

A meeting of the Mayor and City Council of Cozad, Dawson County, Nebraska was convened in open and public session at 7:00 p.m. on Tuesday, September 7, 2021 in the Council Chambers of the City Office Building at 215 West 8th Street. A copy of the Open Meetings Act is posted in the Council Chambers.

Present for the meeting were: Mayor Kloepping, City Administrator Schwanz, Councilmembers: Montgomery, Leahy, Kloppenborg, Deputy Clerk Peden, Police Chief Montgomery, Commissioner Weinmaster, Commissioner Franzen, Commissioner Fales, Library Director Yocom.

Absent: City Attorney Trusdale, Clerk Kloepping, Councilmember Olds.

Notice of the meeting was given in advance by publishing in the Tri City Trib. Advance notice and a copy of the agenda was given to members of the City Council. All proceedings hereafter shown were taken while the meeting was opened to the attendance of the public.

Mayor Kloepping opened the meeting at 7:00 p.m.

Montgomery moved, Leahy seconded, to open the public hearing at 7:02 pm to obtain public comment prior to the review and consideration of a proposed amendment to the redevelopment plan for the City of Cozad, including a specific redevelopment project. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Montgomery moved, Kloppenborg seconded, to close the public hearing at 7:04 pm. Roll call vote: Yea – Olds, Leahy, Montgomery, Kloppenborg. Absent- Olds.

Leahy moved, Kloppenborg seconded, to approve Resolution 2021-16 approving the form of the redevelopment agreement and authorizing the Community Redevelopment Authority to enter into said agreement. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds

**CITY OF COZAD, NEBRASKA
RESOLUTION # 2021-16**

(Redevelopment Agreement – Davis Drive Infrastructure Project)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COZAD, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT AND AUTHORIZING THE COMMUNITY REDEVELOPMENT AUTHORITY TO ENTER INTO SAID AGREEMENT.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the City of Cozad, Nebraska (“City”), has adopted a General Redevelopment Plan for Redevelopment Area #2 of the City of Cozad, as amended (“Redevelopment Plan”. A copy of the Redevelopment Plan is on file with the City Clerk for inspection.

B. The Redevelopment Plan includes a specific redevelopment project identified as the Davis Drive Infrastructure Project that will include the use of Tax Increment Financing (the “Project”).

C. On September 7, 2021, the CRA approved the Redevelopment Agreement for the Project.

D. The City Council has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the General Comprehensive Development Plan of the City, and in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cozad, Nebraska, that the Redevelopment Agreement between the Community Redevelopment Authority of the City of Cozad, Nebraska and the Cozad Development Corporation, which is on file with the City Clerk and available for public inspection, is hereby approved.

BE IT FURTHER RESOLVED, the CRA is hereby authorized to execute and deliver the Redevelopment Agreement, with such changes, modifications, additions, and deletions therein and shall they seem necessary, desirable or appropriate, for and on behalf of the CRA.

BE IT FURTHER RESOLVED, the CRA is hereby authorized to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of such TIF Indebtedness as set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CRA of the City.

BE IT FURTHER RESOLVED, that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed.

Dated this 7th day of September, 2021.

CITY OF COZAD, NEBRASKA

By: _____
Mayor

ATTEST: _____
City Clerk

Montgomery moved, Leahy seconded, to approve Resolution 2021-17 approving an amendment of the redevelopment plan for the City of Cozad, Nebraska, including a Specific redevelopment project. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

CITY OF COZAD, NEBRASKA

RESOLUTION # 2021-17

(Redevelopment Plan Amendment – Davis Drive Infrastructure Project)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COZAD, NEBRASKA, APPROVING AN AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE CITY OF COZAD, NEBRASKA, INCLUDING A SPECIFIC REDEVELOPMENT PROJECT.

RECITALS

A. The Community Redevelopment Authority of the City of Cozad (“CRA”) has recommended that the General Redevelopment Plan for Redevelopment Area #2 (the “Redevelopment Plan”), a copy of which is on file and available for public inspection with the City Clerk, should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified and legally defined in said amendment (the “Project Site”).

B. The proposed amendment to the Redevelopment Plan (“Redevelopment Plan Amendment”) is on file and available for public inspection with the Cozad City Clerk.

C. The Redevelopment Plan Amendment includes a redevelopment project identified as the Davis Drive Infrastructure Project (the “Project”) that will utilize Tax Increment Financing pursuant to Neb. Rev. Stat. § 18-2147.

