

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
May 21, 2013; 7:30 p.m.

CALL TO ORDER

Invocation was given by Father Neal Hock and the pledge of allegiance was recited.

A regular meeting of the Council of the City of North Platte, Nebraska was convened in open and public session at 7:30 p.m. in the City Hall Council Chambers at 211 West 3rd Street. Present were Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. Carman was absent. Mayor Dwight Livingston presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Livingston stated that a current copy of the Open Meetings Act of Nebraska is posted on the wall at the back of the Council Chambers.

Notice of the meeting was given in advance thereof by posting in three public places in the City as follows: North Platte Public Library, Lincoln County Courthouse, City Hall, the designated method for giving notice (certificate of posting), being attached to these minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

Lee moved and Campbell seconded the motion to approve the consent agenda as follows:

1. Approve minutes of work session and regular meeting on May 7, 2013.
2. Place on file ML&W reports for April 2013.
3. Place on file Treasurer's report for April 2013.
4. Authorize the sale of surplus vehicles and equipment at the next Police impoundment auction to be held in the fall of 2013.
5. Approve application by Cigarette Store Corp. dba Smoker Friendly/T&D Liquors for a Special Designated Permit on June 22, 2013 from 1:00 p.m. to 9:00 p.m. with an alternate date of June 21, 2013 from 1:00 p.m. to 9:00 p.m. at Smoker Friendly/ T&D Liquors, 825 South Jeffers for a product tasting.
6. Approve applications by Charles M. Burklund dba The Pocket for Special Designated Permits on June 13, 2013, June 20, 2013, June 27, 2013, July 4, 2013, July 11, 2013, July 18, 2013, July 25, 2013, August 1, 2013, August 8, 2013 from 5:30 p.m. to 9:30 p.m. at Fort Cody Trading

- Post, 221 Halligan Drive for a Music Series.
7. Send application of Alfredo Ponce as Liquor License Manager at Margarita's Family Mexican Restaurant located at 104 North Jeffers Street to Liquor Control Commission with no recommendation.
  8. Approve Mayor's re-appointment of Ramano Polanco to the Cody Scout Commission.
  9. Approve Mayor's re-appointments of Stephen Granger and Kaycee Anderson to the Historic Preservation Board.
  10. Approve Mayor's re-appointments of Marilyn McGahan, Terri Burchell and Pete Volz to the Planning Commission.
  11. Accept bids and award contract for Street Improvement District No. 296 (CDBG project for 18<sup>th</sup> Street and Cody Avenue) to Cement Products, Inc. in the amount of \$302,545.93 and authorize Mayor to sign the contract.
  12. Accept bids and award contract for Water Extension District No. 260 (Bryan Avenue from 15<sup>th</sup> Street to 16<sup>th</sup> Street) to Cement Products, Inc. in the amount of \$32,259.25 and authorize Mayor to sign the contract.
  13. Accept Certificate of Completion and Assessment Schedule for Sanitary Sewer Extension District No. 344 (at Bicentennial Avenue continuing east and parallel to Lots 1 & 2 of Yoshida Subdivision) and set Board of Equalization for June 18, 2013.

Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman.  
Motion carried.

ITEM #14  
APPROVE 3872

Lee moved that the rule requiring Ordinance No. 3872 amendment to Section 94.056(D) of the City of North Platte Municipal Code relating to storage of flammable and combustible liquids in aboveground tanks to be read on three different dates be suspended. Steinbeck seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman.  
Motion carried.

Mayor Livingston instructed Ordinance No. 3872 to be read one time by title only. Lee moved and Baker seconded the motion to approve Ordinance No. 3872. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #15

Lee moved that the rule requiring Ordinance No. 3874 providing

APPROVE ORD 3874 for the issuance and registration of warrants to be read on three different dates be suspended. Steinbeck seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

Mayor Livingston instructed Ordinance No. 3874 to be read one time by title only. Lee moved and Campbell seconded the motion to approve Ordinance No. 3874. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #16  
FEDERAL FUNDS  
PURCHASE  
PROGRAM Lee moved and Baker seconded the motion to adopt Resolution authorizing Mayor to sign Federal Funds Purchase Program Supplemental Agreement No. 1. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #17  
CHANGE TIME OF  
JUNE 18, 2013  
MEETING Lee moved and Petersen seconded the motion to adopt Resolution moving June 18, 2013 City Council Meeting from its regularly scheduled time of 7:30 p.m. to 5:30 p.m. due to NebraskaLand Days Events. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #18  
CLAIMS Lee moved and Barrett seconded the motion to approve the Claims. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Steinbeck, Campbell. "NAY": None. "ABSTAIN": Lee. "ABSENT": Carman. Motion carried.

CLOSED SESSION Petersen moved and Lee seconded the motion to go into Closed Session at 7:46 p.m. for the purpose of discussing potential litigation. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

Mayor Livingston restated the subject matter of the Closed Session.

RETURN TO  
REGULAR SESSION Petersen moved and Lee seconded the motion to return to Regular Session at 8:17 p.m. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Steinbeck, Campbell. "NAY": None. "ABSENT": Carman. Motion carried.

NO ACTION TAKEN No action was taken on the potential litigation.

ADJOURN

Petersen moved and Campbell seconded the motion to adjourn.  
Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee,  
Steinbeck, Campbell. "NAY": None. "ABSENT": Carman.  
Motion carried.

Adjourned at 8:17 p.m.

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Angela Gilbert, City Clerk