Business District (CB) makes it prohibitive to include off-street parking for the tenants. Per Section 2111 of the Zoning Ordinance, the multi-family housing is required to have 13 parking stalls (see attached Civil Drawing). The existing parking utilization (as shown on the site plan), shows that there is enough on-street parking on W. 1st St. & public parking in the lot adjacent to the property available within 400ft of the entry to accommodate the needs of this project. It is requested that the Board of Zoning Adjustment grants the Community Hospital Association the use this public parking to meet the requirements set forth in section 2111 of the zoning ordinance.

2. Please state the minimum variance necessary to permit the proposed construction
Due to the lot being in the Central Business District (CB) and the lot size and planned use, the minimum variance is to be allowed to use street and public parking to fulfill all of the parking requirements of Section 2111.
3. Without the granting of this variance the applicant would suffer a hardship not suffered by other properties located in the same zoning district and same vicinity.
 Yes No
4. The granting of the variance will not adversely affect the rights of the adjacent property owners or residents nor will it confer upon the applicant any special privilege denied by the Zoning Ordinance. Yes No
(Attach approval certifications from adjacent property owners.)
5. The variance will not adversely affect the public health, safety, morals, order, convenience or welfare. Yes No

ADJACENT PROPERTY OWNER CERTIFICATION

I, Charlie McPherson/MEDC, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Charlie McPherson

ADDRESS: 402 Norris Ave.

ADJACENT PROPERTY OWNER CERTIFICATION

I, Margaret Repass/Norris Institute, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Margaret Repass

ADDRESS: 402 Norris Ave.

ADJACENT PROPERTY OWNER CERTIFICATION

I, Jason Loop/On the Bricks, own the property adjacent to that for which this variance is requested. I hereby certify that I do not have any objection to or reservations about the granting of the variance requested.

SIGNED: Jason Loop

ADDRESS: 111 West D

**RECOMMENDATION OF THE
MCCOOK CITY ZONING ADMINISTRATOR**

The City of McCook Zoning Administrator hereby recommends that the variance should _____ be granted, _____ not be granted, _____ be granted with conditions. Conditions, modifications or safeguards prescribed as a part of the variance approval are as follows: _____

Dated this _____ day of, _____, 20 ____.

**FINDINGS AND DETERMINATIONS OF
MCCOOK BOARD OF ZONING ADJUSTMENT**

DATE: _____

SIGNED: _____
Chairman

VARIANCE CRITERIA

JUSTIFIES VARIANCE

	<u>YES</u>	<u>NO</u>
1. Referring to the specific parcel of property,		
a) the parcel of property is exceptionally narrow;	_____	_____
b) the parcel of property is exceptionally shallow; <u>or</u>	_____	_____
c) the shape of the parcel of property is exceptional.	_____	_____
OR		
d) the parcel of property has exceptional topographic conditions; <u>or</u>	_____	_____
e) the parcel of property has other exceptional or extraordinary conditions.	_____	_____
2. Strict application of the zoning ordinance would result in:		
a) peculiar and exceptional practicable difficulties to the owner; OR	_____	_____
b) exceptional and undue hardships on the owner of such property.	_____	_____
3. Such relief may be granted without:		
a) substantial detriment to the public good; AND	_____	_____
b) without substantially impairing the intent and purpose of the ordinance.	_____	_____
4. No variance shall be authorized unless the Board finds:		
a) The strict application of the provisions of the Zoning Ordinance would produce an undue hardship on the applicant.	_____	_____

- b) Such hardship is not generally shared by other properties in the same zoning district and in the same vicinity. _____
 - c) The granting of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed. _____
 - d) The variance request is based upon reasons of demonstrable and exceptional hardship as distinguished from convenience, profit or caprice. _____
5. The variance requested is not so general or of re-occurring nature that it might more reasonably be addressed through a change in the Zoning Regulations. _____
6. The applicant has filed a proper and complete application. _____
7. Application for a variance submitted must demonstrate the following:
- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not found in the same zoning district and which were not created by an action of the property owner or the applicant; _____
 - B. The reduction of the minimum requirements of this Ordinance which would be necessary to permit the proposed use or construction; _____
 - C. The literal interpretation of the provision of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance; _____
 - D. The granting of the variance will not adversely affect the rights of adjacent property owners or residents nor will it confer upon the applicant any special privilege denied by this Ordinance to other land or structures in the same district; _____
 - E. The variance will not adversely affect the public health, safety, morals, order, convenience or welfare; _____
 - F. The variance requested is the minimum variance that will make possible the reasonable use of the land or structure; _____
 - G. Granting the variance requested will not be opposed to the general spirit and intent of this Ordinance. _____
8. The notice of meeting appeared in the paper and applicants and other parties of interest have been sent written notice of the meeting at which a hearing on the variance request is being considered. _____

9. The variance requested does not allow a use not permissible under the Zoning Ordinance in the district in which it is presently located.

BOARD OF ZONING ADJUSTMENT DECISION

The McCook Board of Zoning Adjustment hereby determines that the variance should _____ be granted, _____ not be granted, _____ be granted with conditions. Conditions, modifications or safeguards prescribed as a part of the variance approval are as follows: _____

Variance criteria not met are as follows: _____

Dated this _____ day of _____, 20 ____.

RESIDENTIAL PURCHASE AGREEMENT

The undersigned, as Buyer, agrees to purchase the following:

Property Address: 409 West 1st Street, McCook NE 69001

Legal Description: 0 3 29 ORIGINAL MCCOOK BLK 9 LOTS 16, 17, 18 & S 5' LOT 19

The seller has the right to remove any and all Real and Personal property prior to the date of closing,

If still occupied by tenant:

In the event that the property is still occupied by a tenant upon the closing date, the seller agrees to leave Real and Personal Property as currently supplied for tenant to use property. Seller represents that there are no latent defects in the Property of which the Seller is aware in its current use and it is equipped with smoke detectors as required by law.

Buyer will notify the Seller upon the tenant vacating the property and the Seller will retain the right to a 45 day period to remove any and all remaining Real and Personal Property the Seller wishes; with the exception of any property added or installed by the Buyer.

Date:

The date of this purchase shall be Friday, March 1st, 2024 unless a change is agreed to by both parties.

Title:

Seller agrees to furnish a title insurance commitment insuring marketability and Buyer shall be furnished a current title insurance commitment by Seller at least 5 days before closing. The cost of title insurance issued for this sale shall be equally divided. Should a valid title defect exist, Seller has a reasonable time to correct said defect. If the title defects are not cured within a reasonable time period, the Buyer may declare this Agreement null and void. Seller agrees to convey to Buyer by warranty deed or free and clear of all liens, encumbrances, special assessments levied or assessed, and subject to all easements and restrictions or covenants new of record.

The documentary stamp tax shall be paid by the Seller.

Consideration:

Buyer agrees to pay \$120,000.00 at the time of delivery of deed.

All consolidated real estate taxes for the year in which closing takes place shall be prorated, based on Current assessment and tax rate, as of date of closing. All real estate taxes for prior years shall be paid by Seller.

Offer:

This offer is based upon Buyer's personal inspection or investigation of the Property. Buyer agrees to accept the property in its present condition; and acknowledges and agrees that Seller can remove any and all Real and Personal property as described above.

This agreement shall in no manner be construed to convey the Property or to give any right of possession. Risk of loss or damage Property, prior to closing date, shall be the responsibility of Seller.

This RESIDENTIAL PURCHASE AGREEMENT is hereby agreed to by the Buyer and Seller:

Buyer: The Community Hospital Association

Address: 1301 East H Street, PO Box 1328; McCook NE 69001

Buyer: Sean Wolfe, CFO

Date: 10/2/2023

By Sean Wolfe, CFO

E-mail: swolfe@chmccook.org Phone: 308-344-8306

Sellers: Michael R and Linda C Nielsen

Address: 909 W. K St, McCook, NE 69001

Seller: Michael R. Nielsen

Date: 10/6/23

Seller: Linda C. Nielsen

Date: 10/6/23

E-mail: niechira@guestoffice.net Phone: 308-345-1755

HOUSING PROJECT - PRELIMINARY

COMMUNITY HOSPITAL

MCCOOK, NEBRASKA

DESIGN ASSOCIATES
 1001 S. 16TH ST. SUITE 100
 LINCOLN, NE 68502
 TEL: 402.476.1234
 WWW.DA-NE.COM

PRELIMINARY
 NOT FOR CONSTRUCTION

DRAWN: MJC
CHECKED: MJC
DATE: 10-10-2023

C-1

DATE: OCTOBER 2023

BUILDING DATA
 COMMUNITY HOSPITAL ASSOCIATION ELDERLIFE HOUSING

USING DISPOSITION:
 R-2 (CENTRAL BUSINESS DISTRICT)
 R-2 (RESIDENTIAL)
 1 (T) (1-BEDROOM & 0.5-BEDROOM)
 1 (T) (1-BEDROOM & 0.5-BEDROOM)

DEVELOPER:
 COMMUNITY HOSPITAL ASSOCIATION
 1001 S. 16TH ST. SUITE 100
 LINCOLN, NE 68502
 TEL: 402.476.1234
 WWW.DA-NE.COM

DESIGNER:
 DESIGN ASSOCIATES
 1001 S. 16TH ST. SUITE 100
 LINCOLN, NE 68502
 TEL: 402.476.1234
 WWW.DA-NE.COM

DATE: 10-10-2023

PARKING DATA

EXISTING PARKING:
 10 SPOTS
 10 SPOTS
 10 SPOTS

REQUIRED:
 10 SPOTS
 10 SPOTS
 10 SPOTS

PROVIDED:
 10 SPOTS
 10 SPOTS
 10 SPOTS

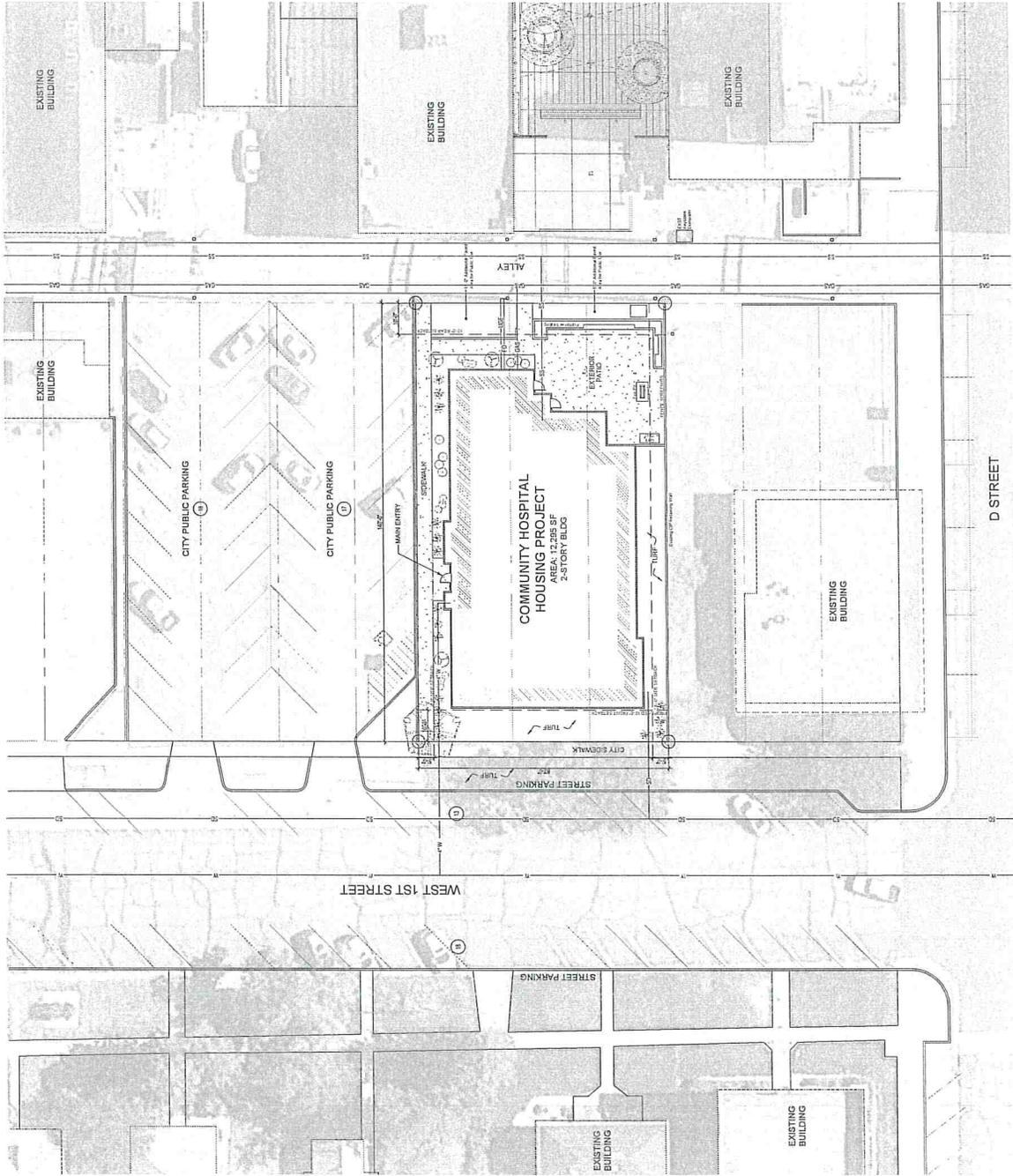
ADDITIONAL NOTES:
 10 SPOTS
 10 SPOTS
 10 SPOTS

EXISTING PUBLIC PARKING USAGE

EXISTING PUBLIC PARKING:
 10 SPOTS
 10 SPOTS
 10 SPOTS

REQUIRED:
 10 SPOTS
 10 SPOTS
 10 SPOTS

PROVIDED:
 10 SPOTS
 10 SPOTS
 10 SPOTS



ARCHITECTURAL SITE PLAN
 SCALE: 1/8" = 1'-0"

DATE: OCTOBER 2023

City of McCook
PO Box 1059
505 West C Street
McCook, NE 69001

Attention: McCook City Council

February 8, 2024

To Whom It May Concern,

This letter is to advise you that the High Plains Historical Society endorses the request to allow a structure containing only residential use at 409 West 1st Street by the Community Hospital Association. We see this as a positive development in the downtown area and support the project.

Sincerely,



Linda Buck
Site Manager
High Plains Historical Society

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EXHIBIT #11

McCook Planning Commission
February 12, 2024
5:15 P.M. Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley (arrived 5:19 P.M.), Davidson, Dueland (arrived 5:25 P.M.), McDowell, Stevens, Mockry.

