

MINUTES OF THE REGULAR CITY COUNCIL MEETING
September 6, 2022; 5:30 p.m.

CALL TO ORDER Invocation was given by Joe Sukraw 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, Flanders, Rieker, Woods. 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 Nisley moved and Rieker seconded the motion to approve the Consent Agenda as follows:

1. Approve the Minutes of August 16, 23 and 25, 2022.
2. Approve the application by Fraternal Order of Eagles #2839 for a Special Designated License on September 24, 2022 from 4:00 p.m. to 12:00 a.m. at D & N Event Center, 501 East Walker Road for the Pheasants Forever Fundraiser.
3. Approve the application by Aden Enterprises LLC for a Special Designated License on October 1, 2022 from 3:00 p.m. to 12:30 a.m. at D & N Event Center, 501 East Walker Road for a Wedding Reception.
4. Approve the application by Pals Brewing Company for a Special Designated License on October 15, 2022 from 4:00 p.m. to 10:00 p.m. at D & N Event Center, 501 East Walker Road for the Roller Derby.
5. Approve the application by Big Red Liquor for a Special Designated License on November 11, 2022 from 7:00 p.m. to 1:00 a.m. at D & N Event Center, 501 East Walker Road for the MCF-MMA Entertainment Fights.
6. Approve the addition to Liquor License for Capones at 2520 Halligan Drive.

7. Authorize the Mayor to execute Interlocal Advance Life Support (BLS) Agreements with area Basic Life Support Services.
8. Approve Mayor's recommendation to appoint Kathy Swain to the Tree Board.
9. Approve Mayor's recommendation to appoint Michelle McNea to the Tree Board.
10. Approve Mayor's recommendation to appoint Kaitlyn Holm to the Citizens Advisory Review Committee.
11. Approve Mayor's recommendation to appoint Kathleen Matthews to the City of North Platte Planning Commission.
12. Approve Mayor's recommendation to re-appoint John Patterson and Greg Wilke to the Board of Adjustment and to re-appoint Robert Stefka as the alternate member of the Board of Adjustment.
13. Adopt Planning Commission's recommendation for preliminary and final approval of Mulligan Meadows First Subdivision located at 1517-1621 Adams Avenue.
14. Approve the application to the US Department of Transportation for \$200,000 in grant funds to assist the City of North Platte in creating a Safe Streets 4 All Action Plan and authorize the Mayor to sign, submit and execute all related documents.
15. Removed from the Consent Agenda.
16. Approve the agreement between the City of North Platte and Public Service Union Nebraska Public Employees Local 251 for the term between October 1, 2022 through September 30, 2024.

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

ITEM #15
GRANT
APPLICATION
FOR BRIDGE
REPAIR

Lucas moved and Volz seconded the motion to approve the application to the US Department of Transportation for \$7,000,000 in grant funds to assist the City of North Platte with the City of North Platte Bridge Repair, Improvement and Replacement Project and authorize the Mayor to sign, submit and execute all related documents. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #17
AERIAL QUINT FOR
THE FIRE DEPT.

Garrick moved and Rieker seconded the motion to authorize the Mayor to execute a contract with Pierce Manufacturing, Inc. for the purchase of one (1) 107' Aerial Quint for the Fire Department. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion

carried.

ITEM #18
REFER BLIGHT &
SUBSTANDARD
STUDY-SW STUDY
AREA TO PLANNING
COMMISSION

Volz moved and Garrick seconded the motion to refer the City of North Platte, Nebraska Blight and Substandard Study – North Platte SW Study Area as prepared by Marvin Planning Consultants, Inc. to the City of North Platte 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, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #19
TABLED UNTIL
THE NEXT CITY
COUNCIL MEETING

Mayor Kelliher instructed Ordinance No. 4101 amending Section 116.17 of the North Platte Code of Ordinances relating to hours of sale of alcoholic beverages on Sundays to be read by title on its first reading. Lucas moved and Garrick seconded the motion to approve Ordinance No. 4101 on its first reading.

Nisley moved and Rieker seconded the motion to amend Ordinance No. 4101 **§ 116.17 HOURS OF SALE to read:**

(A) It shall be unlawful for any licensed person or his or her agent to sell any alcoholic beverages within the city except during the following hours:

- (1) Secular days: 8:00 a.m. to 1:00 a.m.
- (2) Sundays: 8:00 a.m. to 1:00 a.m. On Sale
- (3) Sundays: 12:00 p.m. to 1:00 a.m. Off Sale

Nisley withdrew his motion, with the consent of Rieker.

Nisley moved and Lucas seconded the motion to table Ordinance No. 4101 until the next City Council meeting. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #20
2022-2023 RENEWAL
RESOLUTION WITH
LARM

Lucas moved and Volz seconded the motion to approve the Resolution between the City of North Platte and LARM for Property & Liability Insurance and Worker's Compensation Insurance for a two-year term, with a 180-day notice option. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #21
M. LAYNE
GROSETH AS CITY
ADMINISTRATOR,
EFFECTIVE 09-07-22

Garrick moved and Flanders seconded the motion to approve the employee contract and appointment for the City Administrator's position between the City of North Platte and M. Layne Groseth, effective September 7, 2022. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY":

None. Motion carried.

