

MINUTES OF THE REGULAR CITY COUNCIL MEETING
November 7, 2023; 5:30 p.m.

CALL TO
ORDER

Invocation was given by Craig Fabik 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, Woods. Rieker 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

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

1. Approve the Minutes of October 17, 2023.
2. Approve the application by Pals Brewing Company for a Special Designated License on November 18, 2023 from 4:00 p.m. to 9:00 p.m. at D & N Event Center, 501 East Walker Road for the Roller Derby.
3. Send the application of James M. Hawks as Liquor License Manager at Rivers Edge Golf Club, LLC located at 1008 West 18th Street to the Liquor Control Commission with no recommendation.

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

ITEM #4
BIDS FOR
TENNIS AND
PICKLEBALL
COURTS

Garrick moved and Flanders seconded the motion to approve going out for bids for the tennis and pickleball courts at Cody Park.

Members of the Tennis and Pickleball Committee told the Council they are asking for support in the project and North Platte Public Schools has been involved in helping also as the tennis courts at Cody Park are in very bad shape, unsafe and need repaired badly. They talked about some of the fundraisers they have done to raise

money and to get the community involved in the pickleball sport.

Dwight Livingston told the Council there is a great deal of people excited about pickleball and it is for all ages. He stated that the committee has worked hard and collected a lot of money for the project.

Eric Seacrest, Mid-NE Community Foundation, told the Council that everyone is working together, and they are very close to their goal. He stated that he will be very pleased to see it go through.

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

ITEM #5
ZELLE
AGREEMENT

Garrick moved and Volz seconded the motion to authorize the Mayor to sign all necessary documents regarding a 12-month agreement for Human Resource Services with Zelle. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #6
APPROVE M.
LAYNE
GROSETH TO
LARM BOARD
OF DIRECTORS

Nisley moved and Garrick seconded the motion to approve M. Layne Groseth as a member of the League Association of Risk Management (LARM) Board of Directors for a three-year term, effective January 1, 2024. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #7
ASSIGNMENT
OF CONTRACT
FOR
2023 OVERLAY

Garrick moved and Volz seconded the motion to accept and authorize Mayor to sign assignment of contract for 2023 Overlay Project from Western Engineering Company, Inc. to Steele Roofing and Construction, Inc. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #8
ORDINANCE
4137 ON 3RD
READING

Mayor Kelliher instructed 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. Garrick moved and Lucas seconded the motion to approve Ordinance No. 4137 on its third reading.

Tryon moved and Woods seconded the motion to amend §119.02 OCCUPATION TAX IMPOSED (A) (2) Games of Skill with betting capabilities: \$500.00 per machine to read \$10.00 per machine. Roll call vote: "AYE": Tryon. "NAY": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "ABSENT": Rieker. Motion failed.

Roll call vote on the main motion: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon. "ABSENT": Rieker. Motion carried.

ITEM #9
ORDINANCE
4148 ON 1st
READING

Mayor Kelliher instructed Ordinance No. 4148 to Amend § 110.01 of the Code of the City of North Platte, relating to occupation taxes to be read by title on its first reading. Garrick moved and Flanders seconded the motion to approve Ordinance No. 4148 on its first reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon. "ABSENT": Rieker. Motion carried.

ITEM #10
APPROVE
ORDINANCE
4150

Mayor Kelliher instructed Ordinance No. 4150 to authorize the conveyance of Lot 1, Block 1, Industrial Park 6th Replat, North Platte, Lincoln County, Nebraska, by the City of North Platte to Hamilton Builders, LLC. in the amount of \$15,000 to be read by title on its second reading.

Lucas moved to waive the three readings of Ordinance No. 4150 and Volz seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Lucas moved and Volz seconded the motion to approve Ordinance No. 4150. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #11
APPROVE
ORDINANCE
4151

Mayor Kelliher instructed Ordinance No. 4151 to authorize the conveyance of Lot 2, Block 1, Industrial Park 6th Replat, North Platte, Lincoln County, Nebraska, by the City of North Platte to Hamilton Builders, LLC in the amount of \$15,000 to be read by title on its second reading.

Lucas moved to waive the three readings of Ordinance No. 4151 and Volz seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Lucas moved and Volz seconded the motion to approve Ordinance No. 4152. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #12
APPROVE

Mayor Kelliher instructed Ordinance No. 4152 to authorize the conveyance of Lot 3, Block 1, Industrial Park 6th Replat, North Platte,

ORDINANCE
4152

Lincoln County, Nebraska, by the City of North Platte to Hamilton Builders, LLC in the amount of \$15,000 to be read by title on its second reading.

Lucas moved to waive the three readings of Ordinance No. 4152 and Volz seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Lucas moved and Volz seconded the motion to approve Ordinance No. 4152. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #13
ORDINANCE
4149 ON 3RD
READING

Mayor Kelliher instructed Ordinance No. 4149 annexing 1617 East Railroad Street, described as All of Lot 119 and the W 114' of Lot 120 Neville Subdivision, Lincoln County, Nebraska consisting of approximately 3.12 acres into the corporate limits of the City of North Platte to be read by title on its third reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4149 on its third reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Woods. "ABSENT": Rieker. Motion carried.

ITEM #14
SOUTHEASTERN
ANALYSIS AREA
BLIGHT AND
SUBSTANDARD
STUDY

Garrick moved and Flanders seconded the motion to refer the City of North Platte, Nebraska Southeastern Analysis Area Update 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, Woods. "ABSENT": Rieker. Motion carried.

ITEM #15
CHIEF BLIGHT
AND
SUBSTANDARD
STUDY

Flanders moved and Garrick seconded the motion to refer the City of North Platte, Nebraska Chief Blight and Substandard Study 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, Woods. "ABSENT": Rieker. Motion carried.

ITEM #16
ORDINANCE
4154 ON 1ST
READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4154 annexation of Parcel ID #0030765.00, 0030770.00, 0055490.00, 0055495.00, and 0053625.00 described as Tracts B and C of the North Platte Farms Subdivision located in the South Half of Section 3 and the North Half of Section 10, Township 13 North, Range 30 West of the 6th P.M., in Lincoln County, Nebraska, together with the

adjoining accretion land, into the corporate limits of the City of North Platte consisting of approximately 158 acres.

Eric Seacrest, 109 South Maloney Drive, stated that the number one problem our town is facing is housing and people are leaving our state because of housing. He stated that this annexation will not solve the problem, but it will help private enterprises do something that is good.

Cassie Condon, representing the North Platte Chamber, read a letter to the Council from Gary Person, President of the North Platte Chamber in his absence. His letter stated that this is a prime opportunity for housing, there are developers ready to develop and property ready to be annexed and he asked the Council to approve this for development.

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

Mayor Kelliher instructed Ordinance No. 4154 to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4154 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #17
ORDINANCE
4153 ON 1ST
READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4153 amending the City of North Platte Code of Ordinances Chapter 76 Section 76.22 Parking and Storing of RVs (Recreational Vehicles).

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4153 to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4153 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM#18
CLAIMS

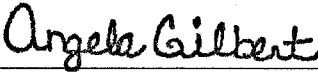
Flanders moved and Volz seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion

carried.

ADJOURN

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

Adjourned at 6:47 p.m.



Angela Gilbert, City Clerk