

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
May 4, 2021; 5:30 p.m.

CALL TO ORDER

Invocation was given by Glenn Littrel 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 Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. 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

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

1. Approve Minutes of April 16 and 20, 2021.
2. Place on file Treasurer's report for March 2021.
3. Approve application by Platte Bar, Inc. for a Special Designated License on June 18, 2021 from 8:00 a.m. to 1:00 a.m. and June 19, 2021 from 8:00 a.m. to 1:00 a.m. at Platte Bar, 119 West 6<sup>th</sup> Street for a Beer Garden.
4. Authorize the Mayor to execute the purchase agreement for a 2022 Freightliner Truck from Nebraska Truck Center for the Electric Department.

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

ITEM #5  
REDEEM GENERAL  
OBLIGATION AND  
VARIOUS PURPOSE  
REFUNDING BONDS

Volz moved and Garrick seconded the motion to adopt the Resolution authorizing the redemption of the City's General Obligation Refunding Bonds, Series 2013, dated March 12, 2013; Various Purpose and Refunding Bonds, Series 2014, dated September 9, 2014; and Various Purpose and Refunding Bonds, Series 2016, dated April 5, 2016. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY":

None. Motion carried.

ITEM #6  
APPROVE  
ORDINANCE 4064

Rieker moved that the rule requiring Ordinance No. 4064 authorizing the issuance by the City of not-to-exceed \$4,925,000 principal amount of General Obligation Refunding Bonds, Series 2021, for the purpose of refunding the City's outstanding 2013 Bonds, 2014 Bonds, and 2016 Bonds and paying for costs of issuance to be read on three different dates be suspended. Volz seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

Mayor Kelliher instructed Ordinance No. 4064 to be read by title one time only. Rieker moved and Volz seconded the motion to approve Ordinance No. 4064. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

ITEM #7  
REDEEM WATER  
SYSTEM REVENUE  
REFUNDING BONDS

Garrick moved and Nisley seconded the motion to adopt the Resolution authorizing the redemption of the City's Water System Revenue Refunding Bonds, Series 2015, dated September 8, 2015. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

ITEM #8  
APPROVE  
ORDINANCE 4065

Volz moved that the rule requiring Ordinance No. 4065 authorizing the issuance by the City of not-to-exceed \$2,185,000 principal amount of Water System Revenue Refunding Bonds, Series 2021, for the purpose of refunding the City's outstanding 2015 Bonds and paying for costs of issuance to be read on three different dates be suspended. Rieker seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

Mayor Kelliher instructed Ordinance No. 4065 to be read by title one time only. Volz moved and Rieker seconded the motion to approve Ordinance No. 4065. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

ITEM #9  
REDEEM SEWER  
SYSTEM REVENUE  
REFUNDING BONDS

Lucas moved and Rieker seconded the motion to adopt the Resolution authorizing the redemption of the City's Sewer System Revenue Refunding Bonds, Series 2011, dated September 6, 2011; Sewer System Revenue Refunding Bonds, Series 2011B, dated September 21, 2011; and Sewer System

Revenue Refunding Bonds, Series 2015, dated July 22, 2015.  
Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick,  
Carman, Rieker, Woods. "NAY": None. Motion carried.

ITEM #10  
APPROVE  
ORDINANCE 4066

Garrick moved that the rule requiring Ordinance No. 4066 authorizing the issuance by the City of not-to-exceed \$7,350,000 principal amount of Sewer System Revenue Refunding Bonds, Series 2021, for the purpose of refunding the City's outstanding 2011 Bonds, 2011B Bonds, and 2015 Bonds and paying for costs of issuance to be read on three different dates be suspended. Rieker seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

Mayor Kelliher instructed Ordinance No. 4066 to be read by title one time only. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4066. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Carman, Rieker, Woods. "NAY": None. Motion carried.

ITEM #11  
QUALITY GROWTH  
FUNDS FOR NORTH  
PLATTE MALL, LLC

Lucas recused himself from the meeting at 5:47 p.m. due to a potential conflict of interest relating to the North Platte Mall, LLC project.

Volz moved and Rieker seconded the motion to approve the application of the Quality Growth Fund LB840 Citizens Review Committee for a \$1,000,000 performance-based loan in two installments for the North Platte Mall, LLC. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #12  
ORDINANCE 4067  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4067 amending the North Platte Code of Ordinances Chapter 110 relating to Occupation Taxes to provide for agreement to the levy of a Retail Business Occupation Tax.

Mike Works, owner of North Platte Mall, LLC, told the Council there are extensive renovations that need to be done to the existing building as well as demolishing some of the other buildings on the property. He said if we want the tenants to come, we need to completely renovate the entire mall and TIF, Quality Growth and a 1.95% Enhanced Employment Area (EEA) Tax will help pay for those renovations.

Gary Person, President and CEO of North Platte Chamber and Development, told the Council the EEA Tax has been used in other cities in Nebraska and it has worked very well. He stated that once the mall is built, there could potentially be 500 new jobs created and other companies are already interested in North Platte so we need to keep the momentum going.