Absent: Commissioners Friehe, Lyons.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 7, 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 all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the December 11, 2023 regular Planning Commission meeting.

Motion to approve the minutes of the December 11, 2023 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 6, NAY: 0, ABSENT: 4

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business

District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 6, NAY: 0, ABSENT: 4

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the February 12, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Corrected Notice of Hearing published, correcting date of City Council meeting (1 page); Exhibit #4 - Notice of Hearing mailed and posted (1 page); Exhibit #5 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #6 - Land Use Action Request Form and attachments (16 pages); Exhibit #7 - City of McCook Zoning Ordinance Article 24, Special Exceptions (1 page); Exhibit #8 - Findings and Determinations of McCook City Council (2 pages); Exhibit #9 - Variance Application for front yard setback requirement (21 pages); and Exhibit #10 - Variance Application for off-street parking requirements (14 pages).

City Manager Schneider reviewed the information presented in Exhibit #1 and noted that recommended approval should include that it be conditioned to the two requested variance being approved by the Board of Zoning Adjustment.

Sean Wolfe, Community Hospital CEO and Matt Clouse, W Design Associates, reviewed the request with the Council. Community Hospital was contacted by UMC and UNK regarding the need to provide housing to students that are in the community completing internships, medical residencies and other training programs. The special exception is requested to allow a non-mixed use, multi-family only building with apartments on the first and second floor of the structure without any retail space. The surrounding neighborhood is a mix of commercial, multi-family and residential. This property is on the edge of full commercial, the rectilinear design helps with the transition of uses and fits into the urban surrounds. The materials used are a modern look, and will fit into the newly created art district, as well as create a connection between private housing and the public spaces, like Norris Alley. Two variances requests have been submitted for the project. The first for permission to use the city parking lot and on-street parking to fulfill the off-street parking requirements, since the property is in the Central Business District, which is exempt from the off-street parking requirements; and the second to allow for a front yard setback from 20'0" to 10'0".

Commission discussion included parking, having no concerns with the current request, with limited public parking in the downtown area, other options as may need to be considered for any new requests in the future; sharing their dumpster with the MEDC; and the space in between the property to the south and if the current retaining walls will remain.

Jim Plienus, representing the Fox Theater expressed possible concerns with parking and limited access to the back of the theater.

City Attorney Mustion added as Exhibit #11 - Letter dated February 8, 2024 from the High Plains

Historical Society, Linda Buck, Site Manager endorsing the request from the Community Hospital Association.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Mockry, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 8, NAY: 0, ABSENT: 2

- 2.B. Recommend approval to the City Council the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditional to the Board of Zoning Adjustment granting the two variance requests.

Commissioners completed their Special Exception Findings and Determinations and all found that Considerations A - I have been made.

Motion to recommend approval to the City Council the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditional to the Board of Zoning Adjustment granting the two variance requests. This motion, made by Vosburg and seconded by McDowell, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 8, NAY: 0, ABSENT: 2

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:00 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM:

4.A.

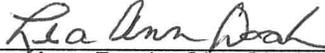
Approve the minutes of the February 5, 2024 regular City Council meeting and the February 13, 2024 joint City Council and Airport Advisory Commission meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 14, 2024

McCook City Council
February 5, 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 Calvin, Weedin, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Library Director Crocker, Utilities Director Fawver, Fire Chief Harpham, Police Chief Hodgson, Public Works Director Potthoff, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 1, 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 Jeff Kelley, Memorial Methodist Church. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

1. Announcements & Recognitions.

City Manager Schneider informed the Council that a Planning Commission meeting is scheduled on February 12, 2024 at 5:15 P.M.; a joint meeting of the City Council and Airport Advisory Commission on February 13, 2024 at 6:00 P.M.; and the committee for the update of the Comprehensive Plan, Zoning and Subdivision ordinances will meet on February 20, 2024 at 6:00 P.M.

Public Works Director Potthoff introduced Colton Stevens as the newest Public Works Employee in the Ballpark. He started with the City in July 2023.

2. Public Hearings.

2.A. Public Hearing - A report from the Economic Development Plan Citizen's Advisory Review committee regarding meeting held January 22, 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 January 22, 2024 with the City Attorney to act as hearing officer. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

The City Attorney offered and received into evidence Exhibit #1 - the City Manager's Report dated February 5, 2024 (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Agenda for the January 22, 2024 meeting of the Economic Development Plan Citizen's Advisory Review Committee and attachments (9 pages); and Exhibit #4 - the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee (4 pages).

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

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

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

2.B. Accept the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee meeting.

Motion to accept the minutes of the October 23, 2023 Economic Development Plan Citizen's Advisory Review Committee meeting. This motion, made by Calvin and seconded by Muehlenkamp, passed.

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

3. Consent Agenda.

Councilmember Calvin requested the Item J be removed from the Consent Agenda and placed on the Regular Agenda.

Councilmember Weedin requested the Item H be removed from the Consent Agenda and placed on the Regular Agenda.

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

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

3.A. Approve the minutes of the January 15, 2024 regular City Council meeting.

- 3.B. Accept the minutes of the July 18, 2023 and the October 17, 2023 Senior Center Advisory Board meeting.
- 3.C. Award bid for two (2) new current model year all-wheel drive or 4-wheel drive police interceptor/pursuit utility vehicles to Deveny Motors in the amount of \$80,828.00, that being the lowest responsive bid, for use by the Police Department.
- 3.D. Receive and file the Financial Report for the period ending December 31, 2023.
- 3.E. Approve the application for a Special Designated Liquor License submitted by Arapahoe Municipal Golf Course & County Club, Liquor License #IB-076467 for a wedding reception to be held at the Red Willow County Fairgrounds Community Building, 1412 West 5th Street, on June 1, 2024 from 3:00 P.M. to 1:00 A.M.
- 3.F. Approve the LB840 Economic Revolving Loan Fund Program loan with HOKYL, LLC in the amount of \$100,000 with a term of 10 years and an interest rate of 4% and authorize the Mayor to sign all required documents.
- 3.G. Approve a Microenterprise Lending Program loan with Red Willow Properties, LLC in the amount of \$120,000 with a term of 10 years and an interest rate of 4% and authorize Mayor to sign all required documents.
- 3.I. Approve a Memorandum of Understanding between the City of McCook and the McCook Economic Development Corporation, Graff Charitable Foundation, McCook Community Foundation, and Community Hospital for the purpose of establishing the joint financial obligations of each entity relative to the Civic and Community Center Financing Fund grant application, said grant to be used for McCook Creative District preliminary planning purposes.
- 3.K. Award the bid for the 2024 Crack Sealing Project to Shelco Construction of Elsie, Nebraska in the amount of \$64,350.00, that being the lowest best bid.
- 3.L. Approve the selection of W Design and Associates for engineering services at McCook Regional Airport for airport improvement project engineering services for a period of five years from 2024 to 2028.

4. Regular Agenda.

- 3.H. Approve an application for Lumen (Century Link) to occupy city right-of-way for the purpose of installing one new ground level vault & underground fiber optic duct and cable from the north-east corner of West 3rd and West "O" Streets to the west side of West 5th Street.

Motion to approve an application for Lumen (Century Link) to occupy city right-of-way for the purpose of installing one new ground level vault & underground fiber optic duct and cable from the

north-east corner of West 3rd and West "O" Streets to the west side of West 5th Street. This motion, made by Weedin and seconded by Calvin, passed.

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

- 3.J. Approve and enter into an Interlocal Agreement with West Central Nebraska Development District, Inc.

Motion to approve and enter into an Interlocal Agreement with West Central Nebraska Development District, Inc. This motion, made by Calvin and seconded by Taylor, passed.

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

- 4.A. Consider and approve the recommendation from the McCook Parks Advisory Board to construct a Disc Golf Course in Barnett Park.

David Brewster and Kaleb Taylor addressed the Council about the possible construction of a Disc Golf Course at Barnett Park. Their group approached city staff several months ago regarding their proposal. After addressing city concerns, they hired a designer with funding help from Community Hospital. The cost of design was \$10,000 and the estimated cost for construction is \$30,000. Their committee will fund raise the dollars to complete the project. The course will have 18 holes, be shorter and much more flat than the Kelley Park Course, but has been designed to have the potential to be challenging for even the most experienced players. Their goal is to provide a course that is more appealing to the younger players, as well as those that find the Kelley Park course a little difficult to navigate. This second course will allow for larger tournaments, with the potential to draw more participants creating a benefit to the local economy.

Jerry Ruzicka and Devin Rambali spoke in support of the project. Brian Calvin questioned what happens to any additional funds raised.

Motion to approve the recommendation from the McCook Parks Advisory Board to construct a Disc Golf Course in Barnett Park. After discussion, 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. Discussion and update on the work completed to date by City staff regarding a potential UTV ordinance.

City Manager Schneider informed the Council that staff has continued to work on a potential UTV ordinance. Proposed Legislative Bill 66 will address the licensing issue and some of the city's concerns expressed during previous discussions. It was the consensus of the Council to hold off creating an ordinance until the final determination of LB66.

- 4.C. Update regarding the swimming pool project.

City Manager Schneider updated the Council on the pool project. Even with cold, muddy work conditions, work has continued to progress well and the original completion date is still possible.

4.D. Council Comments.

Councilmember Weedon said the choice gas selection period for this year is April 4 - April 24, 2024. That's the period when you select your natural gas supplier, there is going to be eight suppliers this year. One of the suppliers is ACE, a nonprofit organization, which means at the end of the year, the profits go back to the communities. McCook received \$20,000 from ACE this year.

Councilmember Calvin thanked the Disc Golf group for their excellent presentation, it is great to hear from the younger generation.

4.E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to real estate purchase for Sports Complex.

Motion to go into executive session for the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex at 6:30 P.M. This motion, made by Calvin and seconded by Taylor, passed.

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

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, City Clerk Doak, and Public Works Director Potthoff were included in the executive session.

Motion to come out of executive session at 7:10 P.M. This motion, made by Taylor and seconded by Calvin, passed.

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

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

Motion to go into executive session for the protection of public interest for a strategy session with respect to potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin at 7:11 P.M. This motion, made by Weedon and seconded by Rambali, passed.

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

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to potential litigation - property located 1111 East "H" Street, Cindy and Ron Sabin. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, and City Clerk Doak were included in the executive session.

I move to come out of executive session at 7:33 P.M. This motion, made by Taylor and seconded by Muehlenkamp, 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 7:34 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

Joint McCook City Council and
Airport Advisory Commission
February 13, 2024
6:00 P.M. Central

A JOINT MEETING OF THE CITY COUNCIL AND AIRPORT ADVISORY COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, special, and public session at 6:00 o'clock P.M. in the City Council Chambers.

Council present: Mayor Taylor, Councilmembers Calvin, Weedon, Rambali.

Council absent: Councilmember Muehlenkamp.

Airport Advisory Commission present: Trial, Kugler, Pfeffer, Skiles, Spencer, Taylor,

Commission absent: Commissioner Malleck.

City Officials present: City Manager Schneider, City Clerk Doak, Assistant City Manager Koetter, and Public Works Director Potthoff.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 8, 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, members of the City Council, and members of the Airport Advisory Commission. A copy of the Acknowledgement of Receipt of such notice by the City Council 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 called the meeting to order.

1. Presentations.

Presentations to the Council and Commission were given by Boutique Air, Southern Airways, Denver Air Connection, and Contour Airlines.

2. Council Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 8:05 P.M.

3. Airport Advisory Commission.

3.A. Selection and recommendation of proposal to provide essential air service for the City of

McCook/McCook Ben Nelson Regional Airport to the McCook City Council.

Motion to recommend to the McCook City Council Denver Air Connection as the first choice to provide essential air service for the City of McCook/McCook Ben Nelson Regional followed by (2) Southern Airways, (3) Boutique Air, and (4) Contour Airlines. This motion, made by Taylor and seconded by Spencer, passed.

Malleck: ABSENT, Kugler: YEA, Pfeffer: YEA, Skiles: YEA, Spencer: YEA, Taylor: YEA, Trail: YEA

YEA: 6, NAY: 0, ABSENT: 1

Adjournment.

There being no further business to come before the Commission, Chair Trail declared the meeting adjourned at 8:23 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024
CITY COUNCIL MEETING**

ITEM: 4.B.

AWARD THE BID FOR THE 2024 ARMOR COATING PROJECT TO TOPKOTE INC. OF YANKTON, SOUTH DAKOTA IN THE AMOUNT OF \$5.297 PER GALLON, THAT BEING THE LOWEST BEST BID.

BACKGROUND

On February 6th bids were opened for the 2024 Armor Coating Project. Attached is the tabulation of the bids received.

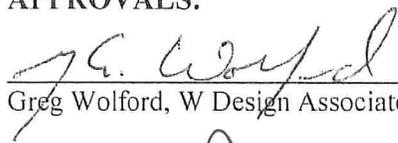
As a note on the impact of oil costs, the following is a summary of the armor coat bids for the past several years:

Year	Cost/Gal.	Year	Cost/Gal.
2007	\$2.645	2015	\$3.70
2008	\$3.77	2016	\$3.37
2009	\$3.22	2017	\$3.667
2010	\$3.325	2018	\$3.55
2011	\$3.61	2019	\$3.83
2012	\$4.21	2020	\$3.93
2013	N/A	2021	\$3.42
2014	\$4.82	2022	\$4.50
		2023	\$4.78

This cost is within the City's budget for street maintenance this year.

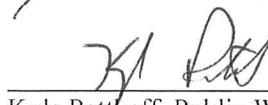
FISCAL IMPACT: None.

APPROVALS:



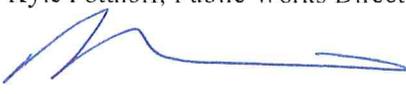
Greg Woford, W Design Associates

Date: 12 Feb 24



Kyle Potthoff, Public Works Director

Date: 2/13/24



Nate Schneider, City Manager

Date: 2-13-24

2024 ARMOR COATING
CITY OF McCOOK
McCOOK, NEBRASKA

JOB #854-24
FEBRUARY 6, 2024 AT 2:30PM

BID TABULATION SHEET

CONTRACTOR	UNIT PRICE	START DATE	COMPLETION DATE	BID BOND
CHEMLINE INC. 5151 NATURAL BRIDGE ST. LOUIS, MO 63115				
FIGGINS CONSTRUCTION 1511 ROAD 1100 RED CLOUD, NE 68970	\$5.65	5/15/24	8/15/24	Ok
McCORMICK EXCAVATION & PAVING 30887 ROAD 1100 STRATTON, CO 80836				
STA-BILT CONSTRUCTION P.O. BOX 151 HARLAN, IA 51537				
TOPKOTE INC. 43439 SD HWY 50 YANKTON, SD 57078	\$5.297	6/1/24	9/1/24	Ok

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 4.C.

