

MINUTES OF THE REGULAR CITY COUNCIL MEETING
May 5, 2020; 5:30 p.m.

CALL TO ORDER

Invocation was given by Andrew Lee 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 and the City Hall Conference Room at 211 West 3rd Street. Present were Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. Carman was absent. Mayor Dwight Livingston presided and Dawn Miller, Director of Finance, recorded the proceedings.

Mayor Livingston stated that a current copy of the Open Meetings Act of Nebraska is posted on the wall in the Council Chambers and the Conference Room.

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 21, 2020.
2. Place on file ML&W reports for March 2020.
3. Removed from Consent Agenda.
4. Approve application by Aden Enterprises, LLC dba Sutherland Longhorn Bar for a Special Designated License on June 13, 2020 from 4:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for a Wedding Reception.
5. Send applications of Mid Plains Food & Lodging dba Timesaver #3 and Timesaver #7 for Class D Liquor Licenses (Beer, Wine & Distilled Spirits, Off Sale Only) located at 1220 South Dewey Street and 3220 South Jeffers Street to the Liquor Control Commission with no recommendation.
6. Accept bids and award contract to Delta Star of Lynchburg, Virginia for the purchase of one 10.0 MVA Power Transformer for the Augusta Substation and one 7.9 MVA Power Transformer for the Great Plains

Substation in the total amount of \$1,209,049.00.

7. Removed from Consent Agenda.
8. Accept Certificate of Completion and Schedule of Benefits for Water Connection District No. 21 (East 16th Street from Taft to Bryan Avenue) and set Board of Equalization for May 19, 2020.

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

ITEM #3
PLACE ON FILE
TREASURER'S
REPORT FOR
MARCH 2020

Lee moved and Petersen seconded the motion to place on file Treasurer's report for March 2020. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #7
PAULSEN, INC.
FOR PAVING OF
PARKING LOT IN
CENTENNIAL PARK

Lee moved and Petersen seconded the motion to accept bids and award contract to Paulsen Inc. of Cozad for paving of the Centennial Park Parking Lot in the amount of \$202,599.97 and authorize the Mayor to sign the contract. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #9
QUALITY GROWTH
FUNDS FOR NP
CHAMBER FOR GIFT
CARD PROGRAM

Gary Person, President & CEO of North Platte Area Chamber/DEVCO, informed the Council that both of the applications on tonight's Agenda were unanimously approved by the Quality Growth Fund Citizen's Advisory Committee, and he introduced Cassie Condon to speak regarding the requests.

Cassie Condon, North Platte Area Chamber/DEVCO, explained that area businesses approached the Chamber to organize a Gift Card Program similar to those which have been initiated in other communities. She indicated that the Chamber has identified potential eligible businesses for the Council's consideration. She clarified that the requested \$150,000 for this program could be reallocated from the original \$250,000 that was approved 04/01/20 for SBA technical assistance.

Lucas moved and Lee seconded the motion to approve the Quality Growth Fund Citizen's Advisory Committee's application from the North Platte Area Chamber/DEVCO regarding the Gift Card Program that would infuse much needed spending capital in participating businesses using the remainder of the \$250,000 Small Business allocation. Eligible industries would be at the discretion of the Chamber's management, the qualified businesses would be within the two-mile jurisdiction of

the City of North Platte, there will be a \$2,000.00 cap per eligible business, the business would have to certify and provide adequate proof of a receipt of a dollar for every dollar given in the grant application, the funds will be utilized within two months from the start of the program, and there will be a cap of \$100.00 on every gift card sold. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #10
QUALITY GROWTH
FUNDS FOR BIG EYE
SPINNERBAITS OF
SUTHERLAND

Lee moved and Petersen seconded the motion to approve the Quality Growth Fund Citizen's Advisory Committee application to fund a \$50,400 loan request on a 10-year repayment plan at 3% interest for Big Eye Spinnerbaits of Sutherland, NE.

