

MINUTES OF THE REGULAR CITY COUNCIL MEETING
August 2, 2022; 5:30 p.m.

CALL TO ORDER

Invocation was given by Fredrick Grant and the pledge of allegiance was recited.

ROLL CALL

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, Rieker, Woods. Carman was absent. Mayor Brandon Kelliher presided and City Clerk Angela Gilbert recorded the proceedings.

OPEN MEETINGS
ACT

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 Nisley seconded the motion to approve the Consent Agenda as follows:

1. Approve the Minutes of July 19, 2022.
2. Place on file the Treasurer's report for June 2022.

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

ITEM #3
TABLE ACTION ON
BALLOT ISSUE FOR
½ % SALES TAX
INCREASE

Garrick moved and Lucas seconded the motion to adopt the Resolution authorizing and directing that a ballot issue be placed on the ballot for the general election of November 8, 2022 for consideration by the voters of the City of North Platte to impose an additional one-half percent (1/2%) sales tax for public infrastructure projects in and for the City, including, but not limited to, expansion and renovation of the North Platte Recreation Center, revitalization and expansion of the Cody Pool, creation of a water park at Cody Pool and relocation of the skate park.

Megan McGown, representing the Recreational Alliance, stated that the best source for this type of capital funding is this sales tax increase and they are asking to put it on the ballot so the

voters can decide.

Gary Person, President and CEO of North Platte Chamber/DEVCO, told the Council the executive board fully supports these projects. He stated that the more appealing our community is, the more people will want to spend money here and there are more than local people that contribute to the sales tax.

Bill Troshynski, 1602 West Leota, told the Council there has been a need in our community for a long time and to attract the next generation, we will need great amenities in the area. He urged them to give the community a chance to vote on this item.

Daniel Woodburn, representing the West Central Health District Board, gave statistics on the health factors in our county and said the board is in favor of putting this to a vote and giving people a chance to improve their health.

Chance Schilling, 3302 Appaloosa Drive, told the Council he supports a yes vote and told them by voting yes they will be giving the power back to the people. He stated North Platte is on the map and we are being watched.

Ashtyn Jones, member of the Swim Team, told the Council they cannot have swim meets in North Platte and sometimes there is not enough space to practice at the Rec Center. She asked them to give the people a chance to vote.

Jim Backenstose, 2109 Iron Eagle Court, urged the Council to let the citizens decide and if they vote no they are tying the hands of the citizens.

Kathleen Craig, High School and Club Swim Coach, stated that both pools in North Platte need to be replaced and we are behind the times. She said the decision should be made by the people of North Platte.

Nelson Jett, representing the Lincoln County Board of Realtors, told the Council they believe the new facilities will benefit everyone and the public has the right to make their own decision.

Colton Haire, 420 Boyd Avenue, urged the Council to allow the people to make the decision as the current facilities are subpar.

Amy Callendar-Taft, 2217 West 9th, stated there is nothing to do in this community and young people do not want to stay here.

She told the Council they need to vote yes if they truly speak for the community.

Shae Caldwell, small business owner, told the Council to let democracy work by letting the people vote and have a voice in their community.

Tucker Talbot, North Platte Swim Club, urged the Council to vote in favor and place this decision in the hands of the people

Sara Talbot, 757 East Briarwood Lane, asked the Council to show the kids what democracy looks like.

Brandon Jones, 2115 Birchwood Road, told the Council tonight is not about if they are in favor of a new Rec Center and to please give our citizens a vote.

Lisa Burke, Executive Director of Visit North Platte, told the Council the facilities are not adequate and urged them to let the people vote.

Brock Wurl, 1307 William Avenue, asked the Council to give the voice to the people and allow the people to vote.

Amy Stefka, 2016 William Avenue, told the Council she has not heard one person say they do not want to vote on this.

Marcus Doughty, 2022 Birchwood Road, stated that this is an easy decision and business owners and board members are all for it so they should trust them.

Ivan Mitchell, CEO of Great Plains Health and North Platte School Board member, told the Council that we need housing and recreation in our community and urged them to vote in support.

Matt Weir, 720 Sioux Lane, told the Council he supports better pools where kids can be safe and healthy and asked them to give the vote to the people.

Conrad Bostron, CEO of the Scottsbluff YMCA, asked the Council to let the community decide if they want this.

Leland Poppe, representing the Recreational Alliance, told the Council a lot of thought and time has been put into this project and he would appreciate their vote.

Lorre McKeone, 1215 Burlington, told the Council she would appreciate the right to vote on this issue.

Jordan Cudney, 1120 Miles Court, told the Council if we do not have the needed amenities we will not have educators that want to come here and he asked the Council to allow the City the opportunity to put this on the ballot.

Kelle Dikeman, 2502 Cedarberry Lane, asked the Council what the alternatives are if this does not pass and said there are a lot of questions she has about the plan.

Maggie Carson, 3214 Meadow Court, urged the Council to let the people vote.

Joe Hewgley, 1002 Deerwood Drive, told the Council they need to allow the people of this community the right to vote as they are the ones who pay the taxes.

Ginger Ady, 4702 Valley Drive, told the Council she trains swimmers and teaches swimming and she asked the Council to vote yes to let the people vote for this.

Tanner Pettera, 3821 Sugarberry Court, stated that our peer communities already have this same tax rate, and nobody likes taxes but they should give the people a chance to decide.

Kirsten Parker, 4001 West Redwood, asked the Council to please put this on the ballot and let the voters give their opinion.