RECOMMENDATION:

AWARD THE BID FOR THE MCCOOK BUSINESS PARK PHASE II GRADING AND PAVING PROJECT TO GERIH CONCRETE & CONSTRUCTION IN THE AMOUNT OF \$588,393.98, THAT BEING THE LOWEST BEST BID.

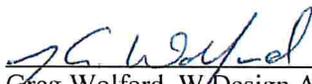
BACKGROUND

Bids were opened for this project on February 6th and attached is a detailed tabulation of the two bids received. Since this project is being funded 100% by TIF funds, and alternate was bid reducing the amount of paving in case not enough funding was available.

The engineer's estimate for this project was \$675,666.50 and since the low bid was under this estimate we believe sufficient funds are available to construct the full project. We are therefore recommending that the City not accept the alternate and award the contract for the full bid of \$588,393.98.

FISCAL IMPACT: None.

APPROVALS:



Greg Woford, W/Design Associates

Date: 12 Feb 24



Kyle Potthoff, Public Works Director

Date: 2/12/24



Nate Schneider, City Manager

Date: 2-12-24

McCOOK BUSINESS PARK PHASE II			
STREET GRADING & PAVING PROJECT			
McCOOK, NEBRASKA			
Item	Est. Quantity	Units	Heartland Concrete Co., LLC 9295 Osborne Dr. West Hastings, NE 68901
		Gerih Concrete & Construction P.O. Box 871 McCook, NE 69001	
Base Bid		Unit Price	Total Price
1. Mobilization	1	Lump Sum	\$ 24,653.00 \$ 24,653.00
2. 6" Strippings	3,310	Cu. Yds.	\$ 2.10 \$ 6,951.00
3. Excavation	9,422	Cu. Yds.	\$ 2.10 \$ 19,786.20 *
4. Embankment	3,146	Cu. Yds.	\$ 9.00 \$ 28,314.00
5. Waste	5,018	Cu. Yds.	\$ 2.10 \$ 10,537.80
6. Remove Concrete	7	Sq. Yds.	\$ 85.72 \$ 600.04
7. Build 8" Concrete Pavement	5,675	Sq. Yds.	\$ 69.30 \$ 393,277.50
8. Granular Foundation Course 2" - Sand/Gravel	5,675	Sq. Yds.	\$ 1.52 \$ 8,626.00
9. Subgrade Preparation	8,977	Sq. Yds.	\$ 1.44 \$ 12,926.88
10. Build 4" Rock Drive	3,302	Sq. Yds.	\$ 8.58 \$ 28,331.16
11. Install 12" Corrugated Plastic Pipe	98	Lin. Ft.	\$ 40.00 \$ 3,920.00
12. Install 18" Corrugated Plastic Pipe	760	Lin. Ft.	\$ 32.00 \$ 24,320.00
13. Install 12' Gate	1	Lump Sum	\$ 2,100.00 \$ 2,100.00
14. Temporary Access Drive	1	Lump Sum	\$ 7,800.00 \$ 7,800.00
15. Rip Rap	60	Sq. Yds.	\$ 103.34 \$ 6,200.40
16. Tree Removal	1	Lump Sum	\$ 450.00 \$ 450.00
17. Seeding Type A	2.5	Acres	\$ 2,840.00 \$ 7,100.00
18. Signs & Barricades	1	Lump Sum	\$ 2,500.00 \$ 2,500.00
*denotes math error		Total Base Bid	\$ 588,393.98 *
Alternate #1 Deduct		Written Bid	\$ 588,375.98
1. Deduct 8" Concrete Pavement	2,842	Sq. Yds.	\$ 70.81 \$ 201,242.02 *
2. Add 4" Gravel	2,842	Sq. Yds.	\$ 9.93 \$ 28,221.06
Alternate #1 Total Deduct		Written Bid	\$ 173,020.96 *
Base Bid with Deduct		Written Bid	\$ 415,373.02
Addenda #1			Ok
Bid Bond			Ok - Cashiers Check
Start Date			6/3/2024
Completion Date			7/31/2024
			\$483,614.78
			Ok
			Ok
			5/1/2024
			7/31/2024
			\$ 150,626.00
			\$ 634,240.78
			\$ 44,000.00 \$ 44,000.00
			\$ 2.52 \$ 8,341.20
			\$ 2.52 \$ 23,743.44
			\$ 10.80 \$ 33,976.80
			\$ 2.53 \$ 12,695.54
			\$ 102.86 \$ 720.02
			\$ 67.02 \$ 380,338.50
			\$ 1.82 \$ 10,328.50
			\$ 1.74 \$ 15,619.98
			\$ 12.00 \$ 39,624.00
			\$ 48.00 \$ 4,704.00
			\$ 38.40 \$ 29,184.00
			\$ 2,520.00 \$ 2,520.00
			\$ 9,360.00 \$ 9,360.00
			\$ 124.08 \$ 7,444.80
			\$ 1,920.00 \$ 1,920.00
			\$ 3,408.00 \$ 8,520.00
			\$ 1,200.00 \$ 1,200.00



**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 4.D.

Receive and file the claims for the month of January 2024, published February 13, 2024.

BACKGROUND:

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

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

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 13, 2024

CITY OF MCCOOK
CLAIMS FOR JANUARY 2024

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

20/20 TECHS-SC 4895.16; 7-D LOCKSHOP-S 119.50; ACE-S 3614.35; AKRS-S 991.33; AMERICAN AG LAB-SC 2967.60; AMERICAN ELECTRIC-S 833.46, SC 107.28; AMERICAN NATIONAL BANK-SC 43479.22; AMERITAS-CLAIMS-SC 4510.72; AMERITAS-DENTAL-SC 892.68; ANYTIME TRI STATE TOWING SC 410.00; ARBOR DAY-SC 20.00; ARROW CAR WASH-S 40.50; AURORA COOP-S 9059.09; AXON ENTERPRISE-S 495.00; B STREET AUTO SPA-S 11.90; BIG METALWORKS-S 150.00; BLACK HILLS ENERGY-SC 9132.51; BLACKWOOD ENT.-SC 3335.00; BLAKE'S SERVICE-S 40.00; BROOKS CONST-S 1297.50; BUSINESS RADIO LICENSING-S 115.00; BW TELECOM-SC 144.14; C&K-S 200.95; CAMBRIDGE TELEPHONE-SC 234.12; CAROLINA SOFTWARE-S 901.00; CARQUEST-S 5311.98; CARROTHERS CONST-CO 323018.10; CASH WA-S 18730.50; CDW-G-S 43.70, SC 2174.48; CENGAGE LEARNING-S 46.38; CENTRAL STATE WIRE-S 2829.45; CENTURY LINK-SC 788.82; N. CHITWOOD-SC 112.00; CITY OF MCCOOK-PS 637788.50; CITY SELF INS-BT 353119.32; SALES TAX-44352.01; TIF REPAYMENT-SC 3521.43; UTILITIES-SC 2855.11; CLINE WILLIAMS, WRIGHT JOHNSTON-SC 82.00; CORE CPAS-SC 100.00; CREATIVE PRODUCT SOURCING-S 1244.86; CULLIGAN-S 86.00; D&S HARDWARE-S 1081.71; DAS ACCT-SC 1757.00,S 66.00; DEMCO-S 186.38; DEVENY MOTORS-S 59.40; EAKES-SC 170.27, S 197.33; EASTERN SKY-S 1572.00; ELLERBROCK-NORRIS-SC 4720.45; EMBASSY SUITES-SC 672.40; ENGINEERED CONTROLS-S 307.29; FICA-PS 32372.39; FASTENAL-S 50.02; P. FAWVER-SC 179.00; FBI NATIONAL ACADEMY-SC 260.00; FRASER STRYKER PC-SC 1215.00; FRENCHMAN VALLEY-SC 100.00; FRONTIER COMMUNICATIONS-SC 34.19; GALLS-S 100.95; GARRISONS-S 357.36; GLASS EXPRESS-S 70.72; GOOGLE SVCS-SC 534.00; GRAHAM TIRE-S 2745.00; GREAT PLAINS COMM-SC 2860.30; HENNING BROS-SC 59.00; HERITAGE SENIOR CENTER-SC 90.00; HOMETOWN LEASING-SC 1515.66; HONDO FANNING-CO 9722.00; IDEAL LINEN-S 82.96; INT'L CODE COUNCIL-SC

160.00; J BAR J LANDFILL-SC 36043.51; JUNIOR LIBRARY GUILD-S 1505.22; K&C GRAIN-S 50159.66; K-C MOTOR & ELEC-S 10.72; KATHRYN MESNER-SC 4749.16; KOHL'S AUTO PARTS-S 688.48; LAMP RYNEARSON-CO 6520.00; LIFE ASSIST-S 1671.52; MACQUEEN EQ-S 5360.00; MALLECK OIL-S 1157.05; MARIS GEN CONST-S 2734.88; STOREY KENWORTHY/MATT PARROTT-S 286.56; MC GAZETTE-SC 469.58; MC HUMANE SOCIETY-S 4538.74; MPPD-SC 523.83; MPS-SC 910.00; MC NET SC 69.95; C MCDONALD-SC 311.42; MCKESSON MEDICAL-S 328.24; MEDICARE-PS 8922.19; R. METCALF-S 150.00; MICROMARKETING-S 2638.15; MID-STATES ORGANIZED CRIME-SC 150.00; MIDWEST CONNECT-S 321.05, SC 2019.82; MOHAWK LIFTS-CO 21998.65; MONSIDO-SC 5100.00; MOTOROLA SOLUTIONS-S 371.85, SC 23136.75; MOUSEL, BROOKS, SCHNEIDER, MUSTION & SCHIFFLET-SC 3673.00; MUNICIPAL SUPPLY-S 34604.96, SC 6844.81; MUTUAL OF OMAHA-SC 752.70; NE DEPT REV-SALES TAX-SC 11073.25, LOTTERY-SC 4538.00; NE REGIONAL INTEROPERABILITY-S 1850.00, SC 550.00; NE AVIATION COUNCIL-SC 405.00; NE LAW ENFORCEMENT INTEL-SC 525.00; NE TRUCK CENTER-S 51.90; NEBRASKALAND TIRE-S 976.47; MERLIN NEEDHAM-S 250.00; NEMSA-SC 530.00; NATIONAL FIRE PROTECTION-SC 175.00; NICK'S DIST-S 2186.87; NE MACHINERY-S 1610.90; NORTH PLATTE MONUMENT-S 125.00; NPPD-SC 28368.34, SC 2905.09; O'REILLY-S 301.50; ONE BILLING SOLUTIONS-SC 5143.34; ONE CALL-SC 46.62; OSAGE IND.-S 184.25; - PAULSEN, INC-SC 17205.30, S 1603.92; PEACE LUTHERAN-CO 4000.00; PETROTEK-SC 4348.51; PINPOINT COMM-SC 69.99; PLATTE VALLEY COMM-S 419.00; PROPIO LS-S 34.45; QUADIAENT FINANCE-S 188.97, SC 811.03; QUADIENT LEASING-SC 600.00; QUALITY IRRIGATION-S 24.51; QUALITY URGENT CARE-SC 50.00; QUILL-S 237.67 RAPID FIRE PROTECTION-S 1715.00, SC 175.00; RED WILLOW CO CRT-SC 17.00; RED WILLOW CO TREAS-CO 75.00; REWARD COMMITTEE-SC 2500.00; ROCHESTER MIDLAND-S 488.80; SANDRY FIRE SUPPLY-CO 602.53, S 904.00; SENSEL WELDING-S 52.26; SOLID WASTE ASSOC-SC 245.00; SOLORZANO-CO 8200.00; SOUTHWEST FARM & AUTO-S 871.03; SOUTHERN EQ CO-S 727.21; SPARQ DATA-SC 4100.00; TECH SALES-S 2822.80; TELEFLEX-S 730.90; TITAN MACHINERY-S 239.94; TRAVELERS-SC

133716.00; TRI CITY SIGNS-SC 400.00; TYLER TECH-SC 17.70; UMR-SC
256450.94; US FOODS-S 853.14; UTILITY REFUNDS-941.49; VAN DIEST SUPPLY-
S 1068.20; T. VANPELT-SC 15.00; VERIZON-SC 6542.93; VOLZ-S 1049.14; W-
DESIGN-SC 19002.19; WAGNER FORD-S 1430.43; WALMART-S 1313.38;
WESTSIDE WELDING-S 97.48; WEX BANK-S 12125.00; J WHITE-SC 82.00;
WITMER PUBLIC SAFETY-S 886.42; WPCI-SC 32.00; ZOLL MEDICAL-S 324.72.

-s-Lea Ann Doak, City Clerk

PUBLISH: February 13, 2024

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 4.E.

Receive and file the Financial Report for the period ending January 31, 2024.

BACKGROUND:

The Treasurer's Report (Attachment A) gives the beginning cash balances as of October 1, 2023, plus Total (YTD) Receipts, minus Total (YTD) Disbursements, giving the ending cash balance on January 31, 2024.

Per the Banking Services Agreement with McCook National Bank, all funds are deposited into the Public Funds Account at a higher rate of interest. The bank then sweeps in increments of \$100,000 to the Primary Operating Account to cover disbursements as they clear the bank. That is why the Ending Cash Balance in the Primary Operating Account is (\$138,144.72), issued checks had not yet cleared the bank. The Payroll Account is also a sweep account and maintains a \$1,000 balance. The Payroll Ending Cash Balance is (\$28,612.07) because ACH transfers issued had not yet cleared the bank.

All of the bank accounts are interest bearing, except the Payroll Account and the Purchase Account. The Purchase Account is our VISA credit card.

Attachment B gives the ending cash balances by fund as of January 31, 2024.

Attachment C is a Financial Summary of Revenue and Expense by Fund for the quarter ending January 31, 2024.

