

MINUTES OF THE REGULAR CITY COUNCIL MEETING
July 16, 2013; 7:30 p.m.

CALL TO ORDER

Invocation was given by Dave Holland 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, Carman, Steinbeck, Campbell. 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 Baker seconded the motion to approve the consent agenda as follows:

1. Approve minutes of July 2, 2013.
2. Place on file ML&W reports for June 2013.
3. Place on file Treasurer's report for June 2013.
4. Approve application by Fun Center Inc. dba Cedar Bowl/Touchdown Club for a Special Designated License on August 3, 2013 from 1:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for an Annual Meeting of American Veterans.
5. Send application of Smokers Outlets Inc. dba Smokers Outlet #4 for a Class D Liquor License (Beer, Wine & Distilled Spirits, Off Sale Only) located at 102 Rodeo Road to the Liquor Control Commission with no recommendation.
6. Approve application by Sculley, LLC dba Sculley's Shooters for a Special Designated License on July 27, 2013 from 1:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for a concert.

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

ITEM #7
DENY SPECIAL
DESIGNATED
LICENSE FOR
SCULLEY'S
SHOOTERS

Lee moved and Baker seconded the motion to send to the Liquor Control Commission a recommendation of approval of an application by Sculley, LLC dba Sculley's Shooters for a Special Designated License on August 3, 2013 from 5:00 p.m. to 2:00 a.m. at Sculley's Shooters, 2221 East 4th Street for a concert.

Capt. Jim Parish of the Nebraska State Patrol, Pastor Dave Holland, President of the North Platte Fellowship of Ministers, Jerry Stoll, 218 South Vine Street, Ryan Henry, 901 South Bryan, Todd Engleman, 221 South Jeffers, Greg Vandenburg, 3101 Meadow Court, Mahala Botts, 703 West 10th Street and Chief Mike Swain of the North Platte Police Department all spoke in opposition of the request stating the following reasons: the extra time would put an added risk on law enforcement, the longer time people are served the more problems there will be as North Platte already has high statistics relating to alcohol incidents, the extra hour will not provide gain to our community and by approving the application the Council will be setting a precedence for the future.

Joe Sculley, applicant, told the Council he wants to bring money into the community as well as help his establishment. He reminded the Council that he has the ride-home program and he will stop serving alcohol at 1:30 a.m. to allow everyone to get home safely.

David Fudge, Executive Director of NebraskaLand Days, told the Council that bringing bands to North Platte is expensive. He said the NebraskaLand Days board may apply for an extension in the future to compensate for weather delays.

Nate Christopher, Rock 100 Radio Station, told the Council the concert is the radio stations birthday bash and he would like to see all of his listeners have a chance to attend the concert.

Petersen moved and Lee seconded the motion to "call for the question", ending debate on the subject. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Roll call vote on the main motion: "AYE": Baker. "NAY": Barrett, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. Motion failed.

Petersen moved and Lee seconded the motion to send to the Liquor Control Commission a recommendation of denial of the application by Sculley's Shooters for a Special Designated License on August 3, 2013 from 5:00 p.m. to 2:00 a.m. at Sculley's Shooters, 2221 East 4th Street for a concert. Roll call vote: "AYE": Barrett, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": Baker. Motion carried.

ITEM #8
WARRANT
PURCHASE
AGREEMENT WITH
FARMERS STATE
BANK WALLACE

Lee moved and Baker seconded the motion to adopt Resolution providing for the designation of Farmers State Bank Wallace as a warrant lender, authorizing the execution and delivery of a warrant purchase agreement with such designated warrant lender and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #9
ISSUE WARRANTS
TO CEMENT
PRODUCTS, INC.
AND ML&W

Lee moved and Baker seconded the motion to adopt Resolution approving claims and authorizing the issuance of a warrant to Cement Products, Inc. in the amount of \$28,786.72 and a warrant to Municipal Light & Water in the amount of \$9,942.25 to pay approved claims and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing passed and approved on May 21, 2013. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #10
APPROVE ORD 3876

Lee moved that the rule requiring Ordinance No. 3876 to create Street Improvement District No. 297 in US Highway 30 from 100 feet west of Mills Avenue to the east right-of-way of Sycamore Street in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Barrett seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3876 to be read one time by title only. Lee moved and Petersen seconded the motion to approve Ordinance No. 3876. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #11
CLAIMS

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

carried.

ADJOURN

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

Adjourned at 8:47 p.m.

Angela Gilbert, City Clerk