

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
August 1, 2023; 5:30 p.m.

- CALL TO ORDER Invocation was given by Councilman Ed Rieker 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 Rieker moved and Lucas seconded the motion to approve the Consent Agenda as follows:
1. Approve the Minutes of July 18, 2023.
  2. Approve application by K & L Enterprises Inc. dba Wild Bill's Fun Center for a Special Designated License on August 25, 2023 from 11:00 a.m. to 11:00 p.m. at Brigham's Taproom and Wild Bill's Fun Center, 1100 South Jeffers Street for a Hatch Chili Cook Out.
  3. Approve the application by K & L Enterprises Inc. dba Wild Bill' Fun Center for a Special Designated License on September 9, 2023 from 2:00 p.m. to 11:00 p.m. at D&N Event Center, 501 East Walker Road for a Wedding Reception.
  4. Send the application of Boss' Pizza and Chicken for a Class C Liquor License (Beer, Wine, Distilled Spirits, On & Off Sale) for their location at 2102 South Jeffers Street to the Nebraska Liquor Control Commission with no recommendation.
  5. Approve the appointment of Gwen Covey to the Community Redevelopment Authority (CRA).
  6. Approve the re-appointment of Greg Wilke to the Community Redevelopment Authority (CRA).

7. Approve the re-appointment of Mary Ann Agler to the North Platte Library Advisory Board.
8. Approve the Emergency Management Interlocal Agreement with Lincoln County and authorize the Mayor to sign necessary documents.
9. Approve the Interlocal Agreement with North Platte Public School District and authorize the Mayor to sign necessary documents.
10. Authorize the City Attorney, as Successor Trustee, to sign the Deed of Partial Reconveyance, releasing Lot 2, Iron Trail 4<sup>th</sup> Administrative Subdivision, North Platte, Lincoln County, Nebraska, from the Junior Deed of Trust associated with the Loan made by the City to TKD Properties, LLC.
11. Approve a MicroTif project for Michael Davis for rehabilitation of a duplex located at 208-210 West 2<sup>nd</sup> Street.
12. Approve a MicroTif project for Pedlaw, LLC for repair of a commercial building located at 501 South Jeffers Street.

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

ITEM #13  
RICE LAKE  
WEST FOR  
CONSTRUCTION  
MANAGER AT RISK  
FOR WASTEWATER  
TREATMENT PLANT

Garrick moved and Flanders seconded the to approve the selection of Rice Lake West for Construction Manager at Risk for the Industrial Wastewater Treatment Plant and authorize the Mayor to negotiate contracts. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #14  
APPROVE  
ORDINANCE 4139

Mayor Kelliher instructed Ordinance No. 4139 to create Street Improvement District No. 360 located at the Landfill entrance from North Lake Road to the Transfer Station to be read by title on its first reading. Rieker moved and Garrick seconded the motion to approve Ordinance No. 4139 on its first reading.

Rieker moved and Garrick seconded the motion to amend the motion to waive the three required readings of Ordinance No. 4139. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

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

ITEM #15  
APPROVE  
ORDINANCE 4140

Rieker moved and Nisley seconded the motion to waive the three readings of Ordinance No. 4140 to create Special Water Improvement District No. 5 to replace the existing 6" and 8" water main with a 12" water main along 9<sup>th</sup> Street from Jeffers Street to Buffalo Bill Avenue. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried. Mayor Kelliher instructed Ordinance No. 4140 to be read by title one time only.

ITEM #16  
APPROVE  
ORDINANCE 4141

Woods moved and Nisley seconded the motion to waive the three required readings of Ordinance No. 4141 to create Special Water Improvement District No. 6 to provide a 12" water main along Adams Avenue from 9<sup>th</sup> Street to 14<sup>th</sup> Street. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried. Mayor Kelliher instructed Ordinance No. 4141 to be read by title one time only.

ITEM #17  
ORDINANCE 4132  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4132 vacating a portion of an alley located at 95 Rose Park Drive to be read by title on its third reading. Garrick moved and Flanders seconded the motion to approve Ordinance No. 4132 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #18  
ORDINANCE 4133  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4133 to vacate all utility easements on property located at 1502 South Jeffers Street all part of proposed GPH Sports Medicine Replat. to be read by title on its third reading. Flanders moved and Rieker seconded the motion to approve Ordinance No. 4133 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #19  
ORDINANCE 4134  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4134 annexing Lots 1, 2, 3 and 4, Block 6, Lincoln Highway 8th Addition North Platte, Lincoln County, Nebraska (Proposed Cochran First Replat) consisting of approximately 10.35 acres located at 2321 West 18<sup>th</sup> Street 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. 4134 on its third reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": Tryon. Motion carried.

ITEM #20  
ORDINANCE 4135  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4135 annexing County Clerks Subdivision Part of the S ½ of Section 4-13-30 and Accretions to Lot G (Proposed GPH Sports Medicine Replat) consisting of approximately .4946 acres into the corporate limits

of the City of North Platte to be read by title on its third reading. Rieker moved and Lucas seconded the motion to approve Ordinance No. 4135 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #21  
ORDINANCE 4138  
ON 2<sup>ND</sup> READING

Mayor Kelliher instructed Ordinance No. 4138 to Add Chapter 120 "Telecommunication Services" to Title XI "Business Regulations" to the Code of the City of North Platte, relating to Telecommunication Services to be read by title on its second reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4138 on its second reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #22  
ORDINANCE 4137  
ON 1<sup>ST</sup> READING

Lucas moved and Rieker seconded the motion to remove Ordinance No. 4137 to Add Chapter 119 "Games of Skill" to Title XI "Business Regulations" to the Code of the City of North Platte, relating to Games of Skill from the table. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

Lucas moved and Volz seconded the motion to approve the amended version of Ordinance No. 4137 that was distributed before the meeting. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #23  
ORDINANCE 4136  
ON 2<sup>ND</sup> READING

Mayor Kelliher instructed Ordinance No. 4136 to Amend § 110.01 of the Code of the City of North Platte, relating to occupation taxes be read by title on its second reading. Rieker moved and Lucas seconded the motion to approve Ordinance No. 4136 on its second reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM#24  
CLAIMS

Rieker moved and Tryon 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 6:30 p.m.

*Angela Gilbert*  
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Angela Gilbert, City Clerk