Shawna Cooper, 300 Linden Street, Sutherland, NE., informed the Council that she and her husband Jason started their business, Big Eye Spinnerbaits, LLC in October 2011 out of their garage. In February 2019 they moved to a new location on the highway in Sutherland. They purchased a lot in 2018 and plan to build a new building along Highway 30 in Sutherland. They are requesting a loan from the Quality Growth Fund to complete the financing required for their building project. Shawna indicated that they will be using several North Platte businesses as contractors for their building. She also noted that many of their potential customers will also likely stop and make purchases in North Platte while traveling to and from Sutherland to shop in their store.

Lucas moved and Rieker seconded the motion to amend the motion on the table that the promissory note will be serviced by the primary lender with up to a 25 basis point-lender servicing spread and will be secured as outlined in the recommendation. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

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

ITEM #11
CONDITIONAL
USE PERMIT, 2102
RODEO AVENUE

Mayor Livingston declared a Public hearing on recommendation by City of North Platte Planning Commission on an application by Mark and Pam Pope for a Conditional Use Permit to allow a mother-in-law's quarters in an R-4 Dwelling District located at 2102 Rodeo Avenue and described as Lot 4, Block 2 Lawyers

Subdivision, North Platte, Lincoln County, Nebraska.

No one appeared.

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

Lee moved and Lucas seconded the motion that they find the request for a Conditional Use Permit to allow a mother-in-law's quarters located at 2102 Rodeo Avenue meets the minimum standards stated in The North Platte Code of Ordinances Section 156-322 and approve and grant the Conditional Use Permit requested with the conditions that all elements of the application are complied with:

1. A site plan and building plans drawn by a professional architect, surveyor and/or engineer must be submitted and approved prior to the start of construction.

based on the following factual findings:

1. The use shall conform to all applicable ordinances, laws and regulations of any governmental jurisdiction.
2. The use shall have adequate water, sewer, and drainage facilities.
3. Ingress and egress shall be so designated as to minimize traffic congestion in the public streets.
4. The use shall in all other respects conform to the applicable regulations of the district in which it is located
5. The use shall be in harmony with the character of the area and the most appropriate use of the land.

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

ITEM #12
ASSESS SEWER 348

Mayor Livingston told the Council they were sitting as a Board of Equalization to approve Assessment Schedule for Sanitary Sewer Extension District No. 348 (Along East 6th Street; starting at 1813 East 6th Street and continuing west approximately 475 feet).

John Erickson, 1708 East 6th Street, asked the Council if any adjustments have been made to the Assessment Schedule. He expressed concern that notice was not received and that assessments were not equitable based on property values.

City Attorney, Terry Waite, explained that per City Council's direction at the previous City Council Meeting, he reviewed the Engineering Department's procedures and found that the City made no errors and that there were no irregularities in the assessment process.

Lee moved and Petersen seconded the motion to close the Board of Equalization and assess per the assessment schedule. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #13
ORD 4034 ON 2ND
READING

Mayor Livingston instructed Ordinance No. 4034 to create a clean energy assessment district; to establish definitions; to provide for the financing, administration, and collections, to promote energy efficiency improvements and renewable energy systems to be read by title on its second reading. Lee moved and Petersen seconded the motion to approve Ordinance No. 4034 on its second reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #14
ORD 4035 ON 1ST
READING

Mayor Livingston instructed Ordinance No. 4035 to create Paving District No. 835 on Reid Avenue from Oak Street to Spruce Street and Spruce Street from Reid Avenue to Philip Avenue in the City of North Platte, Lincoln County, Nebraska to be read by title on its first reading. Lee moved and Petersen seconded the motion to approve Ordinance No. 4035 on its first reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lee, Ostendorf. "NAY": Lucas, Rieker. "ABSENT": Carman. Motion carried.

ITEM #15
CITY ADMIN.
CONTRACT

Lee moved and Petersen seconded the motion to approve the Contract for the City Administrator's position between the City of North Platte and Matthew F. Kibbon. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Rieker, Ostendorf. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #16
CLAIMS

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

ADJOURN

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

carried.

Adjourned at 6:35 p.m.

Angela Gilbert

Angela Gilbert, City Clerk