Attorney Mike Bacon told the Council the Ordinance requires three readings and if it is not passed, the Redevelopment Plan will not go through.

Chrissy Wiegand, Kirsten Parker, Kim Bonomo, Sarah Talbot, Pat Jacobson, Jennifer Crow, Alee Stout, Gloria Tyan, Sonya Voycheske, Kami Buttler, Chrystal Johnson, Cathy Poppe, Denise Wiese, Suzi Knolles, Wendy Thompson, Carla Beck, Heather Williams, Kristen Simpson and Josh Spurley all spoke in support of the project and stated they would like to spend their money and shop here and not online or out of town.

Dalene Skates, President of the North Platte Chamber Hostesses, told the Council we have the opportunity to make North Platte the best we can be and we need to grow our community or continue it on the path it is going.

Chris Bruns told the Council this project impacts the entire county and region and he fully supports the project. He stated it is a voluntary tax and people have a choice to pay it; he urged the Council to pass the Ordinance.

Jim and Mary Backenstose, 2109 Iron Eagle Court, told the Council this is not a tough decision and we are ready for this change as people are tired of going out of town to shop and they want to spend their money here.

Chantel Burch, 2202 East D Street, told the Council there is an extreme housing shortage and we need an event/convention center and more shopping that keeps North Platte money in North Platte.

Mel McNea, CEO of Great Plains Health, told the Council we need to bring people to our community and give people what they are asking by bringing more options.

Marcia Bauman, Great Plains Health, told the Council we have to be aggressive to bring retail here and it is only a tax for those

that shop at the mall. She stated that families want local retail and do not want to travel to shop.

Kimberly Backer, Village of Sutherland, told the Council the tax is a choice and people have the right to shop where they want.

Brock Wurl, 1307 William Avenue, encouraged the Council to vote for this economic development tool.

Josh Harm, Chair of the North Platte Chamber Board, told the Council we have one shot at this and we need to give people the option to choose whether they want to pay this tax.

Cassie Condon, Vice-President of Economic Development for the North Platte Chamber and former Platte River Mall Manager, told the Council it is difficult to attract new retail businesses in the mall. She stated that EEA's are common, they have worked for other communities and this is what we need.

Bill Troshynski, member of the North Platte Chamber Board, told the Council one of the goals of the Economic Development Committee is to draw more people to live here and stay here. He stated that we have the potential to bring in a lot of new jobs and this tool can help us grow our community.

Brandon Jones, Vice Chair of the North Platte Chamber Board, told the Council this is a huge opportunity for our community and future generations. He stated that we already pay these fees plus fuel costs to travel elsewhere and shop.

Alan Erickson, 3220 West Leota, told the Council this is a turning point for North Platte, the tax is used in many places and it needs to be used here as well.

Megan Doughty, North Platte Chamber Hostess, told the Council it is very difficult to plan large events when almost everything has to be purchased online.

Mellissa Irish, North Platte Chamber Hostess, stated that not one person at the meeting is against this tax and it is a choice whether they shop in the stores and pay the tax.

Joe Hewgley, 1002 Deerwood Drive, told the Council this is an easy decision and asked for their support.

Dennis Thompson, 3915 Sugarberry Road, told the Council we need to listen and take the next step as we owe it to our community.

Judy Pederson, owner of Pro Printing, asked the Council to support this project along with new and current business owners.

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

Mayor Kelliher instructed Ordinance No. 4067 to be read by title on its first reading. Volz moved and Garrick seconded the motion to approve Ordinance No. 4067 on its first reading.

Tryon moved and Rieker seconded the motion to table action on Ordinance No. 4067 until the Council can have further discussion at a work session. Roll call vote: "AYE": Tryon, Rieker, Woods. "NAY": Nisley, Volz, Garrick, Carman. "ABSENT": Lucas. Motion failed.

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

ITEM #13  
ORDINANCE 4061  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4061 to rezone certain land from a B-1 Neighborhood Commercial District and a B-2 Highway Commercial District to a PB-2 Planned Highway Commercial District located at 1000 South Dewey Street and approval of the Master Plan to be read by title on its third reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4061 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #14  
ORDINANCE 4059  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4059 amending the City of North Platte Code of Ordinances Chapter 156 Section 156.352 relating to design standards for parking lots, particularly regarding lighting and lighting performance standards to be read by title on its third reading. Rieker moved and Garrick seconded the motion to approve Ordinance No. 4059 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #15  
ORDINANCE 4060  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4060 to rezone certain land from an R-1 Dwelling District to an H-1 Hospital District located at 808 West Philip Avenue and 805 West Reid Avenue to be read by title on its third reading. Rieker moved and Nisley seconded the motion to approve Ordinance No. 4060 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #16  
AMEND PARKING  
REGULATIONS

Garrick moved and Rieker seconded the motion to adopt the Resolution to approve Schedules I and II of Chapter 78 of the Code of Ordinances of the City of North Platte for parking regulations. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

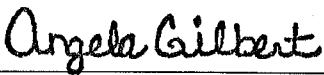
ITEM #17  
CLAIMS

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

ADJOURN

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

Adjourned at 7:49 p.m.

  
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Angela Gilbert, City Clerk