

MINUTES OF THE REGULAR CITY COUNCIL MEETING
June 18, 2019; 5:30 p.m.

CALL TO ORDER

Invocation was given by Brent Montgomery 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 5:30 p.m. in the City Hall Council Chambers at 211 West 3rd Street. Present were Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. Nisley 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 Petersen seconded the motion to approve the Consent Agenda as follows:

1. Approve minutes of work session and regular meeting on June 4, 2019.
2. Accept bids and award contract to Wayne Dowhower Construction for an Equipment Storage Building for the Water Department in the amount of \$179,700.00.

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

ITEM #3
TABLED UNTIL
THE FIRST CITY
COUNCIL
MEETING IN
SEPTEMBER

Lee moved and Petersen seconded the motion to adopt Resolution to transfer surplus fees of \$3,250,000.00 from the Electric Fund to the Golf Fund to eliminate the Deficit Fund Balance, and approve the transfer of operations of Iron Eagle Golf Course from the Special Revenue Golf Fund to a Department of the General Fund, effective October 1, 2019.

Auditor Kyle Overturf from Almquist, Maltzahn, Galloway and Luth, P.C. in Grand Island, told the Council that by transferring

surplus fees from the Electric Department to make up for the deficits of numerous past years, the golf fund would be made whole again. He explained the transfer would have nothing to do with future operations of the golf course. He said the first step is for the Council to adopt the Resolution, then publish and hold a public hearing where the Council could vote to amend the current Budget to properly reflect the transfer.

Rieker moved and Lucas seconded the motion to amend the main motion to include that twice a year the City Council be provided with financial statements for Iron Eagle so they can see the ups and downs of the course and can determine the deficit. Roll call vote: "AYE": Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": Backenstose, Petersen. "ABSENT": Nisley. Motion carried.

Attorney Brock Wurl, member of the Quality Growth Fund Citizen's Review Committee, expressed concerns to the Council about the transferring of funds and said he fears they would violate Nebraska Statutes and North Platte City Ordinances. He encouraged the Council to seek a legal opinion and to be transparent with the process moving forward.

Lucas moved and Rieker seconded the motion to table the Resolution to transfer surplus fees of \$3,250,000.00 from the Electric Fund to the Golf Fund to eliminate the Deficit Fund Balance, and table the transfer of operations of Iron Eagle Golf Course from the Special Revenue Golf Fund to a Department of the General Fund until September 2019.

Lucas clarified, with the consent of Rieker, to table the Resolution until the first City Council Meeting in September. Roll call vote: "AYE": Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": Backenstose. "ABSENT": Nisley. Motion carried.

ITEM #4
TABLED UNTIL
THE FIRST CITY
COUNCIL
MEETING IN
SEPTEMBER

Lee moved and Lucas seconded the motion to table Resolution to transfer \$800,000.00 from the Community Development Block Grant (CDBG) Fund to the General Fund until the first City Council Meeting in September. Roll call vote: "AYE": Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": Backenstose. "ABSENT": Nisley. Motion carried.

ITEM #5
RECLASSIFY
BALANCES

Lee moved and Carman seconded the motion to adopt Resolution authorizing City Accounting Staff to make the following journal entries effective May 31, 2019: 1.) entries to reclassify balances

in Due-to-/Due-from accounts to Treasury Cash for each respective Fund and record the corresponding balancing entries in the Treasury Fund; 2). entries to reclassify balances in cash accounts used in the City's prior accounting software to Treasury Cash used in Munis for each respective Fund and record the corresponding balancing entries in the Treasury Fund. Roll call vote: "AYE": Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #6
APPROVE ORD 4009

Lee moved that the rule requiring Ordinance No. 4009 to rezone certain lands from an R-4 Dwelling District to an I-1 Light Industrial District located at 1302 North Roosevelt Avenue to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSENT": Nisley. Motion carried.

Mayor Livingston instructed Ordinance No. 4009 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 4009. Roll call vote: "AYE": Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #7
INTERLOCAL
AGREEMENT WITH
WEST CENTRAL
NEBRASKA
DEVELOPMENT
DISTRICT

Lee moved and Carman seconded the motion to authorize Mayor to sign West Central Nebraska Development District, Inc. Interlocal Agreement for completion of an Environmental Review for the North Platte Housing Authority. Roll call vote: "AYE": Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. "ABSENT": Nisley. Motion carried.

ITEM #8
ISSUE WARRANTS
TO VARIOUS
VENDORS

Lee moved and Lucas seconded the motion to adopt Resolution approving claims and authorizing the issuance of a warrant to Midlands Contracting, Inc. in the amount of \$500,446.94, a warrant to Beveridge, Inc. in the amount of \$23,522.80, a warrant to Cement Products, Inc. in the amount of \$55,005.49, a warrant to Myers Construction, Inc. in the amount of \$182,472.76, two warrants to Municipal Light & Water totaling \$7,073.81 and a warrant to ATC Group Services LLC in the amount of \$1,110.00 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": Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSENT": Nisley. Motion carried.

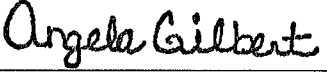
ITEM #9
CLAIMS

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

ADJOURN

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

Adjourned at 6:07 p.m.



Angela Gilbert, City Clerk