

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
May 21, 2024; 5:30 p.m.

- CALL TO ORDER Invocation was given by 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 Nisley seconded the motion to approve the Consent Agenda as follows:
1.
    - A. Approve the Minutes of May 7, 2024.
    - B. Approve the application by Bodunks Brewing dba Peg Leg Brewing for a Special Designated License on June 8, 2024 from 10:00 a.m. to 10:30 p.m. at Peg Leg Brewery, 2519 Halligan Drive for a PTSD Fundraiser.
    - C. Approve the application by Platte Bar, Inc. for Special Designated Licenses on June 14, 2024 and June 15, 2024 from 8:00 a.m. to 1:00 a.m. at Platte Bar, 119 West 6<sup>th</sup> Street for a Beer Garden.
    - D. Approve the applications by Pals Brewing Company LLC for Special Designated Licenses on nine consecutive Thursdays from June 6, 2024 to August 8, 2024 from 4:00 p.m. to 10:00 p.m. at Fort Cody Trading Post, 221 Halligan Drive for a Music Series.
- Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.
- ITEM #2  
REMOVED FROM  
THE AGENDA Mayor Kelliher removed the recommendation of the Quality Growth Committee to award a \$29,700 for three-year grant

(\$9,900 per year) for purchasing a user license with Placer.ai. – a Physical Market Intelligence Platform producing data to benefit downtown, and other business areas of North Platte from the Agenda for further research.

ITEM #3  
QUALITY GROWTH  
FUNDS, CHAMBER/  
DEVCO BLIGHT  
STUDY

Garrick moved and Volz seconded the motion to approve the recommendation of the Quality Growth Committee to approve a request for North Platte Area Chamber & Development for \$30,000 to conduct a comprehensive blight/extreme blight study by a professional consultant to identify areas of North Platte that are eligible for the designation.

Gary Person, President of North Platte Chamber/DEVCO, stated that the U.S. Census Bureau determined the age of the structures in the study; he said this is a good planning tool, will give a comprehensive review by a professional consultant and will relieve the extra burden on staff members. He explained the developers will no longer have to wait for a blight study to be done but will still have to go through the rest of the process.

Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #4  
PAUL REED  
CONSTRUCTION  
FOR EARTHWORK  
FOR WWTP

Volz moved and Flanders seconded the motion to approve the selection of Paul Reed Construction for Earthwork for the Industrial Wastewater Treatment Plant in the amount of \$3,025,784.36 and authorize the Mayor to negotiate and execute contracts. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #5  
MICROTIF, 303  
WEST REID AVE.

Lucas moved and Garrick seconded the motion to adopt a Resolution to approve a MicroTIF project for Steven and Carol Rea for rehabilitation of an existing residential and accessory structure, and site improvements located at 303 West Reid Avenue. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #6  
ORDINANCE 4164  
ON 1<sup>ST</sup> READING

Mayor Kelliher instructed Ordinance No. 4164 to add Sections 110.20 through 110.34 to Title XI "Business Regulations", Chapter 110 "General Provisions" to the Code of the City of North Platte, relating to Retail Business Occupation Tax to be read by title on its first reading. Volz moved and Flanders seconded the motion to approve Ordinance No. 4164 on its first reading.

Andrew Willis, representing North Platte Mall, LLC, told the Council they are not asking for an increase in time, area, or the tax amount, only a \$3.3 million increase in the EEA Revenue Bond amount. He said there is a need for additional units as there are tenants waiting on retail space and the current apartments are 100% full. He stated that this project will not happen without additional financing.

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

ITEM #7  
LEASE PURCHASE  
FOR LOADER FOR  
SANITATION DEPT.

Garrick moved and Volz seconded the motion to accept the lease proposal and authorize the Mayor to sign all necessary documents regarding lease purchase financing with U.S. Bancorp Government Leasing and Finance, Inc. for one 2024 John Deere 624 P-Tier wheel loader for use by the Sanitation Department in the total amount of \$263,000. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #8  
LEASE PURCHASE  
FOR LOADER FOR  
STREET DEPT.

Rieker moved and Garrick seconded the motion to accept the lease proposal and authorize the Mayor to sign all necessary documents regarding lease purchase financing with U.S. Bancorp Government Leasing and Finance, Inc. for one 2024 John Deere 624 P-Tier wheel loader for use by the Street Department in the total amount of \$155,035. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #9  
NEBRASKALAND  
BANK AS A  
WARRANT LENDOR

Rieker moved and Garrick seconded the motion to approve the Resolution providing for the designation of NebraskaLand Bank as a warrant lender; authorizing the execution and delivery of a Warrant Purchase Agreement with such designated warrant lender and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSTAIN": Lucas. Motion carried.

ITEM #10  
ISSUE  
WARRANTS TO  
FOUR VENDORS

Rieker moved and Garrick seconded the motion to approve the Resolution authorizing the issuance of one warrant to Myers Construction, Inc. in the amount of \$497,849.51, one warrant to Steele's Roofing & Construction in the amount of \$23,688.57, one warrant to Midlands Contracting Inc. in the amount of \$399,595.38 and seven warrants to NebraskaLand Bank totaling

\$4,307,922.51 to pay approved claims and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSTAIN": Lucas. Motion carried.

ITEM #11  
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.

CLOSED SESSION

Garrick moved and Volz seconded the motion to go into Closed Session at 6:46 p.m. for the purpose of discussing contracts, in order to protect the public's interest. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

Mayor Kelliher restated the reason for the Closed Session is for the purpose of discussing contracts, in order to protect the public's interest.

RETURN TO  
REGULAR SESSION

Volz moved and Garrick seconded the motion to come out of Closed Session and return to Regular Session at 7:10 p.m. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

No action was taken during the Closed Session.

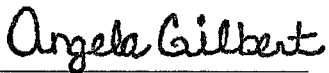
ITEM #12  
SAMPSON  
CONSTRUCTION  
FOR REC CENTER  
ADDITION AND  
RENOVATION

Garrick moved and Volz seconded the motion to approve the bid and authorize the Mayor to sign contract documents with Sampson Construction Inc. for Recreation Center Addition and Renovation. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Woods. 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 7:20 p.m.

  
Angela Gilbert, City Clerk