Staff is always available to address any questions that the Council may have. The Department Heads receive monthly financial reports and it is their responsibility to monitor their individual budgets. It is the bottom-line per department that is monitored. If they go over on a line item, they must adjust for it in another line item.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk-Treasurer

February 15, 2024

ATTACHMENT

A

City of McCook, Nebraska
 TREASURER'S REPORT
 Period Ending January 31, 2024 (unaudited)

Beginning Cash on Hand, October 1, 2023			
McCook National Bank - Public Funds	\$	24,891,382.03	
McCook National Bank - Primary Operating	\$	(238,986.17)	
McCook National Bank - LB840 Funds	\$	1,313,478.19	
McCook National Bank - Payroll	\$	(30,640.55)	
McCook National Bank - CRA	\$	57.93	
Purchases Account	\$	10,000.00	
Petty Cash	\$	1,150.00	
NDEQ Irrevocable Escrow	\$	89,029.76	
McCook National Bank - Pension	\$	4,565.82	
TOTAL BEGINNING CASH			\$ 26,040,037.01
Receipts:			
Taxes	\$	2,102,250.19	
Fees, Permits and Licenses	\$	176,035.00	
Intergovernmental Services	\$	562,554.49	
Charges - Current Services	\$	706,052.01	
Public Utilities	\$	1,424,602.89	
Use of Money & Property	\$	1,016,060.66	
Interfund Transfers	\$	1,684,381.21	
Other Revenue	\$	712,294.90	
Unapplied/Accounts Payable	\$	1,350.00	
PLUS TOTAL RECEIPTS			\$ 8,385,581.35
Disbursements:			
Personal Services	\$	2,766,759.42	
Supplies	\$	554,127.11	
Services & Charges	\$	3,064,654.61	
Budget Transfers	\$	1,147,306.57	
Capital Outlay	\$	2,082,446.77	
Unapplied/Accounts Payable	\$	(181,491.23)	
MINUS TOTAL DISBURSEMENTS			\$ 9,433,803.25
Ending Cash Balance January 31, 2024			
McCook National Bank - Public Funds	\$	23,563,588.50	
McCook National Bank - Primary Operating	\$	(138,144.72)	
McCook National Bank - LB840 Funds	\$	1,470,745.85	
McCook National Bank - Payroll	\$	(28,612.07)	
McCook National Bank - CRA	\$	57.93	
Petty Cash	\$	1,150.00	
Purchase Account	\$	10,000.00	
NDEQ Irrevocable Escrow	\$	94,706.96	
McCook National Bank - Pension	\$	18,322.66	
TOTAL ENDING CASH	\$	24,991,815.11	\$ 24,991,815.11

Dated: January 31, 2024

-s- Lea Ann Doak, City Clerk

ATTACHMENT

B

City of McCook, Nebraska
TREASURER'S REPORT
CASH BALANCE BY FUNDS
Period Ending January 31, 2024 (unaudited)

Beginning Cash on Hand, October 1, 2023	Beginning Cash	YTD Revenue	YTD Expenditures	Ending Cash
General Fund - 10	\$ 3,713,273.61	\$ 2,626,864.10	\$ 3,197,116.94	\$ 3,143,020.77
General Fund Unapplied/Accts. Payable	\$ 2,519.00	\$ 1,350.00	\$ (10,283.96)	\$ 14,152.96
Street Fund - 15	\$ 542,044.26	\$ 8,488.00	\$ -	\$ 550,532.26
Special Revenue - 20	\$ 6,915,980.44	\$ 131,356.02	\$ 1,595,606.80	\$ 5,451,729.66
Special Revenue Unapplied/Accts. Payable	\$ -		\$ -	\$ -
Debt Service - 30	\$ 413,572.43	\$ 6,463.00	\$ -	\$ 420,035.43
Community Redevelopment Authority - 40	\$ 83,322.24	\$ 56,205.93	\$ 55,166.81	\$ 84,361.36
Economic Development Fund - 45	\$ 1,313,478.19	\$ 224,301.39	\$ 67,033.73	\$ 1,470,745.85
Pension Trust - 50	\$ 4,565.82	\$ 34,201.16	\$ 20,444.32	\$ 18,322.66
Trust & Agency - 60	\$ 342,798.60	\$ 43,508.97	\$ 38,192.73	\$ 348,114.84
Trust & Agency Unapplied/Accts. Payable			\$ (3,800.00)	\$ 3,800.00
Internal Service Fund - 65	\$ 812,266.31	\$ 1,235,194.12	\$ 929,328.68	\$ 1,118,131.75
Enterprise Fund - 70	\$ 10,389,917.22	\$ 3,404,687.04	\$ 3,481,765.31	\$ 10,312,838.95
Enterprise Fund Unapplied/Accts. Payable	\$ 482.46	\$ -	\$ (1,740.61)	\$ 2,223.07
Capital Improvement - 80	\$ 1,505,816.43	\$ 612,961.62	\$ 230,639.16	\$ 1,888,138.89
Capital Improve Unapplied/Accts. Payable			\$ (165,666.66)	\$ 165,666.66
BALANCES	\$ 26,040,037.01	\$ 8,385,581.35	\$ 9,433,803.25	\$ 24,991,815.11

Dated: January 31, 2024

-s- Lea Ann Doak, City Clerk

ATTACHMENT C

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

10 -GENERAL FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
GENERAL REVENUE	11,414,579	11,414,579	821,254.04	2,594,321.71	2,656,703.33	8,820,257.29	77.27
RESERVES/CO TREASURER BAL	<u>1,887,442</u>	<u>1,887,442</u>	<u>6,250.00</u>	<u>32,542.39</u>	<u>41,582.00</u>	<u>1,854,899.61</u>	<u>98.28</u>
TOTAL REVENUES	<u>13,302,021</u>	<u>13,302,021</u>	<u>827,504.04</u>	<u>2,626,864.10</u>	<u>2,698,285.33</u>	<u>10,675,156.90</u>	<u>80.25</u>
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ADMINISTRATION	879,209	879,209	80,657.90	251,517.56	214,727.56	627,691.44	71.39
PUBLICITY	6,750	6,750	791.44	2,325.70	3,664.63	4,424.30	65.55
AUDITORIUM	57,603	57,603	13,788.74	34,623.15	17,580.12	22,979.85	39.89
COUNCIL	631,558	631,558	59,544.13	142,154.69	96,421.91	489,403.31	77.49
POLICE	2,342,951	2,342,951	224,028.71	674,143.81	673,261.13	1,668,807.19	71.23
MUNICIPAL CENTER	130,120	130,120	14,841.20	56,852.47	53,533.07	73,267.53	56.31
FIRE	2,393,557	2,393,557	149,831.67	506,765.53	633,158.92	1,886,791.47	78.83
AMBULANCE	529,995	529,995	10,947.86	36,592.27	45,547.56	493,402.73	93.10
CIVIL DEFENSE	10,456	10,456	196.72	696.47	367.32	9,759.53	93.34
BUILDING & ZONING	100,190	100,190	11,168.45	34,602.51	32,909.87	65,587.49	65.46
LIBRARY	404,757	404,757	41,752.54	130,939.43	124,106.81	273,817.57	67.65
STREET	1,203,175	1,203,175	143,883.90	430,576.02	379,802.86	772,598.98	64.21
CEMETERY	234,407	234,407	12,939.67	71,212.00	96,178.48	163,195.00	69.62
PARKS	304,222	304,222	20,116.62	84,613.52	82,323.01	219,608.48	72.19
BALL PARKS	142,129	142,129	7,758.56	32,604.31	30,869.60	109,524.69	77.06
POOL	120,000	120,000	(655.91)	819.47	12,893.85	119,180.53	99.32
AIRPORT	195,336	195,336	20,759.80	73,949.28	58,077.91	121,386.72	62.14
UNEMPLOYMENT	10,000	10,000	0.00	0.00	0.00	10,000.00	100.00
UNCOLLECTABLE TAX	16,000	16,000	2,149.89	2,790.30	2,439.70	13,209.70	82.56
SENIOR CENTER	537,343	537,343	52,087.97	162,174.83	146,091.52	375,168.17	69.82
PUBLIC TRANSPORTATION	200,864	200,864	25,076.97	65,016.94	56,251.39	135,847.06	67.63
HEALTH OPERATING	916,900	916,900	152,816.66	305,633.32	287,084.00	611,266.68	66.67
RESERVES/CO TREASURER BAL	<u>637,442</u>	<u>637,442</u>	<u>24,926.42</u>	<u>96,513.36</u>	<u>14,980.57</u>	<u>540,928.64</u>	<u>84.86</u>
TOTAL EXPENDITURES	<u>12,004,964</u>	<u>12,004,964</u>	<u>1,069,409.91</u>	<u>3,197,116.94</u>	<u>3,062,271.79</u>	<u>8,807,847.06</u>	<u>73.37</u>
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	1,297,057	1,297,057	(241,905.87)	(570,252.84)	(363,986.46)	1,867,309.84	143.97

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

15 -STREET FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
STREET IMPROVEMENTS	<u>702,413</u>	<u>702,413</u>	<u>2,238.00</u>	<u>8,488.00</u>	<u>3,796.00</u>	<u>693,925.00</u>	<u>98.79</u>
TOTAL REVENUES	<u>702,413</u>	<u>702,413</u>	<u>2,238.00</u>	<u>8,488.00</u>	<u>3,796.00</u>	<u>693,925.00</u>	<u>98.79</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
STREET IMPROVEMENTS	<u>702,413</u>	<u>702,413</u>	<u>0.00</u>	<u>0.00</u>	<u>88,000.00</u>	<u>702,413.00</u>	<u>100.00</u>
TOTAL EXPENDITURES	<u>702,413</u>	<u>702,413</u>	<u>0.00</u>	<u>0.00</u>	<u>88,000.00</u>	<u>702,413.00</u>	<u>100.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	2,238.00	8,488.00 (	84,204.00)(	8,488.00)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

20 -SPECIAL REVENUE
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
FAA GRANTS	376,861	376,861	3,083.00	12,336.00	7,389.00	364,525.00	96.73
PUBLIC TRANSIT GRANTS	90,000	90,000	0.00	0.00	0.00	90,000.00	100.00
ACE REVENUE SHARING	31,922	31,922	135.00	505.00	275.00	31,417.00	98.42
MCCOOK RECREATIONAL TRAIL	56,179	56,179	231.00	880.00	574.00	55,299.00	98.43
CCCCFF GRANT-SWIMMING POOL	0	0	0.00	0.00	0.00	0.00	0.00
MCCOOK COMM FOUNDATION	0	0	0.00	0.00	0.00	0.00	0.00
COVID-19 CARES ACT	150,460	150,460	540.00	2,292.00	1,430.00	148,168.00	98.48
ENHANCED E911	60,063	60,063	2,025.00	5,911.10	7,948.36	54,151.90	90.16
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	436,121	436,121	1,813.00	6,848.00	4,876.00	429,273.00	98.43
PSAP FUNDS	102,112	102,112	4,135.98	16,492.92	20,349.50	85,619.08	83.85
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
SKATE PARK IMPROVEMENTS	0	0	0.00	0.00	0.00	0.00	0.00
AME RESCUE PLAN ACT-ARPA	325,199	325,199	1,244.00	4,721.00	9,602.00	320,478.00	98.55
BIRDELLA NELSON TECH CTR	25,000	25,000	0.00	0.00	0.00	25,000.00	100.00
SWIMMING POOL PROJECT	6,699,072	6,699,072	19,002.00	81,370.00	0.00	6,617,702.00	98.79
TOTAL REVENUES	8,387,774	8,387,774	32,208.98	131,356.02	52,443.86	8,256,417.98	98.43
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	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FAA GRANTS	376,861	376,861	0.00	29,057.75	0.00	347,803.25	92.29
PUBLIC TRANSIT GRANTS	90,000	90,000	0.00	0.00	0.00	90,000.00	100.00
ACE REVENUE SHARING	31,922	31,922	0.00	0.00	3,839.00	31,922.00	100.00
MCCOOK RECREATIONAL TRAIL	56,179	56,179	1,021.25	1,021.25	0.00	55,157.75	98.18
CCCCFF GRANT-SWIMMING POOL	0	0	0.00	0.00	0.00	0.00	0.00
MCCOOK COMM FOUNDATION	0	0	0.00	0.00	0.00	0.00	0.00
COVID-19 CARES ACT	150,460	150,460	0.00	21,138.00	40,343.62	129,322.00	85.95
ENHANCED E911	60,063	60,063	0.00	1,800.00	2,529.09	58,263.00	97.00
RAVENSWOOD RD PROJECT	0	0	0.00	0.00	0.00	0.00	0.00
INSURANCE REIMBURSEMENT	436,121	436,121	0.00	0.00	40,850.00	436,121.00	100.00
PSAP FUNDS	102,112	102,112	2,085.06	14,467.15	6,803.52	87,644.85	85.83
MUNICIPAL FACILITY CONST	34,785	34,785	0.00	0.00	0.00	34,785.00	100.00
SKATE PARK IMPROVEMENTS	0	0	0.00	0.00	0.00	0.00	0.00
AME RESCUE PLAN ACT-ARPA	325,199	325,199	0.00	0.00	22,598.44	325,199.00	100.00
BIRDELLA NELSON TECH CTR	25,000	25,000	0.00	0.00	8,695.00	25,000.00	100.00
SWIMMING POOL PROJECT	6,699,072	6,699,072	329,538.10	1,528,122.65	0.00	5,170,949.35	77.19
TOTAL EXPENDITURES	8,387,774	8,387,774	332,644.41	1,595,606.80	125,658.67	6,792,167.20	80.98
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REVENUES OVER/(UNDER) EXPENDITURES	0	0	(300,435.43)	(1,464,250.78)	(73,214.81)	1,464,250.78	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

30 -DEBT SERVICE
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	411,745	411,745	1,707.00	6,463.00	4,208.00	405,282.00	98.43
BOND RESERVE	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUES	411,745	411,745	1,707.00	6,463.00	4,208.00	405,282.00	98.43
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
GENERAL OBLIGATION	0	0	0.00	0.00	0.00	0.00	0.00
SPECIAL ASSESSMENTS	411,745	411,745	0.00	0.00	0.00	411,745.00	100.00
BOND RESERVE	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL EXPENDITURES	411,745	411,745	0.00	0.00	0.00	411,745.00	100.00
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	1,707.00	6,463.00	4,208.00 (	6,463.00)	0.00

