

MINUTES OF THE REGULAR CITY COUNCIL MEETING
December 15, 2020; 5:30 p.m.

CALL TO ORDER

Invocation was given by Pastor Bob Deardoff 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 Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. Nisley was absent. Mayor Brandon Kelliher presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Kelliher 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 and City Hall; the designated method for giving notice (Certificate of Posting) is attached to these Minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

Rieker moved and Woods seconded the motion to approve the Consent Agenda as follows:

1. Approve Minutes of December 1, 2020.
2. Place on file Treasurer's report for October 2020.
3. Approve appointment of David Fudge to the North Platte Planning Commission.
4. Approve appointment of Greg Wilke to the Board of Adjustment.
5. Removed from Consent Agenda.

Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #5
PENISTON FIRST
REPLAT, 309 EAST
E STREET

Rieker moved and Tryon seconded the motion to adopt recommendation by the North Platte Planning Commission for preliminary and final approval of Peniston First Replat located at 309 East E Street. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Nisley. Motion carried.

CLOSED SESSION

Volz moved and Woods seconded the motion to go into Closed Session at 5:38 p.m. for the purpose of discussing contracts or potential litigation. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

Mayor Kelliher restated the purpose of the Closed Session to discuss contracts or potential litigation.

RETURN TO
REGULAR SESSION

Rieker moved and Garrick seconded the motion to come out of Closed Session and return to Regular Session at 6:04 p.m. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

ITEM #6
TRANSFER OF
CONTROL OF
FRANCHISE
FOR ALLO
COMMUNICATIONS

Rieker moved and Lucas seconded the motion to approve Resolution Consenting to a Transfer of Control of Franchise between the City of North Platte and Allo Communications, LLC for the remainder of the original contract term.

Brad Moline, President of Allo Communications, told the Council he does not expect any big changes with the transfer and the leadership of the company is the same, only the financing has changed.

Roll call vote to approve the Resolution: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

ITEM #7
DENY QUALITY
GROWTH FUNDS
TO CREDIT
MANAGEMENT, INC.

Rieker moved and Garrick seconded the motion to approve the \$200,000 performance based three-year loan requested by Credit Management Inc. according to the guideline recommendations from the Quality Growth Fund Citizens Review Committee and authorize City management to write the contract.

Dave Faimon, CFO of Credit Management, Inc., told the Council they have clients in North Platte and their other offices in the state are full so they are moving forward with opening an office in North Platte; they have leased a building downtown and plan to hire and train new employees as soon as they can. He stated they are looking for community support and are accepting of the counter proposal the Quality Growth Fund Committee is recommending.

Roll call vote: "AYE": Carman. "NAY": Tryon, Volz, Garrick, Rieker, Woods. "ABSTAIN": Lucas. "ABSENT" Nisley. Motion

failed 1-5.

ITEM #8
APPROVE QUALITY
GROWTH FUNDS
FOR HOUSING
PROGRAM

Volz moved and Lucas seconded the motion to approve the recommendation of the Quality Growth Fund Committee to provide \$250,000 in Quality Growth Funds in partnership with the North Platte Area Chamber and Development Corporation and its partners that are providing \$250,000 in local funds; and apply for \$500,000 from the Nebraska Rural Workforce Housing Fund and approve \$30,000 for administrative assistance to the Lincoln County Community Development Corporation to oversee the rehabilitation portion of the housing program.

Gary Person, President of North Platte Chamber/DEVCO, told the Council that housing and job creation go hand-in-hand and if you build more houses, you build your population. He said the application for funding is due at the end of January 2021, there is 50% local match needed from community entities and there will not be an opportunity to apply for the program again for three years.

Rieker moved to amend the motion to provide \$150,000 in Quality Growth Funds instead of \$250,000.

Rieker withdrew his motion.

Roll call vote: "AYE": Volz, Lucas, Garrick, Carman, Rieker. "NAY": Tryon, Woods. "ABSENT" Nisley. Motion carried.

ITEM #9
CONDITIONAL USE
PERMIT, 221 WEST
11TH STREET

Mayor Kelliher declared a Public hearing on recommendation by the North Platte Planning Commission for approval of an application by James Hassett for a Conditional Use Permit to allow living quarters situated in an office building in a B-2 Highway Commercial District located at 221 West 11th Street. No one appeared.

Lucas moved and Rieker seconded the motion to close the hearing. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

Lucas moved and Carman seconded the motion to find the request for a Conditional Use Permit to allow living quarters in an office building located at 211 West 11th Street 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 condition that all elements of the application are complied with 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": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #10
ORD 4049 ON 3RD
READING

Mayor Kelliher instructed Ordinance No. 4049 to rezone certain lands from an R-2 Dwelling District to an I-1 Light Industrial District located at 720 West Front Street and 617 North Oak Street to be read by title on its third reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4049 on its third reading. Roll call vote: "AYE": Tryon, Volz, Lucas, Carman, Rieker, Woods. "NAY": Garrick. "ABSENT": Nisley. Motion carried.

ITEM #11
MEMORANDUM OF
UNDERSTANDING
WITH WEST
CENTRAL HEALTH
DEPARTMENT

Garrick moved and Rieker seconded the motion to authorize the Mayor to renegotiate the terms of the Memorandum of Understanding between the City of North Platte and West Central District Health Department.

Shannon Vanderheiden, Executive Director of West Central District Health Department, told the Council the purpose of the Memorandum of Understanding is collaboration and partnership with communities to mitigate disease. She said they have similar agreements with all of the villages and cities in their district and they have a governing board that meets quarterly.

Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #12
CONTRACT
WITH GPH FOR
TRANSPORTATION
SERVICES

Rieker moved and Lucas seconded the motion to approve the contract with Great Plains Health to provide transportation services. Roll call vote: "AYE": Tryon, Volz, Lucas, Carman, Rieker. "NAY": Woods. "ABSTAIN": Garrick. "ABSENT" Nisley. Motion carried.

ITEM #13
SALE OF
VEHICLES AND
EQUIPMENT

Garrick moved and Rieker seconded the motion to authorize the sale of vehicles and equipment on publicsurplus.com and authorize the Mayor to sign all documents for the City. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

ITEM #14
TABLED ELECTION
OF COUNCIL
PRESIDENT FOR
2021

Garrick moved and Woods seconded the motion to table the election of Council President for 2021 until Councilman Nisley can attend. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

ITEM #15
CLAIMS

Carman moved and Rieker seconded the motion to approve the Claims. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

PUBLIC AGENDA
REQUEST

Michael Cook, 1906 West Eugene Avenue, asked if the Conditional Use Permit granted to Justin Warner on September 17, 2019 allowing a wholesale nursery and green house with accessory retail in an A-1 Transitional Agricultural District located at 2000 West Eugene Avenue could be placed on an upcoming Agenda.

ADJOURN

Rieker moved and Garrick seconded the motion to adjourn. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT" Nisley. Motion carried.

Adjourned at 8:03 p.m.



Angela Gilbert, City Clerk