D. The CRA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Cozad.

E. The Planning Commission recommended the approval of the Redevelopment Plan Amendment.

F. Notice of public hearing regarding the adoption and approval of the Redevelopment Plan Amendment by the City Council was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. §§ 18-2115 and 18-2115.01, and Nebraska law.

G. On September 7, 2021, the City Council held a public hearing relating to the question of whether the Redevelopment Plan Amendment should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

H. The City Council has reviewed the Redevelopment Plan Amendment, the cost benefit analysis prepared by the CRA and attached to the Redevelopment Plan Amendment, the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the City Council of the City of Cozad, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154 (the "Act"), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Cozad, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Cozad as a whole, as set forth in the City of Cozad Comprehensive Plan, as amended.
4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the City of Cozad.
5. The Project would not be economically feasible without the use of Tax Increment Financing.
6. The Project would not occur on the Redevelopment Area without the use of Tax Increment Financing.

BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Redevelopment Plan Amendment is hereby approved and adopted by the City Council as the governing body for the City of Cozad.

Dated this 7th day of September, 2021.

CITY OF COZAD, NEBRASKA

By: _____

Mayor

ATTEST: _____

City Clerk

Montgomery moved, Kloppenborg seconded, to open the public hearing at 7:06 pm to apply for National Park Service Land and Water Conservation Fund for pool renovation. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Montgomery moved, Leahy seconded, to close the public hearing at 7:11 pm. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Kloppenborg moved, Montgomery seconded, to approve Resolution 2021-18 approving Land and Water Conservation Fund Application on acquisition or development for outdoor recreation. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds

Resolution No. 2021-18

Land and Water Conservation Fund Application FY2019 Resolution on acquisition of development for outdoor recreation

The (City, Village or Other) of Cozad, Nebraska proposes to apply for federal assistance from the Land and Water Conservation Fund program for the purpose of (description of project).

The (Mayor, Chairperson of the Board, or designated Project Official) is authorized to sign documents to obtain financial assistance, including a Project Agreement with the State of Nebraska and the National Park Service.

The (City, Village or Other) of Cozad, Nebraska will, within thirty (30) days following federal approval, obtain the necessary consultant or appraisal service for this project as directed and as required by Nebraska Game and Parks Commission staff.

The (City, Village or Other) of Cozad, Nebraska has budgeted or currently has available its 50 percent match of the proposed total project funds and will allocate these funds toward this project upon project approval by the Nebraska Game and Parks Commission.

The (City, Village or Other) of Cozad, Nebraska has the financial capability to operate and maintain the completed project and park property in a safe, attractive and sanitary manner.

The (City, Village or Other) of Cozad, Nebraska will not discriminate against any person on the basis of race, color, age, religion, disability, sex or national origin in the use of any property or facility acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to other than public outdoor recreation use. And, such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such conditions as deemed necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

The (City, Village or Other) of Cozad, Nebraska will replace the land in the event of a conversion in use in accordance with Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended.

The (City, Village or Other) of Cozad, Nebraska agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

This is to certify that this resolution is a true copy of the original document that was adopted and passed by the (City, Village or Other) of Cozad, Nebraska at a duly advertised public meeting held this 7th day of September, 2021.

Mayor

Attest Clerk

Kloppenborg moved, Leahy seconded to approve submitting the following documents with the grant application: Property Deed; Project Site Plan; Boundary Map; Aerial Site View; Burbach Budget Document and the Swim Team Letter of Support and do certify that these are true copies of the above mentioned. Roll call vote: Yea – Kloppenborg, Leahy, Montgomery. Absent- Olds

Montgomery moved, Kloppenborg seconded, to approve the consent agenda that included:

City Council Minutes – August 16, 23

Approve payment of \$8,540.00 to COZ-HR-16 and Eickmeier Construction for CDBG 18-HO-33060

Approve payment of \$6,232.30 to COZ-HR-15 and Garnold Kreft Construction for CDBG 18-HO-33060

Approve payment of \$7,180.00 to COZ-HR-08 and Eickmeier Construction & \$2,792.24 to COZ-HR-08 and Affordable Electric for CDBG 18-HO-33060

Approve payment of \$1,979.56 to CDS Inspections for CDBG 18-HO-33060

Approve Drawdown #21 for CDBG 18-HO-33060 - \$24,542.97

Roll call vote: Yea – Kloppenborg, Leahy, Montgomery. Absent- Olds

Montgomery moved, Leahy seconded, to approve the claims:

