

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
April 16, 2019; 7:30 p.m.

CALL TO ORDER

Invocation was given by Chaplain Gary Smith 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 Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. 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 Petersen seconded the motion to approve the Consent Agenda as follows:

1. Approve minutes of April 2, 2019.
2. Place on file Treasure's report for March 2019.
3. Send application of La Casa Del Rios LLC for a Catering License located at 1911 East 4<sup>th</sup> Street to the Liquor Control Commission with no recommendation.
4. Removed from Consent Agenda.

Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #4  
PAULSEN, INC.  
FOR STREET  
IMPROVEMENT  
DISTRICT 326

Lee moved and Carman seconded the motion to accept bids and award contract for Street Improvement District No. 326 (Philip Avenue from Jeffers to Cottonwood) to Paulsen, Inc. in the amount of \$971,697.20 and authorize Mayor to sign contract. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #5  
QUALITY GROWTH  
FUNDS FOR

Lee moved and Carman seconded the motion to approve recommendation from the North Platte Quality Growth Fund Citizen's Advisory Committee to approve an additional

DOWNTOWN  
FAÇADE  
IMPROVEMENT  
PROGRAM

\$150,000 from the North Platte Quality Growth Fund for the Downtown Facade Improvement program. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #6  
QUALITY GROWTH  
FUNDS FOR RETAIL  
RECRUITMENT  
FIRM

Lee moved and Carman seconded the motion to approve recommendation from the North Platte Quality Growth Fund Citizen's Advisory Committee's to approve two \$20,000 grants to the North Platte Chamber and Development Corporation from the North Platte Quality Growth Fund to assist in year two, 2019, and year three, 2020, of their agreement with Buxton, a retail recruitment firm.

Gary Person and Cassie Condon from North Platte Chamber/DEVCO told the Council they have made a three year commitment to Buxton, with a \$150,000 overall investment. They explained that Buxton has a software program that supplies information about consumers and analyzes retail customers and their buying habits within a 25 minute driving radius and a 90 minute driving radius from North Platte. They said the company also sends out "pursuit packages" to potential retailers. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #7  
AGREEMENT WITH  
USDA FOR PIGEON  
CONTROL

Lee moved and Petersen seconded the motion to approve Cooperative Service Agreement between the City of North Platte and the United States Department of Agriculture, relating to pigeon control. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #8  
CONSENT TO SALE  
AND CONSUMPTION  
OF ALCOHOL ON  
CITY PROPERTY ON  
06-08-19

Lee moved and Carman seconded the motion to adopt Resolution consenting to the sale and consumption of alcoholic liquor on property owned by the City of North Platte, including a portion of West 5<sup>th</sup> Street, during the Creativity Unlimited Arts Council/Prairie Arts Center Artist Fair Fundraiser on June 8, 2019. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker. "NAY": Ostendorf. Motion carried.

ITEM #9  
SPECIAL  
DESIGNATED  
LICENSE FOR  
PRAIRIE ARTS  
CENTER ON  
06-08-19

Lee moved and Carman seconded the motion to approve application by Creativity Unlimited Arts Council/Prairie Arts Center for a Special Designated License on June 8, 2019 from 9:00 a.m. to 6:00 p.m. at Prairie Arts Center, 416 North Jeffers Street for an Artist Fair Fundraiser. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker,

Ostendorf. "NAY": None. Motion carried.

ITEM #10  
CONSENT TO SALE  
AND CONSUMPTION  
OF ALCOHOL ON  
CITY PROPERTY ON  
09-07-19

Lee moved and Carman seconded the motion to adopt Resolution consenting to the sale and consumption of alcoholic liquor on property owned by the City of North Platte, including a portion of West 5<sup>th</sup> Street, during the Creativity Unlimited Arts Council/Prairie Arts Center Husker Football Tailgate Event on September 7, 2019. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #11  
SPECIAL  
DESIGNATED  
LICENSE FOR  
PRAIRIE ARTS  
CENTER ON  
09-07-19

Lee moved and Carman seconded the motion to approve application by Creativity Unlimited Arts Council/Prairie Arts Center for a Special Designated License on September 7, 2019 from 9:00 a.m. to 10:00 p.m. at Prairie Arts Center, 416 North Jeffers Street for a Husker Football Tailgate Event. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #12  
PURCHASE  
AGREEMENT FOR  
921 WEST 8<sup>TH</sup>  
STREET

Lee moved and Carman seconded the motion to authorize Scott Standage to execute a Purchase Agreement for the purchase of property at 921 West 8<sup>th</sup> Street in North Platte for the purpose of constructing an electric substation. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #13  
ORD 4003 ON 2<sup>ND</sup>  
READING

Lee moved that the rule requiring Ordinance No. 4003 amending Section No. 94.021 of the North Platte Code of Ordinances, adopting the NFPA 101 Life Safety Code, 2012 Edition and NFPA 1 Fire Code, 2012 Edition to be read on three different dates be suspended. Backenstose seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Lee, Ostendorf. "NAY": Petersen, Lucas, Carman, Rieker. Motion failed 4-4.

Mayor Livingston instructed Ordinance No. 4003 to be read by title on its second reading. Lee moved and Carman seconded the motion to approve Ordinance No. 4003 on its second reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #14  
APPROVE ORD 4008

Lee moved that the rule requiring Ordinance No. 4008 to create Water Extension District No. 263 including the east 38' of Lot 5 Hiatt's Fourth Subdivision, the south 100' of Lot 1 of Block 4, Lincoln Highway Eighth Addition, the north 387.07' of Lot 1 of Block 4, Lincoln Highway Eighth Addition, Lots 7-9 and the

west 37.1' of Lot 10 Block 3 of Lincoln Highway Eighth Addition, Lot 7-8 and the west 50' of Lot 6 Block 2 of Lincoln Highway Eighth Addition, in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Lucas seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

Mayor Livingston instructed Ordinance No. 4008 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 4008. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #15  
APPROVE ORD 4006

Lee moved that the rule requiring Ordinance No. 4006 creating Sanitary Sewer Extension District No. 348 to include the south 150 feet of the following: Lot 1 of Platteview Second Replat; the West 228 feet of Lot 7 of Platteview Subdivision and all of vacated Welch Street adjacent thereto; and the West 48 feet of the East 96 feet of Lot 7 of Platteview Subdivision. The north 150 feet of the following: Lots 1-4 of W.F. Ackerman's Subdivision of Lot 19 of Platteview Subdivision; Part of Lot 18 of Platteview Subdivision, beginning at the Northwest corner of Lot 18 of Platteview Subdivision, thence east along the north line of said lot a distance of 88 feet, thence south parallel with the west line of said lot a distance of 151.5 feet, thence west parallel with the north line of said Lot 18 a distance of 88 feet, thence north along the west line of said lot a distance of 151.5 feet to the point of beginning; the East 44 feet of the West 132 feet of the North 151.5 feet of Lot 18 of Platteview Subdivision; the East 50 feet of the West 182 feet of the North 151.5 feet of Lot 18 of Platteview Subdivision; and the East 99 feet of the West 281 feet of the North 151.5 feet of Lot 18 of Platteview Subdivision to the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4006 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 4006. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #16  
CLAIMS

Petersen moved and Lee seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSTAIN": Lucas. Motion carried.

ADJOURN

Lee moved and Carman seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Adjourned at 8:36 p.m.



Angela Gilbert, City Clerk