

MINUTES OF THE REGULAR CITY COUNCIL MEETING
May 18, 2021; 5:30 p.m.

CALL TO ORDER

Invocation was given by Joe Sukraw 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, Garrick, Carman, Rieker, Woods. Lucas 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

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

1. Approve Minutes of May 4, 2021.
2. Place on file Treasurer's report for April 2021.
3. Approve application by Mid Plains Food & Lodging, Inc. for a Special Designated License on June 18, 2021 from 3:00 p.m. to 7:00 p.m. at Fat Dogs North, 1313 South Dewey Street with an alternate date on June 19, 2021 from 3:00 p.m. to 7:00 p.m. at Fat Dogs South, 102 Holiday Frontage Road for a Tasting Event.
4. Send application of The Tipsy Canvas LLC for a Class I Liquor License (Beer, Wine & Distilled Spirits, On Sale Only) located at 104 East 5th Street to the Nebraska Liquor Control Commission with no recommendation.
5. Approve Final Plat for Sandhills Mixed Use Subdivision located at 1000 South Dewey Street.

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

ITEM #6
CONDITIONAL
USE PERMIT, 4022
SOUTH HIGHWAY 83

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to approve an application by Henrietta Boots, owner, and Douglas and Sharla Willard, purchaser, for a Conditional Use Permit to allow living quarters situated in an office or business building in a B-2 Highway Commercial District located at 4022 South Highway 83.

No one appeared.

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

Volz moved and Garrick seconded the motion to find the request for a Conditional Use Permit to allow a living quarters situated in an office building in a B-2 Highway Commercial District located at 4022 South Highway 83 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": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #7
ORD 4067 ON 2ND
READING

Mayor Kelliher instructed 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 to be read by title on its second reading. Garrick moved and Carman seconded the motion to approve Ordinance No. 4067 on its second reading. Roll call vote: "AYE": Nisley, Volz, Garrick, Carman. "NAY": Tryon, Rieker, Woods. "ABSENT": Lucas. Motion carried.

ITEM #8
REDEVELOPMENT
PLAN FOR NORTH
PLATTE MALL

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to adopt the Resolution approving the North Platte Mall Rehabilitation Redevelopment Plan on property described as Tract 1: That portion of Lots 1, 2, 3, 8, 9 and 10 Siegelin and Waibel's Subdivision and a portion of vacated alley between said lots 1, 2, 3, 8, 9, and 10, North Platte, Lincoln County, Nebraska. Tract 2: All of Siegelin and Waibel's Subdivision including vacated South Pine Street, vacated K and L Streets and vacated alley, North Platte, Lincoln County Nebraska. Tract 3: Block 4, South Platte Business Park, North Platte, Lincoln County, Nebraska pursuant to Nebraska Community Development Law.

Attorney Mike Bacon told the Council the Resolution approving the Redevelopment Plan is only part of the process. He stated that the third reading of the EEA Ordinance must be approved or the Redevelopment Plan and Redevelopment Contract cannot be approved.

Gary Person, President and CEO of North Platte Chamber and Development, told the Council that all fourteen members of their board are in favor of this project with all parts of the funding. He stated that the entire financial burden is on the developer. He asked the Council to approve the plan because this is the kind of project people in this community want.

Ivan Mitchell, 9466 South Coyote Lane, told the Council we are paying taxes to travel and shop in other communities as well as an EEA Tax in some of the towns. He appealed to the Council to vote in favor and stated that they would be hurting our community by not bringing this project.

Sheila Bigelow, 3408 Maplewood Drive, told the Council she supports this project as she currently works at a store in the mall and the other employees are also in favor of this project and believe it will bring more people into the mall.

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

Garrick moved and Nisley seconded the motion to adopt the Resolution approving the North Platte Mall Rehabilitation Redevelopment Plan and related actions. Roll call vote: "AYE":

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

ITEM #9
RETIREMENT
SUCCESSION
PLANNING FOR
LIBRARY DIRECTOR

Library Director Cecelia Lawrence presented information on Retirement Succession Planning for the Library Director as she intends to retire from the North Platte Public Library on February 4, 2022. No action was taken.

ITEM #10
ORDINANCE 4068
ON 1ST READING

Mayor Kelliher instructed Ordinance No. 4068 to create Water Extension District No. 266 at the intersection of West 9th Street and North Carr Avenue thence south approximately 450 feet to be read by title on its first reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4068 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #11
FIRST NATIONAL
BANK OF OMAHA
AS A WARRANT
LENDER

Volz moved and Rieker seconded the motion to adopt the Resolution providing for the designation of First National Bank of Omaha as a warrant lender; authorizing the execution and delivery of a Warrant Purchase Agreement with such designated warrant lender and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #12
ISSUE WARRANT
TO FIRST NATIONAL
BANK OF OMAHA

Garrick moved and Rieker seconded the motion to adopt the Resolution approving the claim and authorizing the issuance of a warrant to First National Bank of Omaha in the amount of \$61,049.53 to pay the approved claim 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": Nisley, Tryon, Volz, Garrick, Carman, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #13
CLAIMS

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

Adjourned at 6:20 p.m.

Angela Gilbert

Angela Gilbert, City Clerk