222 HARDWARE –su- 280.34, 911 CUSTOM -su-2170.00, ABILITY Network Inc. – ex-110.25, AKRS Equipment Solutions -su- 2600.00, AMERITAS LIFE INSURANCE CORP -ex- 91.00, Alternate Force -su- 2720.00, BLACK HILLS ENERGY -ex- 147.08, BLUE TO GOLD, LLC -ex- 534.00, BOARD OF PUBLIC WORKS -ex- 8920.67, CARDMEMBER SERVICES -su- 1810.11, CENTER POINT INC -su- 52.44, CENTRAL PLAINS LIBRARY SYSTEM – su-9.12, CHOICE PAINT AND SUPPLY -su- 1264.87, CITY OF COZAD INS ACCT -ex- 60264.58, COLONIAL LIFE -ex- 3070.90, CONCORDIA UNIVERSITY -ex- 125.00, COZAD TELEPHONE COMPANY -ex- 1605.70, COZAD VETERINARY CLINIC -ex- 251.65, CENGAGE LEARNING INC/GALE -su- 78.37, Cozad Auto Supply -su- 315.49, DANKO – su-372.50, DAWSON PEST CONTROL – ex-44.90, DORSCHER INC -su- 354.94, DOUBLE L EMBROIDERY -su- 2117.50, EAKES OFFICE SOLUTIONS -su- 787.90, EFTPS – ex-26921.78, ELECTRONIC SYSTEMS INC -su- 85.00, Equitable Financial Lif Ins Co of Americ -ex-99.80, GARRETT TIRES, TREADS & APPLIANCES -su- 1542.00, HOMETOWN LEASING -ex- 379.87, HUNT CLEANERS INC -su- 55.27, INGRAM LIBRARY SERVICES INC -su- 1806.82, INTERNATIONAL INSTITUTE OF MUNICIPAL CLE -ex- 175.00, KATHLEEN A LAUGHLIN CHPT 13 TRUSTEE -ex- 254.00, Kent Adhesive Products Co-su-55.85, LANDMARK IMPLEMENT INC -ex- 4800.00, LINCOLN FINANCIAL GROUP – ex-15712.86, MERIDIAN RENTALS -su- 430.99, MicroMarketing LLC -su- 38.07, NEBRASKA DEPT REVENUE – ex-4398.03, NEBRASKA LAW ENFORCEMENT –ex- 233.95, NEBRASKA LIBRARY ASSOCIATION -ex- 240.00, NORTH PLATTE KUBOTA -ex- 3125.00, NORTH PLATTE TELEGRAPH -su- 467.79, O'Reilly Automotive, Inc. – su-151.15, Oliver Consulting Services, Inc. -ex- 939.00, Prenda, INC. -su- 1250.00, QUADIENT LEASING USA, Inc. -ex- 158.97, REAMS SPRINKLER SUPPLY CO., INC -su- 3187.33, RJ HOCK CONSTRUCTION -ex- 1200.00, Kim Rangel -ex- 48.00, Rickey's Removal, LLC -ex- 55.00, Rooster Garage Doors -su- 260.00, SCHOLASTIC LIBRARY PUBLISHING -su- 1530.00, SENTIMENTAL PRODUCTIONS – su-200.00, SERVICE MASTER OF MID NE -ex- 880.00, SONNY'S SUPER FOODS – 38.51, SUN LIFE FINANCIAL -ex- 1691.45, T A S C - ex- 2926.04, The Lincoln National Life Insurance Comp -ex- 451.55, Titan Machinery -su- 7150.00, VAN DIEST SUPPLY COMPANY -su- 6250.54, VILLAGE UNIFORM -su- 122.68, Verizon Wireless -ex- 246.17, WEST CENTRAL NEBRASKA DEVELOPMENT DISTRI -ex- 4276.50, Melissa Wiederholt – ex-126.00, LAURIE YOCOM – su-55.38, Total - 184115.54

Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Leahy moved, Montgomery seconded, to approve CVFD Fall Festival on September 18 in Veterans Park and for closing 9th Street from “E” to “F” and “F” Street from 9th to 10th. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Montgomery moved, Leahy seconded, to approve permission to close off “D” Street between 12th and 13th for major construction of the new hospital wing. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Montgomery moved, Kloppenborg seconded, to approve the environmental review record for 20-EMCV-007. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Leahy moved, Montgomery seconded, to authorize Marcus Klopping & Brandi Klopping to request funds for 20-EMCV-007. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Montgomery moved, Kloppenborg seconded, to approve grantee information sheet, financial management certification, city policies on affirmatively furthering fair housing, excessive force certification, procurement procedures and code of conduct, citizen participation plan, and prohibition of duplication of benefits for 20-EMCV-007. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Kloppenborg moved, Leahy seconded, to approve Sub-recipient Agreement between the Catholic Church and City for responsibilities for 20-EMCV-007. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Montgomery moved, Kloppenborg seconded to designate Jen McKeone as certified grant administrator for 20-EMCV-007 and 20-EMCV-010 Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Montgomery moved, Leahy seconded, to approve the Manager Application on Bosselman Pump & Pantry Inc DBA Pump & Pantry 32 liquor license. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Leahy moved, Montgomery seconded, to approve the Manager Application on Casey’s Retail Company DBA Casey’s General Store 2734 liquor license. Roll call vote: Yea – Olds, Montgomery, Leahy, Kloppenborg. No – None.

Montgomery moved, Kloppenborg seconded, to approve Resolution 2021-19 supporting retention of the current thirty sixth legislative district boundary of the Nebraska Legislature. Roll call vote: Yea – Leahy, Kloppenborg, Montgomery. Absent- Olds.

RESOLUTION 2021-19

RESOLUTION OF THE CITY OF COZAD, NEBRASKA, SUPPORTING RETENTION OF THE CURRENT THIRTY SIXTH LEGISLATIVE DISTRICT BOUNDARY OF THE NEBRASKA LEGISLATURE.

WHEREAS: the Nebraska Legislature will undertake legislative redistricting as a result of the 2020 United States Census; and

WHEREAS: the current boundary of the Thirty Sixth Legislative District encompasses the entirety of Dawson and Custer counties and the northern part of Buffalo County; and

WHEREAS: Legislative Resolution 134 of the One Hundred Seventh Legislature establishes criteria for the redistricting process; and

WHEREAS: the 2020 Census count for the Thirty Sixth District is within a 5% deviation of the 2020 average legislative district population and constitutes a core prior legislative district; and

WHEREAS: Dawson and Custer counties each have county wide economic development organizations servicing the larger towns and villages and support interlocal governmental cooperation; and

WHEREAS: a number of citizens travel between the communities of Gothenburg, Broken Bow, Cozad, Lexington, and Ravenna for employment, and these larger communities provide jobs for residents of the smaller communities in Dawson, Custer and the northern part of Buffalo Counties.

WHEREAS: there is a strong community of interest in the counties of Dawson, Custer, and the northern part of Buffalo based on production agriculture, livestock production and processing.

WHEREAS: Dawson, Custer, and the northern part of Buffalo counties are served by five critical access hospitals that utilize the same specialists and provide cross coverage with health care providers; and

WHEREAS: there are 13 school districts located within the boundaries of District 36, all of which are served by one Educational Service Unit; and

WHEREAS: people living in District 36 are best served by a State Senator who comes from their communities of interest, and in whom they are confident and can hold accountable.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COZAD HEREBY RESOLVES AS FOLLOWS:

The City of Cozad strongly urges the Nebraska Legislature to retain the current boundary of the Thirty Sixth Legislative District due to the strong community of interest in education, health care, business and governance within the District.

PASSED THIS 7TH DAY OF SEPTEMBER, 2021.

ATTEST:

Mayor Marcus Klopping

City Clerk/Treasurer Brandi Klopping

Leahy moved, Kloppenborg seconded, to approve the environmental review record for 20-EMCV-010. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Montgomery moved, Kloppenborg seconded, to authorize Marcus Klopping & Brandi Klopping to request funds for 20-EMCV-010. Roll call vote: Yea – Montgomery, Leahy, Kloppenborg. Absent- Olds.

Montgomery moved, Leahy seconded, to approve grantee information sheet, financial management certification, city policies on affirmatively furthering fair housing, excessive force certification, procurement procedures and code of conduct, citizen participation plan, and prohibition of duplication of benefits for 20-EMCV-010. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Leahy moved, Kloppenborg seconded, to approve Sub-recipient Agreement between the Grand Generation Center and City for responsibilities for 20-EMCV-010. Roll call vote: Yea – Leahy, Montgomery, Kloppenborg. Absent- Olds.

Leahy moved, Montgomery seconded, to approve Resolution 2021-23 making an application to USDA Rural Development for a REDLG grant to the Cozad Community Health System. Roll call vote: Yea – Kloppenborg, Leahy, Montgomery. Absent- Olds.

There being no further business, meeting adjourned at 7:38 p.m.

Mayor Marcus Klopping

ATTEST:

Deputy City Clerk /Treasurer Kelly Peden