ITEM #22
BILL TROSHYNSKI
AS CONTRACTED
CITY ATTORNEY,
EFFECTIVE 10-06-22

Lucas moved and Garrick seconded the motion to approve the appointment of the Law Office of Brouillette, Dugan, Troshynski, Bellew, appointing Bill Troshynski, Attorney at Law as the contracted City Attorney for the City of North Platte, effective October 6, 2022. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Woods. Motion carried.

ITEM #23
ORDINANCE 4100
ON 1ST READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4100 vacating a 16' alley between 1218 N. Ash Street and 505 Rodeo Road running east and west from Ash and a request to vacate a 12' alley on the west side of 1218 N. Ash Street running north and south and retaining a 16' utility easement and a 12' utility easement in place of the alleys.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4100 to be read by title on its first reading. Volz moved and Lucas seconded the motion to approve Ordinance No. 4100 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #24
BLIGHT &
SUBSTANDARD
STUDY-WILKINSON
STUDY AREA

Mayor Kelliher declared a Public hearing on a Resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Wilkinson Study Area as prepared by Marvin Planning Consultants, Inc. and approval of related actions.

Gil Wilkinson, property owner, told the Council we need Workforce Housing and to develop affordable lots, they need to have the land designated blighted and substandard in order to apply for tax increment financing.

Clarine Eickhoff, Wilkinson Companies, told the Council that it is the right time to develop the land and it might not happen for a year, but they would like to sell off the lots to builders and hopefully develop 50 to 60 homes to help with the housing shortage. She stated that they will not be able to do the project

without tax increment financing and they have not yet decided if the homes will all be all single-family or if there will be some multi-family.

Rieker moved and Volz seconded the motion to recess the Public hearing at 6:28 p.m. to hold the Special Meeting scheduled for 6:30 p.m.

Mayor Kelliher resumed the Public hearing at 6:50 p.m.

LeRoy Miller, 1014 Russian Olive Road, told the Council that people who live in multi-family areas do not take care of them as much as someone invested in their property. He stated that he is not opposed to development but there is too much grey area with this housing project.

Jennifer Thomas, 1302 Hackberry Road, told the Council the neighbors should have been notified of the meeting and the area is far from blighted and substandard. She stated there will be an increase in traffic and crime and Eugene is not equipped for more traffic since it is already so narrow.

Gary Person, President and CEO of North Platte Chamber and DEVCO, told the Council we need housing for these opportunities that are coming, and he trusts the Wilkinson's to do the right thing in developing housing.

Jessica Furmanski, 1320 Hackberry Road, told the Council Eugene cannot handle more traffic as it is already unsafe, and the blight study is misleading and false because the neighborhood is not unsafe and unsanitary. She asked if the insurance rates will be affected on the properties in the area.

Lori Hepperly, 814 Hackberry Road, told the Council she is not against the development but the traffic on Eugene will be affected, and the streets are already narrow. She stated she is against multi-family housing being built on the land.

Jessica Braithwaite, 1321 Hackberry Road, told the Council she is all for progress in our town, but Eugene is too narrow for more traffic and blighted and substandard does not describe the neighborhood.

Reagan Skillstad, 1311 Hackberry Road, told the Council there is too much grey area in the project and the lack of transparency has led to a lack of trust for the residents in the neighborhood.

She asked the Council to table the item until plans have been laid out.

Shane Koehn, 1117 Hackberry Road, told the Council his house is not over 40 years old so he does not believe it should be included in the study. He stated that the infrastructure in the area has not been discussed.

Brandon Jones, Chairman of North Platte Chamber Board of Directors, told the Council he supports the need for housing, and it is time for the lot to be developed so it can generate revenue for the city.

Victor Kramer, 1014 Hackberry Road, told the Council there are already problems with the infrastructure in the area that need to be fixed.

Jarid Childears, 1220 Hilltop Circle, told the Council he supports the project as North Platte needs housing badly.

Carla Downing, 914 Hackberry Road, stated that she is not against growing the community but the homes in this neighborhood are being penalized by designating them as blighted and substandard.

Scott Baker, 914 Russian Olive Road, asked if the Council has looked at putting housing on Victoria Lane.

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

Lucas moved and Garrick seconded the motion to approve the Resolution. Roll call vote: "AYE": Volz, Lucas, Garrick, Flanders. "NAY": Nisley, Tryon, Rieker, Woods. Mayor Kelliher voted "AYE" and the motion carried.

ITEM #25
CLAIMS

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

ADJOURN

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

Adjourned at 8:13 p.m.

Angela Gilbert
Angela Gilbert, City Clerk