Lucas moved and Volz seconded the motion to table action on the Resolution authorizing and directing that a ballot issue be placed on the ballot for the general election of November 8, 2022 for consideration by the voters of the City of North Platte to impose an additional one-half percent (1/2%) sales tax for public infrastructure projects in and for the City, including, but not limited to, expansion and renovation of the North Platte Recreation Center, revitalization and expansion of the Cody Pool, creation of a water park at Cody Pool and relocation of the skate park. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Rieker. "NAY": Tryon, Woods. "ABSENT": Carman. Motion carried.

ITEM #4
SALE AND
CONSUMPTION
OF ALCOHOL ON

Lucas moved and Garrick seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic liquor on East 5th Street and North Dewey Street during Music

CITY PROPERTY
FOR MUSIC ON THE
BRICKS

on the Bricks on August 12 and 13, 2022. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #5
SPECIAL
DESIGNATED
LICENSE FOR MUSIC
ON THE BRICKS

Rieker moved and Volz seconded the motion to approve the application by GL Concepts, LLC dba Good Life on the Bricks for a Special Designated License on August 12, 2022 from 1:00 p.m. to 1:00 a.m. and August 13, 2022 from 1:00 p.m. to 12:00 a.m. on East 5th Street and North Dewey Street during Music on the Bricks. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #6
BLIGHT AND
SUBSTANDARD
STUDY FOR
WILKINSON STUDY
AREA

Garrick moved and Lucas seconded the motion to refer the City of North Platte, Nebraska Blight and Substandard Study – Wilkinson Study Area as prepared by Marvin Planning Consultants, Inc. to the City Planning Commission for a public hearing to determine if the proposed area qualifies as blighted and substandard. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick. "NAY": Tryon, Rieker, Woods. "ABSENT": Carman. Motion carried.

ITEM #7
ORDINANCE 4096
ON 1ST READING

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to adopt Ordinance No. 4096 to vacate a 16' alley easement and retain a 16' utility easement between West 14th Street and West 13th Street.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4096 to be read by title on its first reading. Volz moved and Garrick seconded the motion to approve Ordinance No. 4096 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #8
ORDINANCE 4095
ON 1ST READING

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to adopt Ordinance No. 4095 to vacate two 16' alley easements and retain a 16' utility easement between East 2nd Street and Johnson Street running east and west.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4095 to be read by title on its first reading. Nisley moved and Volz seconded the motion to approve Ordinance No. 4095 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #9
AMEND FUTURE
LAND USE MAP,
1801 EAST 2ND
STREET

Mayor Kelliher declared a Public hearing to adopt the recommendation by the North Platte Planning Commission for an amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Residential-Medium Density Single Duplex and Multi-family to Commercial located at 1801 East 2nd Street.

No one appeared.

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

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

ITEM #10
ORDINANCE 4097
ON 1ST READING

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to adopt Ordinance No. 4097 to rezone certain land from an R-2 Dwelling District to a B-2 Highway Commercial District on property located at 1801 East 2nd Street.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4097 to be read by title on its first reading. Rieker moved and Garrick seconded the motion to approve Ordinance No. 4097 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #11
ORDINANCE 4098
ON 1ST READING

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to adopt Ordinance No. 4098 to rezone certain land from an A-1 Transitional Agricultural District to an I-1 Light Industrial District on property located at 3022 East Philip Avenue.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4098 to be read by title on its first reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4098 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #12
CONDITIONAL USE
PERMIT, 3022 EAST
PHILIP AVENUE

Mayor Kelliher declared a Public hearing on Planning Commission's recommendation to approve a Conditional Use Permit to allow a 10'x 24' electronic advertising billboard on property located at 3022 East Philip Avenue.

Kelle Dikeman, 2502 Cedarberry Lane, asked the Council if the lights on the sign can be turned down at night so they are not so bright because they can trigger certain health issues in people.

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

Nisley moved and Garrick seconded the motion to find the request for a Conditional Use Permit to allow a 10'x 24' electronic advertising billboard on property located at 3022 East Philip 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 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, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #13
CDBG
APPLICATION
FOR \$73,000

Mayor Kelliher declared a Public hearing to approve the Community Development Block Grant Program (CDBG) application for \$73,000 to assist the City of North Platte and Lincoln County with updates to the City of North Platte Comprehensive Plan 2011, the Lincoln County Comprehensive Development Plan 2013, the North Platte/Lincoln County, Nebraska Housing Needs Assessment 2018, creation of an Affordable Housing Action Plan and creation of a Strategic Safe Streets Plan and authorize Mayor to sign all related documents.

No one appeared.

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

Lucas moved and Volz seconded the motion to approve the Community Development Block Grant Program (CDBG) application for \$73,000 to assist the City of North Platte and Lincoln County with updates to the City of North Platte Comprehensive Plan 2011, the Lincoln County Comprehensive Development Plan 2013, the North Platte/Lincoln County, Nebraska Housing Needs Assessment 2018, creation of an Affordable Housing Action Plan and creation of a Strategic Safe Streets Plan and authorize Mayor to sign all related documents. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #14
CDBG
APPLICATION
FOR \$425,000

Mayor Kelliher declared a Public hearing to approve the Community Development Block Grant Program (CDBG) application for \$425,000 to assist the City of North Platte with infrastructure improvements located on West 9th Street between Sherman Avenue and Buffalo Bill Avenue and authorize Mayor to sign all related documents.

No one appeared.

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

Nisley moved and Rieker seconded the motion to approve the Community Development Block Grant Program (CDBG) application for \$425,000 to assist the City of North Platte with infrastructure improvements located on West 9th Street between Sherman Avenue and Buffalo Bill Avenue and authorize Mayor to sign all related documents. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Rieker, Woods. "NAY": None. "ABSENT": Carman. Motion carried.

ITEM #15
CLAIMS

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

ADJOURN

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

Adjourned at 8:29 p.m.

Angela Gilbert

Angela Gilbert, City Clerk