CITY OF MCCOOK
STATEMENT OF REVENUES - BUDGET VS. ACTUAL
AS OF: JANUARY 31ST, 2024

40 -COMMUNITY DEVELOPMENT
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
KEYSTONE BUS CENTER PROJ	31,000	31,000	0.00	0.00	0.00	31,000.00	100.00
CITY INVESTMENTS	82,656	82,656	347.00	1,311.00	2,127.00	81,345.00	98.41
NORTH POINTE	30,000	30,000	0.00	0.00	7,818.05	30,000.00	100.00
CLARY VILLAGE LLC	9,500	9,500	0.00	3,521.43	0.00	5,978.57	62.93
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	0.00	0.00	0.00	60,000.00	100.00
QUILLAN COURTS	15,000	15,000	0.00	4,749.16	463.46	10,250.84	68.34
MCCOOK LODGING/HOLIDAY I	100,000	100,000	0.00	43,479.22	45,323.83	56,520.78	56.52
NEXT GENERATION	220,000	220,000	0.00	0.00	101,572.63	220,000.00	100.00
N-STANT CONVENIENCE	20,000	20,000	0.00	0.00	4,470.32	20,000.00	100.00
BLACKWOOD ENTERPRISES	20,400	20,400	0.00	3,145.12	0.00	17,254.88	84.58
TOTAL REVENUES	588,556	588,556	347.00	56,205.93	161,775.29	532,350.07	90.45
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	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
KEYSTONE BUS CENTER PROJ	31,000	31,000	0.00	0.00	0.00	31,000.00	100.00
CITY INVESTMENTS	82,656	82,656	82.00	82.00	0.00	82,574.00	99.90
NORTH POINTE	30,000	30,000	0.00	0.00	7,818.05	30,000.00	100.00
CLARY VILLAGE LLC	9,500	9,500	3,521.43	3,521.43	0.00	5,978.57	62.93
MCCOOK HOTEL GROUP/COBBL	60,000	60,000	0.00	0.00	0.00	60,000.00	100.00
QUILLAN COURTS	15,000	15,000	4,749.16	4,749.16	463.46	10,250.84	68.34
MCCOOK LODGING/HOLIDAY I	100,000	100,000	43,479.22	43,479.22	45,323.83	56,520.78	56.52
NEXT GENERATION	220,000	220,000	0.00	0.00	101,572.63	220,000.00	100.00
N-STANT CONVENIENCE	20,000	20,000	0.00	0.00	0.00	20,000.00	100.00
BLACKWOOD ENTERPRISES	20,400	20,400	3,335.00	3,335.00	0.00	17,065.00	83.65
TOTAL EXPENDITURES	588,556	588,556	55,166.81	55,166.81	155,177.97	533,389.19	90.63
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REVENUES OVER/(UNDER) EXPENDITURES	0	0	(54,819.81)	1,039.12	6,597.32	(1,039.12)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

45 -ECONOMIC DEVELOPMENT FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
ECONOMIC DEVELOPMENT FUN	<u>1,925,222</u>	<u>1,925,222</u>	<u>53,980.06</u>	<u>224,301.39</u>	<u>215,945.22</u>	<u>1,700,920.61</u>	<u>88.35</u>
TOTAL REVENUES	<u>1,925,222</u>	<u>1,925,222</u>	<u>53,980.06</u>	<u>224,301.39</u>	<u>215,945.22</u>	<u>1,700,920.61</u>	<u>88.35</u>
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
ECONOMIC DEVELOPMENT FUN	<u>1,925,222</u>	<u>1,925,222</u>	<u>12,373.00</u>	<u>67,033.73</u>	<u>63,457.54</u>	<u>1,858,188.27</u>	<u>96.52</u>
TOTAL EXPENDITURES	<u>1,925,222</u>	<u>1,925,222</u>	<u>12,373.00</u>	<u>67,033.73</u>	<u>63,457.54</u>	<u>1,858,188.27</u>	<u>96.52</u>
REVENUES OVER/(UNDER) EXPENDITURES	0	0	41,607.06	157,267.66	152,487.68 (	157,267.66)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

50 -PENSION TRUST
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
POLICE OFFICER DISABILIT	23,470	23,470	14,169.72	34,201.16	18,016.17 (	10,731.16)	45.72-
TOTAL REVENUES	23,470	23,470	14,169.72	34,201.16	18,016.17 (	10,731.16)	45.72-
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
POLICE OFFICER DISABILIT	23,470	23,470	15,725.83	20,444.32	6,291.32	3,025.68	12.89
TOTAL EXPENDITURES	23,470	23,470	15,725.83	20,444.32	6,291.32	3,025.68	12.89
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(1,556.11)	13,756.84	11,724.85 (	13,756.84)	0.00

CITY OF McCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

60 -AGENCY FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
PERPETUAL CARE	147,583	147,583	1,092.00	4,574.00	3,045.00	143,009.00	96.90
SENIOR CENTER CONTRIBUTIO	89,012	89,012	736.00	10,252.00	14,781.00	78,760.00	88.48
SCHOOL	8,050	8,050	330.00	1,340.00	940.00	6,710.00	83.35
FIRE CONTRIBUTIONS	10,417	10,417	100.00	100.00	14,192.76	10,317.00	99.04
LIBRARY MEMORIAL	63,082	63,082	0.00	0.00	6,225.00	63,082.00	100.00
COMMUNITY BETTERMENT	102,771	102,771	7,219.71	25,623.81	32,678.84	77,147.19	75.07
DARE CONTRIBUTIONS	3,388	3,388	0.00	200.00	1,514.29	3,188.00	94.10
PUBLIC WORKS CONTRIBUTION	7,370	7,370	0.00	546.20	75.60	6,823.80	92.59
AMBULANCE CONTRIBUTIONS	13,046	13,046	0.00	620.00	300.00	12,426.00	95.25
COMMUNITY PARAMEDIC PROG	4,316	4,316	0.00	0.00	0.00	4,316.00	100.00
POLICE CONTRIBUTIONS	22,822	22,822	43.50	152.96	15,252.93	22,669.04	99.33
FIRE TRAINING TRAILER	11,348	11,348	0.00	100.00	100.00	11,248.00	99.12
TOTAL REVENUES	483,205	483,205	9,521.21	43,508.97	89,105.42	439,696.03	91.00

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
PERPETUAL CARE	147,583	147,583	125.00	3,525.00	0.00	144,058.00	97.61
SENIOR CENTER CONTRIBUTIO	89,012	89,012	0.00	0.00	4,294.90	89,012.00	100.00
SCHOOL	8,050	8,050	985.00	1,010.00	910.00	7,040.00	87.45
FIRE CONTRIBUTIONS	10,417	10,417	0.00	473.52	0.00	9,943.48	95.45
LIBRARY MEMORIAL	63,082	63,082	451.39	2,665.24	0.00	60,416.76	95.77
COMMUNITY BETTERMENT	102,771	102,771	12,605.00	29,196.00	36,634.00	73,575.00	71.59
DARE CONTRIBUTIONS	3,388	3,388	1,244.86	1,322.97	76.58	2,065.03	60.95
PUBLIC WORKS CONTRIBUTION	7,370	7,370	0.00	0.00	0.00	7,370.00	100.00
AMBULANCE CONTRIBUTIONS	13,046	13,046	0.00	0.00	0.00	13,046.00	100.00
COMMUNITY PARAMEDIC PROG	4,316	4,316	0.00	0.00	0.00	4,316.00	100.00
POLICE CONTRIBUTIONS	22,822	22,822	0.00	0.00	1,106.09	22,822.00	100.00
FIRE TRAINING TRAILER	11,348	11,348	0.00	0.00	251.75	11,348.00	100.00
TOTAL EXPENDITURES	483,205	483,205	15,411.25	38,192.73	41,061.14	445,012.27	92.10
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(5,890.04)	5,316.24	48,044.28	(5,316.24)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

65 -INTERNAL SERVICE FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
FLEX DEPENDENT CARE	5,851	5,851	0.00	4,550.00	960.00	1,301.00	22.24
FLEX - MEDICAL	66,687	66,687	4,222.53	10,789.47	15,947.44	55,897.53	83.82
SELF INSURED HEALTH INSUR	<u>3,100,211</u>	<u>3,100,211</u>	<u>482,504.89</u>	<u>1,219,854.65</u>	<u>784,335.73</u>	<u>1,880,356.35</u>	<u>60.65</u>
TOTAL REVENUES	3,172,749	3,172,749	486,727.42	1,235,194.12	801,243.17	1,937,554.88	61.07
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
FLEX DEPENDENT CARE	5,851	5,851	0.00	0.00	0.00	5,851.00	100.00
FLEX - MEDICAL	66,687	66,687	2,746.08	6,186.23	11,820.54	60,500.77	90.72
SELF INSURED HEALTH INSUR	<u>3,100,211</u>	<u>3,100,211</u>	<u>262,940.22</u>	<u>923,142.45</u>	<u>830,645.44</u>	<u>2,177,068.55</u>	<u>70.22</u>
TOTAL EXPENDITURES	3,172,749	3,172,749	265,686.30	929,328.68	842,465.98	2,243,420.32	70.71
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	221,041.12	305,865.44	(41,222.81)	(305,865.44)	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

70 -ENTERPRISE FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
REVENUE SUMMARY							
SOLID WASTE-LANDFILL POST	0	0	0.00	0.00	0.00	0.00	0.00
SOLID WASTE - RECYCLING	176,800	176,800	5,980.45	23,640.00	40,529.16	153,160.00	86.63
SOLID WASTE - COLLECTION	1,057,127	1,057,127	81,107.66	319,195.73	304,551.82	737,931.27	69.81
SOLID WASTE - TRANSFER ST	1,586,962	1,586,962	93,669.41	391,360.98	380,885.04	1,195,601.02	75.34
LANDFILL RESERVE	932,954	932,954	10,344.00	43,492.00	34,905.00	889,462.00	95.34
SOLID WASTE - DISPOSAL	600,639	600,639	76,328.10	167,045.96	70,206.59	433,593.04	72.19
WATER MAINTENANCE & OPERA	4,968,513	4,968,513	157,396.64	902,958.11	979,853.95	4,065,554.89	81.83
WATER BOND & INTEREST RED	1,265,750	1,265,750	37,865.00	149,802.00	133,251.00	1,115,948.00	88.16
WATER CAPITAL - REPLACEME	23,396,301	23,396,301	41,649.00	166,095.00	151,245.00	23,230,206.00	99.29
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	177,888	177,888	863.55	3,384.96	1,967.50	174,503.04	98.10
SEWER MAINTENANCE & OPERA	3,560,285	3,560,285	153,798.07	639,219.69	573,915.03	2,921,065.31	82.05
SEWER BOND & INTEREST RES	129,138	129,138	531.00	2,006.00	1,299.00	127,132.00	98.45
SEWER CAPITAL - REPLACEME	16,107,069	16,107,069	41,363.00	164,186.00	161,634.00	15,942,883.00	98.98
SEWER CAPITAL - DEVELOPME	1,430	1,430	10.00	38.00	20.00	1,392.00	97.34
COMBINED UTILITIES	500,846	500,846	0.00	0.00	0.00	500,846.00	100.00
ELECTRIC UTILITY	1,330,000	1,330,000	97,675.36	432,262.61	446,758.75	897,737.39	67.50
TOTAL REVENUES	55,791,702	55,791,702	798,581.24	3,404,687.04	3,281,021.84	52,387,014.96	93.90
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
SOLID WASTE-LANDFILL POST	14,550	14,550	130.00	3,588.60	3,766.69	10,961.40	75.34
SOLID WASTE - RECYCLING	216,328	216,328	15,400.57	42,900.79	35,581.70	173,427.21	80.17
SOLID WASTE - COLLECTION	1,057,127	1,057,127	102,330.24	299,463.60	278,466.80	757,663.40	71.67
SOLID WASTE - TRANSFER ST	1,532,884	1,532,884	141,917.12	410,029.89	331,418.41	1,122,854.11	73.25
LANDFILL RESERVE	932,954	932,954	20.00	254,557.00	0.00	678,397.00	72.71
SOLID WASTE - DISPOSAL	600,639	600,639	68,828.10	167,045.96	136,536.27	433,593.04	72.19
WATER MAINTENANCE & OPERA	4,968,513	4,968,513	312,685.74	897,934.17	790,537.38	4,070,578.83	81.93
WATER BOND & INTEREST RED	1,265,750	1,265,750	0.00	51,603.18	43,263.89	1,214,146.82	95.92
WATER CAPITAL - REPLACEME	23,396,301	23,396,301	0.00	260,140.79	82,678.38	23,136,160.21	98.89
WATER CAPITAL - DEVELOPME	0	0	0.00	0.00	0.00	0.00	0.00
WATER QUALITY SOLUTION	177,888	177,888	0.00	0.00	0.00	177,888.00	100.00
SEWER MAINTENANCE & OPERA	3,560,285	3,560,285	147,098.71	594,785.83	436,488.83	2,965,499.17	83.29
SEWER BOND & INTEREST RES	129,138	129,138	0.00	0.00	0.00	129,138.00	100.00
SEWER CAPITAL - REPLACEME	16,107,069	16,107,069	9,722.00	67,452.89	31,670.74	16,039,616.11	99.58
SEWER CAPITAL - DEVELOPME	1,430	1,430	0.00	0.00	0.00	1,430.00	100.00
COMBINED UTILITIES	500,846	500,846	0.00	0.00	0.00	500,846.00	100.00
ELECTRIC UTILITY	1,330,000	1,330,000	128,925.36	432,262.61	446,758.75	897,737.39	67.50
TOTAL EXPENDITURES	55,791,702	55,791,702	927,057.84	3,481,765.31	2,617,167.84	52,309,936.69	93.76
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(128,476.60)	(77,078.27)	663,854.00	77,078.27	0.00

CITY OF MCCOOK
 STATEMENT OF REVENUES - BUDGET VS. ACTUAL
 AS OF: JANUARY 31ST, 2024

80 -CAPITAL IMPROVEMENTS FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 33.33

	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY REVENUE	YEAR-TO-DATE REVENUE	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
<u>REVENUE SUMMARY</u>							
2022 RECREATION BOND	1,292,868	1,292,868	91,372.50	381,199.30	0.00	911,668.70	70.52
CAPITAL IMPROVE 2018	1,319,378	1,319,378	56,776.33	224,944.32	217,249.32	1,094,433.68	82.95
CAPITAL IMPROVE PRE 2018	<u>425,827</u>	<u>425,827</u>	<u>1,756.00</u>	<u>6,818.00</u>	<u>4,659.00</u>	<u>419,009.00</u>	<u>98.40</u>
TOTAL REVENUES	3,038,073	3,038,073	149,904.83	612,961.62	221,908.32	2,425,111.38	79.82
	=====	=====	=====	=====	=====	=====	=====
	ORIGINAL BUDGET	CURRENT BUDGET	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	PRIOR YEAR YEAR-TO-DATE	BUDGET REMAINING	% BUDGET REMAINING
2022 RECREATION BOND	1,292,868	1,292,868	165,666.66	165,666.66	0.00	1,127,201.34	87.19
CAPITAL IMPROVE 2018	1,319,378	1,319,378	15,283.00	50,035.00	15,654.65	1,269,343.00	96.21
CAPITAL IMPROVE PRE 2018	<u>425,827</u>	<u>425,827</u>	<u>0.00</u>	<u>14,937.50</u>	<u>375.00</u>	<u>410,889.50</u>	<u>96.49</u>
TOTAL EXPENDITURES	3,038,073	3,038,073	180,949.66	230,639.16	16,029.65	2,807,433.84	92.41
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0	0	(31,044.83)	382,322.46	205,878.67	(382,322.46)	0.00

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 4.F.

