

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
July 16, 2024; 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, Woods. Rieker and Flanders were 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 Garrick seconded the motion to approve the Consent Agenda as follows:

- A. Approve the Minutes of July 2, 2024.
- B. Send the application of El Mojito LLC located at 510 East Philip Avenue, Suite 1 for a Catering Liquor License to the Nebraska Liquor Control Commission with no recommendation and approve the Addition to License Area.
- C. Approve the Mayor's reappointment of Robert Stefka to the Board of Adjustment.
- D. Approve the Mayor's reappointments of David Fudge, Jeff Bain, and Angie Forbes to the City Planning Commission.
- E. Place on file Treasurer's report for May 2024.
- F. Authorize the Mayor to execute the Small Rural Tribal (SRT) Grant, required certified assurances and other application documents.
- G. Adopt Resolution consenting to the sale and consumption of alcoholic liquor on East 5<sup>th</sup> Street and North Dewey Street during Music on the Bricks on August 9 and 10, 2024.
- H. Approve application by GL Concepts, LLC dba Good Life

on the Bricks for a Special Designated License on August 9 and 10, 2024 from 1:00 pm to 1:00 am on East 5<sup>th</sup> St. and North Dewey St. during Music on the Bricks.

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

ITEM #2  
ORDINANCE 4166  
ON 2<sup>ND</sup> READING

Mayor Kelliher instructed Ordinance No. 4166 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 2211 North Buffalo Bill Avenue to be read by title on its second reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4166 on its second reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Woods. "NAY": None. "ABSENT": Flanders, Rieker. Motion carried.

ITEM #3  
ORDINANCE 4171  
ON 2<sup>ND</sup> READING

Mayor Kelliher instructed Ordinance No. 4171 to rezone certain land from an R-3 Dwelling District to an I-1 Light Industrial District located at 1265 and 1301 North Dodge Avenue to be read by title on its second reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4171 on its second reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Woods. "NAY": None. "ABSENT": Flanders, Rieker. Motion carried.

ITEM #3A  
NORTHWESTERN  
ENERGY  
NEGOTIATION  
RESOLUTION

Lucas moved and Garrick seconded the motion to adopt the Resolution to negotiate directly with NorthWestern Energy and related actions.

Pam Bonrud, representing NorthWestern Energy, asked the Council for their support of the Resolution to conduct direct negotiations on the recent rate review to increase their natural gas rates that they filed with the Nebraska Public Service Commission in June. She said this is the first request they have made to increase their natural gas rates since 2007 and they are asking the four Nebraska communities of Kearney, Grand Island, North Platte, and Alma to collectively negotiate on the rates.

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

ITEM #4  
2023 RURAL  
COMMUNITY  
RECOVERY

Mayor Kelliher declared a Public hearing to adopt the Resolution authorizing the Mayor to sign and be directed to proceed with the 2023 Rural Community Recovery Program application and all related documents between the City of North Platte and the

PROGRAM  
APPLICATION

Nebraska Department of Economic Development.

Eric Seacrest, 109 South Maloney Drive, stated this is a great opportunity as there are hundreds of vacant, abandoned, and deteriorated properties in the community with little or no market value.

Gary Person, President of North Platte Chamber/DEVCO, said they strongly support this application as properties do not fix themselves and sometimes a community needs to be proactive to get things done and now there are some funding sources available.

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

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

ITEM #5  
REMOVED FROM  
THE AGENDA

An amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map to change certain land from Residential Low Density Single Family to Commercial located on South Buffalo Bill Avenue north of West State Farm Road, consisting of approximately 2.59 acres was removed from the Agenda at the applicant's request.

ITEM #6  
REMOVED FROM  
THE AGENDA

Action on Ordinance No. 4165 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Commercial District located on South Buffalo Bill Avenue north of West State Farm Road, consisting of approximately 2.59 acres was removed from the Agenda at the applicant's request.

ITEM #7  
ORDINANCE 4172  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing to adopt Ordinance No. 4172 annexing Parcel ID #0054624.80 described as Block 2, Glennfield's Third Subdivision, Lincoln County, Nebraska, into the corporate limits of the City of North Platte, Nebraska, consisting of approximately 9.96 acres.

Gary Person, President of North Platte Chamber/DEVCO, told the Council they need to embrace it when someone is proactive and the area along Buffalo Bill Avenue has other great potential that will be illustrated in the upcoming Comprehensive Plan.

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

Mayor Kelliher instructed Ordinance No. 4172 to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4172 on its first reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick. "NAY": Tryon, Woods. "ABSENT": Flanders, Rieker. Mayor Kelliher voted "AYE" and the motion carried.

ITEM #8  
ISSUE WARRANTS  
TO MYERS  
CONSTRUCTION,  
LEVEL, LLC AND  
FNBO

Garrick moved and Volz seconded the motion to adopt the Resolution approving claims and authorizing the issuance of one warrant to Myers Construction, Inc. in the amount of \$603,166.80, one warrant to Level, LLC in the amount of \$267,672.31 and sixteen warrants to First National Bank of Omaha totaling \$3,335,593.98 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, Woods. "NAY": None. "ABSTAIN": Lucas. "ABSENT": Flanders, Rieker. Motion carried.

ITEM #9  
ISSUE WARRANTS  
TO STEELE'S, T.C.  
ENGINEERING AND  
FNBO

Garrick moved and Volz seconded the motion to adopt the Resolution approving claims and authorizing the issuance of one warrant to Steele's Roofing & Construction in the amount of \$37,773.59, one warrant to T.C. Engineering Inc. in the amount of \$122,526.36 and six warrants to First National Bank of Omaha totaling \$4,036,646.70 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, Lucas, Garrick, Woods. "NAY": None. "ABSENT": Flanders, Rieker. Motion carried.

ITEM #10  
CLAIMS

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

CLOSED SESSION

Garrick moved and Volz seconded the motion to go into Closed Session at 6:34 p.m. for the purpose of discussing real estate. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Woods. "NAY": None. "ABSENT": Flanders, Rieker. Motion carried.

Mayor Kelliher restated the purpose of the Closed Session was to discuss real estate.

RETURN TO  
REGULAR SESSION

Volz moved and Garrick seconded the motion to come out of Closed Session and return to Regular Session at 6:42 p.m. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Woods. "NAY": None. "ABSENT": Flanders, Rieker. Motion carried.

ADJOURN

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

Adjourned at 6:43 p.m.

  
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Angela Gilbert, City Clerk