

MINUTES OF THE REGULAR CITY COUNCIL MEETING
December 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 Mayor Kelliher stated that a current copy of the Open Meetings ACT 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.

OATH OF OFFICE Mayor Kelliher and City Attorney Bill Troshynski administered the Oath of Office to newly elected Council members James Nisley, Ty Lucas, Brian Flanders, and Ed Rieker.

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

1. Approve the Minutes of November 15, 16, and 17, 2022.
2. Place on file Lincoln County Clerk's Certification of November 8, 2022 election results.

City Council - Ward 1

*James Nisley 1216

City Council - Ward 2

*Ty J. Lucas 1918

Kelle F. Dikeman 547

City Council - Ward 3

James P. Carman 437

*Brian Flanders 1001

City Council - Ward 4

*Ed Rieker 658

Tracy Martinez 358

Declared Write-In

Nathanial T. Hawks 94

City of North Platte Proposition No. 1

*FOR 4372

AGAINST 2323

3. Send application of JWJS Investments LLC dba Brothers Tavern for a Class C Liquor License (Beer, Wine & Distilled Spirits, On and Off Sale) at 215 East 6th Street to the Nebraska Liquor Control Commission with no recommendation.
4. Approve the appointment of Chance Schilling to the City of North Platte Planning Commission.
5. Removed from the Consent Agenda.
6. Authorize the Police Department to apply for Nebraska Department of Transportation Highway Safety Office grant funded overtime reimbursement to participate in the "Drive Sober or Get Pulled Over" selective overtime enforcement campaign.
7. Removed from the Consent Agenda.
8. Authorize the Mayor to execute the purchase agreement for a used New Holland TS6.140 TB tractor and a used Schulte FX-315 mower for the Street Division.
9. Removed from the Consent Agenda.

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

ITEM #5
MARVIN PLANNING
CONSULTANTS, INC.
FOR HOUSING
STUDY UPDATE

Volz moved and Garrick seconded the motion to award the Contract for Services to Marvin Planning Consultants, Inc. to provide the North Platte/Lincoln County Housing Study Update and authorize the Mayor to sign related documents. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon, Rieker. Motion carried.

ITEM #7
TABLE PURCHASE
OF A PARK
SHELTER FOR
CODY PARK

Garrick moved and Flanders seconded the motion to approve the purchase of a 40 ft. x 60 ft. "Poligon" Park Shelter and related materials, to install in Cody Park using Newburn Funds in the amount of \$177,930.00.

Lucas moved and Garrick seconded the motion to table action on the purchase of a 40 ft. x 60 ft. "Poligon" Park Shelter and related materials, to install in Cody Park using Newburn Funds in the amount of \$177,930.00. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #9
REPLACEMENT
TRUCKS FOR THE
SANITATION

Garrick moved and Rieker seconded the motion to authorize the Mayor to execute the purchase agreements with Sanitation Products, Inc and Elliot Equipment for replacement trucks for

DEPARTMENT

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

ITEM #10
ANNUAL REPORTS
OF THE QUALITY
GROWTH FUND

Shae Caldwell, representing Whitetail Management, gave an Annual Report of the Quality Growth Fund regarding Parkade Plaza. She told the Council that almost all of buildings are occupied, with the exception of the former Alco Building. She said they want to do something that is right for our downtown and our community, not just jump at the first person that wants to rent the space. She stated that a lot of things are happening, just nothing concrete at this time.

Gary Person, President/CEO of the North Platte Chamber/DEVCO, gave an Annual Report of the Quality Growth Fund regarding the Hershey Industrial Rail Park. He stated that the City approved a \$2 million grant over the course of 10 years, which helped leverage the application with the State of Nebraska and in a very competitive application process, \$30 million was awarded to the project through the Nebraska Rural Projects Act. He said they continue to move forward with industrial prospects as not having rail access is a huge deficit when trying to recruit companies here. He told the Council that Lincoln County and Hershey have also been very involved in the development processes for the purchase of the vacant Greenbrier building and 34-acre parcel that includes an existing rail spur tied to the Union Pacific main line. He stated they are working on the application process for an Inland Port Authority and there will only be five authorized in the state.

No action was taken on the Annual Reports of the Quality Growth Fund.

ITEM #11
PULLED FROM
THE AGENDA

Mayor Kelliher stated that the recommendation by the Quality Growth Fund Committee for a \$75,000 gap fund loan to IC Quality Painting for commercial development in the City's Industrial Park was pulled from the Agenda at the request of the applicant.

ITEM #12
LANDFILL
PASTURELAND
GRAZING LEASE

Rieker moved and Garrick seconded the motion to approve extending the Landfill Pastureland Grazing Lease for another three years to Billy Wilson in the amount of \$8,700.00 per year. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #13
APPROVE
ORDINANCE 4111
ON 3RD READING

Mayor Kelliher instructed Ordinance No. 4111 annexing Lot 1 Lakeview Country Estates 2nd Subdivision, more particularly described as part of the SE ¼ of Section 36, Township 14 North, Range 31 West of the 6th P.M., Lincoln County, Nebraska into the corporate limits of the City of North Platte to be read by title on its third reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4111 on its third reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Tryon, Woods. Motion carried.

ITEM #14
BLIGHT AND
SUBSTANDARD
STUDY – HABITAT
FOR HUMANITY

Mayor Kelliher declared a Public hearing to adopt Resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Habitat for Humanity as prepared by Marvin Planning Consultants, Inc. and approval of related actions.

Chuck Scriptor, volunteer for Habitat for Humanity, told the Council they have a problem getting lots to build on and this location will give them the opportunity to build several homes.

Dalene Skates, Executive Director of Habitat for Humanity, explained that the homeowners are also required to take education classes and put in 400 volunteer hours before they can take ownership. She told the Council they are pulling their weight in the community by putting three houses on the property tax rolls each year and by doing this project, they will be able to build anywhere from 8 to 12 houses in the 2nd and McCabe area.

Chance Schilling, member of the Family Selection Committee for Habitat for Humanity, told the Council they received 17 applications this year and he feels very positive about the organization.

Rieker 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.

Volz moved and Nisley seconded the motion to adopt the Resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Habitat for Humanity as prepared by Marvin Planning Consultants, Inc. and approval of related actions. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Woods. Motion carried.

ITEM #15
CONDITIONAL USE
PERMIT, 3800
HADLEY DRIVE

Mayor Kelliher declared a Public hearing to consider action on an application by Lakeside Campground Holding Company, LLC for a Conditional Use Permit to allow outside and enclosed RV storage as part of an existing RV Park located at 3800 Hadley Drive in a B-2 Highway Commercial District and described as a tract of land in Government Lots 6, 7, and 8 in Section 11, and Government Lot 1 in Section 14, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

No one appeared.

Rieker 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.

Nisley moved and Lucas seconded the motion to find the request for a Conditional Use Permit to allow outside and enclosed RV Storage as part of an existing RV park located at 3800 Hadley Drive 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.

Lucas moved and Garrick seconded the motion to amend the first line in the motion to read: a Conditional Use Permit to allow outside and enclosed RV storage and mini warehouses. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

Melissa and Jerrod Shepherd, applicants, told the Council that due to the size and price of the units, they do not anticipate customers will want to store smaller items, but they would like to

have the option of boats and other items if they cannot get all of the units filled with RV's.

Roll call vote on the main motion as amended: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #16
CLAIMS

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

Adjourned at 7:13 p.m.



Angela Gilbert, City Clerk