RECOMMENDATION:

Accept the minutes of the February 12, 2024 Planning Commission meeting.

BACKGROUND:

Accept minutes from various board and commission meetings.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

February 15, 2024

McCook Planning Commission
February 12, 2024
5:15 P.M. Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley (arrived 5:19 P.M.), Davidson, Dueland (arrived 5:25 P.M.), McDowell, Stevens, Mockry.

Absent: Commissioners Friehe, Lyons.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on February 7, 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 all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the December 11, 2023 regular Planning Commission meeting.

Motion to approve the minutes of the December 11, 2023 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 6, NAY: 0, ABSENT: 4

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by the Community Hospital Association to allow a structure containing only residential uses in the Central Business

District (CB), said property located at 409 West 1st Street and legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA
YEA: 6, NAY: 0, ABSENT: 4

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the February 12, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Corrected Notice of Hearing published, correcting date of City Council meeting (1 page); Exhibit #4 - Notice of Hearing mailed and posted (1 page); Exhibit #5 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #6 - Land Use Action Request Form and attachments (16 pages); Exhibit #7 - City of McCook Zoning Ordinance Article 24, Special Exceptions (1 page); Exhibit #8 - Findings and Determinations of McCook City Council (2 pages); Exhibit #9 - Variance Application for front yard setback requirement (21 pages); and Exhibit #10 - Variance Application for off-street parking requirements (14 pages).

City Manager Schneider reviewed the information presented in Exhibit #1 and noted that recommended approval should include that it be conditioned to the two requested variance being approved by the Board of Zoning Adjustment.

Sean Wolfe, Community Hospital CEO and Matt Clouse, W Design Associates, reviewed the request with the Council. Community Hospital was contacted by UMC and UNK regarding the need to provide housing to students that are in the community completing internships, medical residencies and other training programs. The special exception is requested to allow a non-mixed use, multi-family only building with apartments on the first and second floor of the structure without any retail space. The surrounding neighborhood is a mix of commercial, multi-family and residential. This property is on the edge of full commercial, the rectilinear design helps with the transition of uses and fits into the urban surrounds. The materials used are a modern look, and will fit into the newly created art district, as well as create a connection between private housing and the public spaces, like Norris Alley. Two variances requests have been submitted for the project. The first for permission to use the city parking lot and on-street parking to fulfill the off-street parking requirements, since the property is in the Central Business District, which is exempt from the off-street parking requirements; and the second to allow for a front yard setback from 20'0" to 10'0".

Commission discussion included parking, having no concerns with the current request, with limited public parking in the downtown area, other options as may need to be considered for any new requests in the future; sharing their dumpster with the MEDC; and the space in between the property to the south and if the current retaining walls will remain.

Jim Plienus, representing the Fox Theater expressed possible concerns with parking and limited access to the back of the theater.

City Attorney Mustion added as Exhibit #11 - Letter dated February 8, 2024 from the High Plains

Historical Society, Linda Buck, Site Manager endorsing the request from the Community Hospital Association.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Mockry, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA

YEA: 8, NAY: 0, ABSENT: 2

- 2.B. Recommend approval to the City Council the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditional to the Board of Zoning Adjustment granting the two variance requests.

Commissioners completed their Special Exception Findings and Determinations and all found that Considerations A - I have been made.

Motion to recommend approval to the City Council the application for a special exception by the Community Hospital Association (landowner Michael and Linda Nielsen) for a structure containing only residential uses in the Central Business District (CB), said property legally described as Lots 16, 17, 18, and the south 5 feet of Lot 19, Block 9, Original McCook Addition to the City of McCook, Red Willow County, Nebraska (a/k/a 409 West 1st Street), finding Special Exception considerations A-I are satisfied, and conditional to the Board of Zoning Adjustment granting the two variance requests. This motion, made by Vosburg and seconded by McDowell, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: ABSENT, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA

YEA: 8, NAY: 0, ABSENT: 2

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:00 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 4.G.

RECOMMENDATION:

Approve proposed lease agreement for leasing 68 acres of farmable land located in the City of McCook Well Field and set the date to open bids for March 6th, 2024 at 2:00 P.M.

BACKGROUND:

When the City purchased land for wells 9 & 10 an additional 68 acres was included in the purchase. The additional acres provided for proper spacing of the wells and a buffer zone for protecting the wells. It is permissible for the city to lease the land for the purpose of farming, as long as certain guidelines are followed.

The land must be farmed as dryland (no irrigation) and chemical use must be at acceptable rates are the two major requirements. The Lease Agreement (attached) lists the requirements in items A through AA.

The term of the lease is for 3 years with the lessee paying the cash amount by September 1st of each year. Payments will be received each September starting in 2024 and extending through 2026 with the lease expiring on December 31, 2026.

FISCAL IMPACT: None

APPROVALS:



Pat Fawver, Utility Director

Date: 2-15-2024



Nate Schneider, City Manager

Date: 2-15-24

CITY OF McCOOK

BID SPECIFICATIONS

FOR

WEST WELL FIELD
FARM GROUND LAND LEASE

FEBRUARY 19, 2024

NOTICE TO BIDDERS
City of McCook Water Department Land Lease

The City of McCook, Nebraska will accept sealed bids for a rent lease agreement for farming of 68 acres of dryland cropland at the McCook West Well Field property until 2:00 P.M. CST at the Office of the City Clerk, in the City of McCook, 505 West "C" Street, on March 6, 2024 and then such bids shall be publicly opened and read aloud in the City Council Chambers, McCook Municipal Center.

A copy of the Instructions to Bidders may be obtained from the Office of the City Clerk, located at 505 West "C" Street, McCook, NE, during business hours.

The Council reserves the right to reject any or all bids and to waive any irregularities and to exercise its own judgment as to the best proposal received.

-s- Lea Ann Doak
City Clerk
PO Box 1059
McCook, NE 69001

Publish: February 23 and March1, 2024

INSTRUCTIONS TO BIDDERS

City of McCook Water Department Land Lease

1. The Lease from the City of McCook includes the following described property:

A 68 acre tract of land located in the SW ¼ of Section 36, T3N, R30W of the 6th P.M., Red Willow County, Nebraska.

The land is located south of McCook. To see the ground, go south on Federal Avenue to Road 715, west on Road 715 (approx. 1 mile) to Road 384, south on Road 384 (approx. 1 mile) to Road 714, west on Road 714 for 6 tenths of a mile. The land is north of the road, just past the creek, and extends west to the Hancock Gravel driveway.
2. The Lessee shall provide and furnish all machinery, labor, fertilizer, seed and all other required materials needed to raise a crop on said property and will follow all conservation practices and other instructions provided in the Lease Agreement between the Lessee and the City of McCook.
3. The City shall have the right to cancel the Lease, including all rights there under, without written notice in the event that the Lessee breaches any of the Lease provisions.
4. Lease payments will be as follows:

3-year term with payments to be paid on or before:

September 1, 2024
September 1, 2025
September 1, 2026
5. The Lessee shall take possession of the property on March 1, 2024. The City shall retake possession of the farm ground on December 31, 2026 (a term of 3 years).
6. A copy of a sample Lease Agreement (ATTACHMENT 1) is attached for the purpose of review.
7. Bidders shall be responsible for conducting due diligence on the property to satisfy any inquires they may have regarding the property prior to submitting their bid.
8. Only bids submitted on the official **Bid Form** will be considered.

BID FORM

**McCook Water Department
West Well Field Farm Ground Land Lease**

3 YEAR TERM

Total Bid Price Per Acre: \$ _____

Total annual bid
(per acre bid x 68 acres): \$ _____

BIDDERS CONTACT INFORMATION

Name: _____

Address: _____

Town: _____

State: _____ Zip Code: _____

Phone: _____

Signature of bidder: _____

Date: _____

Bid forms will be accepted until 2:00 P.M. CST, March 6, 2024 at the Office of the City Clerk, 505 West "C" Street, McCook, Nebraska. Such bids shall then be publicly opened and read aloud in the City Council Chambers, McCook Municipal Center.

Questions regarding the bidding process or about the farm ground may be directed to Pat Fawver 308-345-2022, extension 223.

The City of McCook reserves the right to reject any or all bids, to waive any informality in bids, or accept in whole or in part any bid, and to exercise its own judgment as to the best proposal received.

**ATTACHMENT
1**

SAMPLE LEASE AGREEMENT

CITY OF McCOOK WATER DEPARTMENT AGRICULTURAL LAND

This Lease, entered into this ____ day of _____, 2024 by and between the City of McCook, Nebraska, hereinafter called "Lessor", and _____ hereinafter called "Lessee", witnesseth to:

1. PROPERTY RIGHTS. The Lessor hereby leases to the Lessee, to occupy and use for agricultural purposes, the following property consisting of approximately 68 acres of crop land hereinafter referred to as the "Farm Ground":

A tract of land located in the Southwest Quarter (SW1/4) of Section 36, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska, described as follows;

Commencing at the Southwest Corner of Section 36, Township 3 North, Range 30 West of the 6th P.M., Red Willow County, Nebraska; thence N01°06'00"W, on the West Line of the Southwest Quarter (SW1/4) of said Section 36, 429.88' to the Point of Beginning, said point being the Northwest corner of a tract of land surveyed by Gerhard H. Dicenta, LS 514, dated 2-25-04; thence N01°06'00"W on said West Line, 1021.81'; thence N83°44'06"E 107.96' to a point on the centerline of an existing drive; thence S81°43'41"E on said centerline, 279.25'; thence N85°23'56"E on said centerline, 622.99'; thence N74°03'40"E on said centerline, 345.72'; thence N83°44'06"E leaving said centerline, 1191.80' to a point on the East Line of said SW 1/4; thence S00°26'29"E on said East Line, 1103.78' to the North-Northeasterly corner of a tract of land described in Deed Book 202, Page 365, recorded May 3, 2004; thence S51°50'15"W on the Northwesterly line of said described tract 443.50'; thence S45°48'39"W on the Northwesterly line of said described tract, 132.47' to a point on the South Line of said Southwest Quarter (SW¼); thence S83°41'01"W, on said South Line, 1410.32' to the Southeasterly corner of said surveyed tract; thence N01°03'58"W on the East Line of said surveyed tract, 429.56' to the Northeasterly corner of said surveyed tract; thence S83°42'48"W on the North Line of said surveyed tract, 661.17' to the Point of Beginning containing 73.02 acres more or less of which 68 acres are farmable and subject to this lease.

A. The Lessor reserves the right to itself and its agents and employees to enter upon the Farm at any reasonable time for the purpose of consulting with the Lessee; making repairs, improvements or inspections; and performing emergency work. The Lessor does not convey to the Lessee the right to encumber sublease or transfer any part of the Farm or to assign this lease, or any portion thereof, to any

person or persons whomsoever. Any encumbrances, assignment, transfer or subletting is void, and shall at Lessor's option, terminate this lease. This lease is considered personal to Lessee only.

- B. Lessor reserves the right to grant utility or other easements over the subject property so long as any such easement does not unreasonably interfere with Lessee's operations and beneficial use of the farm in accordance herewith.
- C. Lessee agrees to make no changes or alterations in the utility improvements on the farm without the express prior written consent of Lessor. Any agreed upon changes to said utility improvements shall be at the sole expense of Lessee, unless otherwise agreed to by the parties in writing. Any such utility improvements shall remain the property of Lessor at the termination of this lease without payment to Lessee.
- D. Lessee agrees to the extent practicable to use the existing access roads presently located upon the farm for purposes of ingress and egress in, on and over the farm.
- E. Lessee agrees to remove all of their personal property from the farm at the end of the lease term.

2. TERM OF LEASE. The term of this Lease shall be from the 1st day of March, 2024 to December 26, 2026, provided that the Lessor shall have the right to cancel said Lease without notice in the event the Lessee breaches any of the covenants or agreements of this Lease. The Lessee agrees to peaceably surrender possession for the Farm Ground including all growing crop(s), upon the termination of this Lease.

3. USE OF LAND. The Lessee shall farm the leased land for the production of agricultural products in such a manner as not to interfere with the operation of the drinking water wells or the production of drinking water, and shall follow the conservation practices and requirements hereafter listed:

- A. No crops or crop land shall be watered by any means other than precipitation that comes from the sky. No water from any river, stream, lake, pond, creek, or ground water source shall be intentionally applied or diverted upon the surface or below the surface of the Farm Ground.
- B. No water from rain or melting snow may be diverted or caused to flow toward the drinking water wells.
- C. Lessee shall not, nor shall the Lessee cause any well or wells to be drilled, dug, bored or driven into the Farm Ground.
- D. The Lessee shall not plant trees nor shall the Lessee plant any crop that shall have an expected harvest date that exceeds the TERM OF LEASE.

- E. The Lessee shall not plant crops within ten feet of drinking water well fencing.
- F. The application of chemicals or fertilizers to the soil is prohibited within fifty (50) feet of the drinking water wells.
- G. The Lessee shall have the soil analyzed prior to applying any fertilizer to determine the needs of the soil and shall not apply any chemical or fertilizer in an amount greater than is set forth by the soil analysis.
- H. As a precaution, no chemicals or fertilizers shall be transferred from one container to another, regardless of container size, within 300 feet of Lessor owned drinking water wells. Spills or leakage of chemicals or fertilizers that may occur at any location on Farm Ground shall be immediately contained by Lessee. Lessor shall be notified within 12 hours of any spills or leakage.
- I. The Lessee must comply with regulations set forth by Natural Resources Conservation Service (NRCS) for Highly Erodible Land (HEL).

Natural Resources Conservation Service
1400 West 5th Street, Fairgrounds
McCook, Nebraska 69001-2594

- J. The Lessee agrees to maintain all soil conservation measures in proper working condition, including those noted herein and those that may be enacted during the TERM OF LEASE. Should Lessee fail to comply, Lessor may perform the necessary corrections and charge the Lessee three hundred dollars (\$300.00) per hour while completing the repairs and/or terminate the Lease.
- K. Lessee is entitled to assistance provided by United States Department of Agriculture Farm Service Agency
- L. Farming practices shall not be allowed to damage or interfere with existing roads.
- M. The Lessee shall not allow crops to grow closer than six (6) feet of the access road for the drinking water wells.
- N. The Lessor shall, from time to time, mow the access road shoulders and maintain the road surface in a condition that is suitable to the Lessor.
- O. No equipment, machinery or vehicles belonging to or associated with the Lessee shall be left standing on access roads leading to, from, or around the drinking water wells or electrical switch gear located along the south side of the road between the two wells.

- P. The Lessor shall maintain the fence which runs along the county road and the gate across the access road to the wells. The Lessee shall be provided a key to the gate. The Lessee shall not change, alter, or cause damage to the gate or lock. The Lessor and Lessee shall close and lock the gate across the access road upon exit of the Farm Ground.
- Q. Burning of crops, crop residue or stubble is not allowed.
- R. The Lessee will use diligence to prevent any noxious weeds from going to seed on the Farm Ground and will keep weeds and undesirable grasses from growing.
- S. The Lessee shall not build or cause to be built any terraces.
- T. The Lessee shall file a written Farm Operation Plan with the Lessor upon execution of this Lease and there shall be no major changes in any of the farming operations without prior written approval of the Lessor.
- U. The Lessee will control soil erosion by filling washes or ditches that form by replacing soil.
- V. The Lessor shall have the right to damage or destroy crops for the purpose repairing, maintaining, constructing or operating the drinking water wells and associated piping, valves, buildings, electrical equipment and any other items not listed here but necessary to the production of drinking water. In the event of damage to or destruction of growing crops as a result of Lessor's activities, Lessor will refund to the Lessee a sum not to exceed twice (2 times) the per acre lease fee for each acre of crop which can not be harvested for that crop cycle.

Lessor has not made and does not make any representation, warranty, covenant, expressed, or implied with respect to the conditions of the property and is not liable for any inadequacies or defect existing on or below the property.

- W. In the event that additional land is needed by the Lessor causing the Lessee to have less than 68 acres of farmable ground the lease amount will be reduced to reflect the farmable acres.
- X. In the event that Lessee provides grazing or foraging for livestock, no more than 20 head may be present on the Farm Ground for a period of 90 days during each calendar year. Lessee shall provide all fencing needed to contain livestock. No hogs, pigs, sows, or boars are allowed, and livestock must be owned by the Lessee.
- Y. Insuring of crops or livestock shall be the responsibility of the Lessee.

Z. Lessee shall not allow any form of hunting event, or action, or activity, that uses firearms or explosives on the Farm Ground. Lessor shall provide and post no hunting and no trespassing signs at conspicuous locations along the border of the Farm Ground.

AA. No activities involving snowmobiles, all terrain vehicles, or motor cycles shall be permitted unless directly related to the business of growing crops or the raising of livestock.

4. LEASE PAYMENT The Lessee shall pay the Lessor as consideration for this Lease as follows:

The sum of \$80.00 dollars for each of the 68 acres of Farm Ground which shall be paid in one annual payment to the Lessor in the amount of \$5,440.00. The payment shall be presented to the City Clerk located at 505 West "C" Street, P.O. Box 1059 McCook, Nebraska 69001.

Each annual payment shall be received by the Lessor on or before the dates listed below. Failure on the part of the Lessee to provide payment by the specified date shall cause this Lease to be terminated and the Lessee shall forfeit any crops without compensation.

Payment dates: September 1, 2024
 September 1, 2025
 September 1, 2026

A. *Security Agreement.* Any non-payment of rent shall give Lessor the right to elect to have the term of this lease end thirty (30) days after said rental payment was due. Lessor shall notify Lessee, in writing and within a reasonable time of such rental due date, of its intent to terminate the lease by reason of such non-payment. Lessor shall have a first lien on all planted and unplanted crops on the farm to secure the payment of the rent as above stated and Lessee further agrees that this lease shall constitute a financing statement and security agreement in favor of Lessor on all unplanted crops on the farm and also on all crops planted or now growing or standing and shall extend to and shall cover such crops after they have matured, whether the same are in the field, in cribs, or bins, in elevators, in the stack, barns, or any other place on the farm as security for the payment of the rent. In addition, to secure the performance of the terms and conditions of this lease, Lessee shall give to Lessor, upon demand, a separate financing statement and security agreement upon all or any part of the crops growing or gathered on the farm during the term of this lease. If Lessee shall refuse or neglect to give such instruments on demand, or if Lessee shall give or attempt to give any other person any lien upon said crops, or any portion thereof, then at Lessor's option, this lease shall terminate and Lessor may at once recover possession of the farm. The security

interest created herein shall attach to crop insurance proceeds and/or all other proceeds of whatever nature received in relation to the disposition of said crops by Lessee.

- B. *Crop Insurance.* Lessee shall carry crop insurance in an amount sufficient to cover the rentals due as set forth herein with loss payable to Lessor to the extent of said rental payment and any amount thereof in excess of said rental payment shall be the sole property of Lessee.

5. LESSEE'S RIGHT IN FIRST AND LAST CROPS. Section proposed to be amended to "Way-Growing Crops".

6. GENERAL CONDITIONS The Lessor and Lessee agree that this Lease is made subject to a reservation by the Lessor of the right to reenter the land and divert to the drinking water system use whatever portion of the Farm Ground that might be required for expansion of the drinking water system facilities. The Lessee hereunder shall be entitled to an appropriate reduction in the lease amount paid to the Lessor for the reduction in farmable acres.

- A. All farm equipment, machinery, and all farm labor, shall be furnished by the Lessee during the term of this Lease.
- B. The lease shall expire without the necessity of and notice of any sort for Lessor to Lessee.

7. REGULATORY PROVISIONS.

- A. This lease shall not be deemed to give rise to a partnership relationship between the Lessor and the Lessee, and neither party shall have authority to obligate the other without written consent, except as may be otherwise specifically provided herein.
- B. This Farm shall not be combined with any other farmland for participation in government agricultural programs.
- C. All farm equipment and machinery, and all farm labor, shall be furnished by the Lessee during the term of this lease and during the harvest.
- D. The lease shall expire without the necessity of any notice of any sort from Lessor to Lessee.

8. MISCELLANEOUS PROVISIONS.

- A. *Indemnification.* Lessee shall indemnify and hold Lessor and the property of Lessor, including the farm, free and harmless from any and all claims, liability, loss, damage, or expenses resulting from Lessee's occupation and use of the farm, including any claim, liability, loss, or damage arising by reason of the injury to or death of any person or persons or by reason of damage to any property caused by the

condition of the farm, the condition of any improvements or personal property in or on the farm, or the acts or omissions of Lessee or any person in or on the farm with the express or implied consent of Lessee. The duties of Lessee under this paragraph to indemnify and hold Lessor and all property of Lessor free and harmless from any such claim, liability, loss or damage shall extend to any claim, liability, loss or damage arising by reason of the injury or death of: (a) the Lessee; (b) any agent, officer or employee of Lessee; (c) any independent contractor hired by Lessee to perform work or render services on the farm; or (d) any agent, officer, or employee of any independent contractor hired by Lessee to perform work or render services on the farm.

- B. *Liability Insurance.* Lessee shall procure and maintain at his own expense, casualty and liability insurance in such amount(s) as are reasonably necessary to protect both Lessor and Lessee against claims for damages, costs or expenses on account of injury to any person or persons or any property belonging to any person or persons by any casualty, accident or other happening on or about the farm during the term of this lease. Lessee shall provide Lessor a copy of such insurance policy upon Lessor's written request for same.
- C. *Debts and accidents.* Each party agrees that the other party shall in no way be responsible for the debts of, or liabilities for accidents or damages caused by, the other party.
- D. *Unlawful Use.* Lessee agrees to not allow the use, possession or consumption by anyone of alcoholic beverages or illegal drugs on the farm at any time.
- E. *Unavoidable delay.* Lessor shall not be liable for any damages caused by unavoidable delay or other facts beyond the control of the Lessor.
- F. *Governing Law.* This agreement shall be governed by the laws of the State of Nebraska.
- G. *Multiple Originals.* This agreement may be executed in multiple counterpart copies, each of which executed counterparts shall be deemed to be the original for all purposes.
- H. *Waiver.* The failure or delay of Lessor to exercise any right or privilege under this lease shall not be held a waiver of any of the terms, covenants, or conditions of this lease and any act of Lessor waiving or which may be held to have waived, any specific default of Lessee shall not be construed or held to be a waiver of any future default.
- I. *Default by Lessee.* Time is of the essence in relation to this lease and Lessee agrees that in the event he shall not keep and perform each and every covenant and agreement contained herein or otherwise implied

or imposed upon Lessee by law, Lessee shall forfeit all rights to further occupy the farm and Lessor shall be entitled to reenter the farm without the necessity of legal process for recovery thereof. In the event of any breach of any covenant or agreement prescribed in this lease, or arising by operation of law, Lessor shall be entitled to maintain an action in equity or at law for the appropriate remedy, or, at the option of Lessor, Lessor may declare this lease terminated without waiver of any rights or remedies which Lessor otherwise has as a result of this lease, and Lessor shall be entitled to immediate possession of the farm.

- J. *Severable provisions.* Each provision, section, sentence, clause, phrase, and word of this agreement is intended to be severable. If any provision, section, sentence, clause, phrase or word hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this lease.
- K. *Captions, headings or titles.* All captions, heading or titles in the paragraphs or sections of this agreement are inserted for convenience of reference only and shall not constitute a part of this agreement as a limitation of the scope of the particular paragraphs or sections to which they apply.
- L. *Utility Expenses.* Lessee shall be responsible for all charges for utility services used on the farm during the term of this lease, and Lessee agrees to pay the same as billed and before the same become delinquent. Furthermore, Lessee agrees to promptly read all meters on the farm when requested to do so by Lessor and Lessee shall then timely report the same to the service provider and to Lessor.

CITY OF MCCOOK, NEBRASKA

ATTEST:

Lea Ann Doak, City Clerk

_____, Mayor

_____, LESSEES

_____, signer

**CITY MANAGER'S REPORT
FEBRUARY 19, 2024 CITY COUNCIL MEETING**

ITEM: 5.A.

RECOMMENDATION:

RECOMMEND TO THE DEPARTMENT OF TRANSPORTATION TO ACCEPT THE PROPOSAL FROM DENVER AIR CONNECTION TO OPERATE 12 NONSTOP ROUND TRIPS PER WEEK FROM McCOOK BEN NELSON REGIONAL AIRPORT TO DENVER INTERNATIONAL AIRPORT FOR A 2 YEAR CONTRACT AS RECOMMENDED BY THE AIRPORT ADVISORY COMMISSION.

BACKGROUND:

On February 13, 2024 the McCook Airport Advisory Commission met and discussed the proposals from Boutique Air, Southern Airways Express, Denver Air Connection and Contour to provide essential air service for the City of McCook/McCook Ben Nelson Regional Airport. Three of the four airlines provided subsidy proposals for two, three or four years. Contour provided a subsidy for one year. On a unanimous 6-0 vote, the Airport Advisory Commission voted to recommend to the McCook City Council the proposal submitted by Denver Air Connection. If the Department of Transportation does not accept the recommendation of Denver Air Connection, the Airport Advisory Commission voted unanimously to recommend Southern Airways Express as its second option.

The Denver Air Connection proposal includes 12 nonstop weekly round trips to Denver International Airport. They will work closely with the community to set the best possible schedule. Denver Air plans to use the Fairchild Metro 23 aircraft that have a 9 passenger commuter configuration. The Metro contains twin turboprop engines. The Metro can cruise at a speed of 330 mph and has a maximum range of 1,000 miles. The aircraft has a pressurized cabin. The flights will be manned by two pilots. The subsidy being requested by Denver Air is \$3,567,084 in year 1 and \$3,816,780 in year 2. Denver Air proposes to spend at least \$20,000.00 annually on advertising and marketing. They plan to utilize local media including radio, print, billboard, TV and internet advertising.

Denver Air Connection has been providing EAS to and from McCook since June 1, 2022. During this time period, DAC has performed extremely well. They have provided affordable and reliable air service in and out of McCook Ben Nelson Regional Airport.

Denver Air has interline agreements with United Airlines and American Airlines. These agreements provide passengers with travel network access benefits including the convenience to search, book, and purchase tickets on the United's and American's web sites, as well as baggage transfers and thru-checks to and from any of United's and American's destinations.

The Airport Advisory Commission members feel that the Denver Air Connections proposal gives the airport the best opportunity to provide reliable service at a fair price.

**FISCAL
IMPACT:** None.

APPROVALS:



Kyle Potthoff, Public Works Director

February 14, 2024



Nate Schneider, City Manager

February 14, 2024



Jan 10, 2024

Todd M. Homan, Director
United States Department of Transportation
Office of Aviation Analysis
1200 New Jersey Ave SE
Washington, D.C. 20590

Re: Response to Order 2023-12-2/Proposal to Provide Essential Air Service at McCook, Nebraska
Via e-mail to: EAS@dot.gov and Scott.Faulk@dot.gov

Dear Mr. Homan,

Attached is Denver Air Connection's proposal to provide air service at McCook, Nebraska to Denver International Airport (DEN).

We look forward to the opportunity to continue to support the economic growth of the region by providing scheduled passenger service with our safe and reliable 9-seat Metro 23 aircraft with service and schedules tailored to the community's needs.

Our reliable service will provide the McCook region with options to access the world's most comprehensive route network of United Airlines and other major carriers through Denver International airport. Our service is dedicated to the community to ensure seat availability and direct flights to and from these destinations. The communities we service praise our excellent completion rates and on-time performance rate.

As directed by the RFP, we will offer the McCook community 12 non-stop round-trip flights per week for a new 2 term with a 4 year option. We will work closely with the community to set the best possible schedule. Denver Air Connection believes this proposal meets the needs of the community and provides the best overall option for air service to the McCook community with reliable connectivity at Denver, Colorado.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Marcus Hesting".

Marcus Hesting,
Director of Finance
Denver Air Connection
13252 E. Control Tower Rd. / Englewood Colorado 80112 / O: 303.768.9626 / M: 720.635.5903
mhesting@keylimeair.com / denverairconnection.com



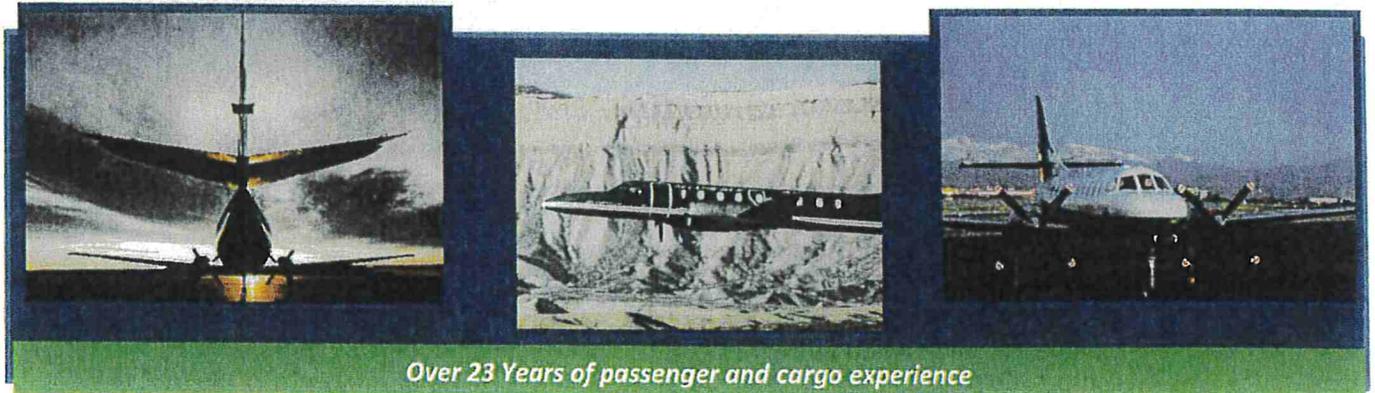
Denver Air

CONNECTION

A Key Lime Air Company

ABOUT US

Denver Air Connection is the passenger airline operated by Key Lime Air Corporation, its parent company. Key Lime Air was founded in 1996. It has grown its scheduled passenger service by focusing on its mission to empower emerging communities with global travel and economic access by providing safe and reliable regional airline service.



Over 23 Years of passenger and cargo experience

We are here to happily serve our customers with a positive attitude every day. We love what we do, and our passion shows by providing an extraordinary customer experience for the small communities we are proud to serve with safe, reliable and on-time service.

Our communities praise our impressive on time performance rate, meeting or exceeding their expectations and defined requirements.

Telluride, Colorado – Denver Air Connection established the first and only scheduled passenger jet service to this mountain destination. Connecting quickly and safely to Telluride from anywhere in the world has never been easier. Additional service from Telluride to Phoenix Sky Harbor began on December 16, 2021.

Alliance, Nebraska – Denver Air Connection began service to Denver on June 1, 2019. In 2023, Alliance again reselected Denver Air Connection to continue service through 2025.

Clovis, New Mexico – Denver Air Connection began service to Denver on May 1, 2020. Service was expanded to include Dallas/Ft. Worth on November 1, 2021. In 2022, Denver Air Connection was selected to continue serving the community for another four years.

Thief River Falls, MN – Denver Air Connection began service to Minneapolis on June 1, 2020. In 2022, Denver Air Connection was selected to continue serving the community for another five years.

Pierre, SD – Denver Air Connection began service to Denver on July 1, 2021. In 2023, Pierre reselected Denver Air Connection to continue providing service into 2025. Additionally, Denver Air Connection began providing service to Minneapolis in November, 2023.

Watertown, SD – Denver Air Connection began service to Denver and Chicago O'Hare on July 1, 2021. In 2023, Watertown reselected Denver Air Connection to continue providing service into 2025.

Ironwood, MI – Denver Air Connection began service to Chicago O’Hare and Minneapolis on October 1, 2021. In 2023, the Ironwood community reselected Denver Air Connection for a four year term to provide service through 2027

Alamosa, CO – Denver Air Connection began service to Denver in June 2022.

Cortez, CO – Denver Air Connection began service to Denver and Phoenix in October 2022.

Kearny, NE – Denver Air Connection began service to Denver in November 2022.

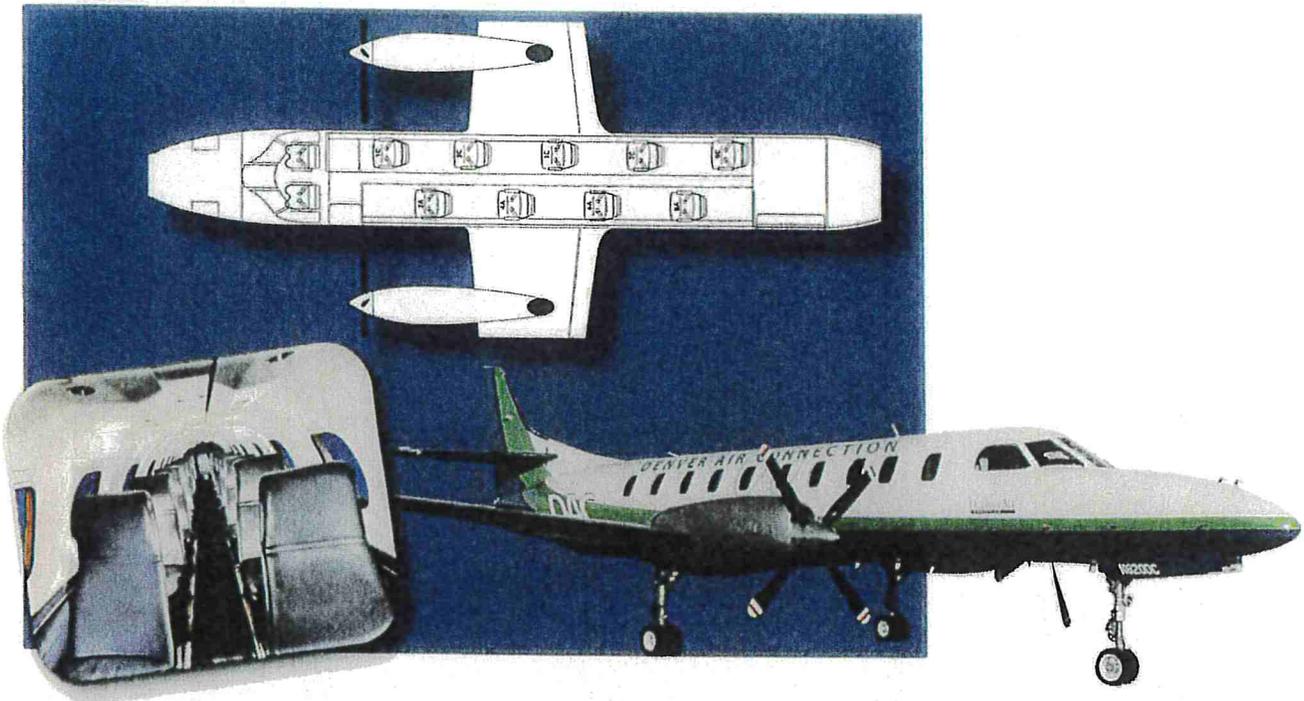


McCook is precisely why we are in business and exactly the type of service we specialize in with a proven track record that our partner communities are proud to offer their citizens and businesses.

THE FLEET

Fairchild Metro 23

The Metro 23 can trace its lineage back to the original Swearingen Merlin I executive transport. The versatile Metro 23 efficiently and cost effectively transports up to 18 passengers in a pressurized cabin. Its twin turboprop engines deliver a cruise speed of 330 mph and a maximum range of 1,000 miles.



Denver Air Connection's nine seat configuration with its 61" seat pitch offers extended leg room. The cargo compartment's 1500 lb. capacity accommodates over 150 lbs. of baggage per passenger.

*Denver Air Connection can
provide the aircraft to meet the community's needs.*

CONNECTED TO THE WORLD

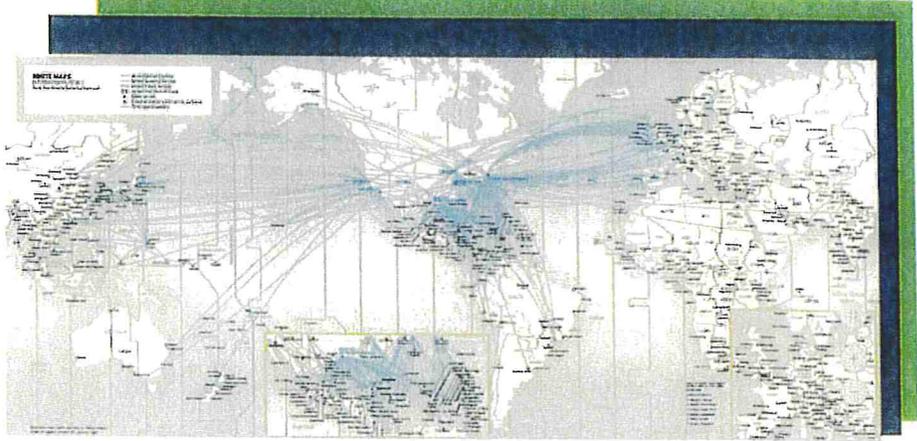
Denver Air Connection's Interline Agreements with United Airlines and American Airlines provide our community partners with travel network access benefits including the convenience to search, book and purchase tickets on our partners' web sites as well as baggage transfers and thru-checks to and from any of our partners' US destinations.

No Checked Baggage or Security Hassles

Our Interline Agreement also allows our partners to participate in setting fares and schedules. Denver Air Connection will work with McCook to tailor an airline service for their specific community needs.

In addition to the United and American Interline Agreements, Denver Air

Connection participates in multiple Global Distribution Systems (GDS) including SABRE, Travelport and Amadeus. Ticket distribution through these GDS systems provides world-wide visibility for the route and for the community through websites such as: Google, Kayak, Expedia, Travelocity, Priceline and many other Online Travel Agencies (OTAs).



*Denver Air Connection Provides
Access to the World*

SAFETY, RELIABILITY & SKILL

Safety

Safety is at the core of Denver Air Connection's culture. We maintain a Safety Management System that is integrated into every aspect of our operation.



Skill

Denver Air Connection pilots and mechanics are trained to the highest standards in the world.

Our pilot culture aspires to perfection on every flight.



Reliability

All aircraft are maintained in house under our FAA approved maintenance program. This in conjunction with our part 145 Repair Station gives us the ability to maintain, inspect, and alter our aircraft and components at all levels. We pride ourselves on never leaving passengers stranded due to maintenance issues. Our communities know that we will use

our fleet to bring maintenance to a location to fix an issue or send a replacement aircraft to get the passengers to their destination.

Performance

Denver Air Connection has demonstrated an impressive completion rate of better than 98% for our EAS communities.

MARKETING



Denver Air Connection recognizes how critical marketing is to the success of a community's airline service. We have budgeted a minimum of \$20,000 annually to create awareness for the service and promote its utilization.

Our budget will support our coordinated effort with the community to form an integrated traditional marketing campaign in print and broadcast as well as the effective utilization of digital platforms including our social media channels to raise awareness, visibility and customer satisfaction for the community's passengers.

Marketing efforts utilize our collaborative skills and experience working with your local professionals to create and distribute messaging to obtain the highest utilization rate possible for the service.

Denver Air Connection will listen to McCook to build a successful marketing campaign.

YOUR CHOICE. YOUR AIRLINE.

Denver Air Connection represents the airline choice that listens to the McCook community's needs and customizes its service to meet those needs. The Department of Transportation awards Essential Air Service contracts primarily based on the recommendation of the community. The DOT will formally solicit the views of the McCook community as to which carrier they prefer. After receiving the communities' views, the Department is directed to consider five factors when making a carrier selection:

1. The demonstrated reliability of the applicant in providing scheduled air service.

Denver Air Connection delivers an exceptional rate on completed flights and impressive on-time performance rate.

2. The contractual and marketing arrangements the applicant has made with a large carrier to ensure service beyond the hub airport.

Denver Air Connection has established interline agreements with United Airlines and American Airlines which provides seamless access to these Airlines' networks.

Denver Air Connection maintains close contractual and marketing relationships with our airline partners and the communities we serve to ensure service beyond the hub airport.

3. The interline agreements that the applicant has made with larger carriers to allow passengers and cargo of the applicant at the hub airport to be transported by the larger carrier(s) through one reservation, ticket, and baggage check in.

Denver Air Connection has interline agreements with American Airlines and United Airlines

4. Community views. The preferences of the actual and potential users of air transportation at the eligible place, giving substantial weight to the views of the elected officials representing the users of the service.

Denver Air Connection enjoys high levels of customer support from our passengers. We are happy to provide references for all the communities we serve to hear firsthand how we deliver on our promises every day.



5. The air carrier has included a plan in its proposal to market the service.

Denver Air Connection will work with the community on how to best spend marketing dollars and to ensure marketing budgets are utilized and implemented effectively.

In accordance with DOT EAS requirements, Denver Air Connection certifies it is in compliance with:

- 49 CFR Part 20 – New restrictions on lobbying; and
- 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation – Effectuation of title VI of the Civil Rights Act of 1964; and
- 49 CFR Part 27 – Nondiscrimination on the basis of disability in programs and activities receiving or benefiting from federal financial assistance; and
- 14 CFR Part 382 – Nondiscrimination on the basis of disability in air travel; and
- 2 CFR Part 1200 – Government-wide debarment and suspension (non-procurement) and government-wide requirements for drug-free workplace (grants).

Denver Air Connection's mission, vision, culture and performance make it the right choice for McCook.



Bid Proposal

This bid is for a dedicated aircraft based in McCook, Nebraska. The proposal is for a two-year term with a four-year option.

Denver Air Connection
EAS McCook, NE

	MCK-DEN
Number of round trips per week	12

Aircraft Data	Metro 23
Block Hours	1,440
Load Factor	38%

Passenger Revenue	
Passengers	4,320
Average Fare	95.00
Revenue	410,400

Expenses	
Aircraft Lease	168,000
Crew Cost	1,345,852
Maintenance	307,008
Insurance	184,800
DEN Operating Expense	347,014
MCK Operating Expense	406,800
Overhead/Supplies/Staff	209,000
Deice, Catering and Misc.	82,006
Advertising	20,000
Fuel Cost	717,600
Total Expense	3,788,080

	Annual Subsidy Requirement
Operating Income	(3,377,680)
Profit (5%)	189,404
Subsidy Year 1	3,567,084
Subsidy Year 2	3,816,780
Subsidy Year 3	4,083,955
Subsidy Year 4	4,369,831

*7% Annual Increase

Effective Subsidy Rates	
Subsidy per Trip (97% completion)	2,947
Subsidy per Passenger	826

For questions or comments, please contact:

Cliff Honeycutt, CEO/President
Denver Air Connection, a Key Lime Air Corporation company
13252 E. Control Tower Rd.
Englewood CO 80112
cliff@keylimeair.com
(303) 768-9626 O | (303) 718-4301 M