

MINUTES OF THE REGULAR CITY COUNCIL MEETING
April 17, 2007; 7:30 p.m.

CALL TO ORDER

Invocation was given by Joe Sukraw and the pledge of allegiance was recited.

A regular meeting of the Council of the City of North Platte, Nebraska was convened in open and public session at 7:30 p.m. at 211 West 3rd Street in the Council Chambers in the Municipal Building. Present were Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. Mayor G. Keith Richardson presided and City Clerk Bill May recorded the proceedings.

Mayor Richardson stated that a current copy of the Open Meetings Act of Nebraska is posted on or adjacent to the doors 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, City Hall Office, the designated method for giving notice (certificate of posting), being attached to these minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

McGuire moved and Kurre seconded the motion to approve the consent agenda as follows:

1. Approve minutes of regular meeting on April 3 and work session on April 5, 2007.
2. Approve Mayor's appointments of John Winchell to Cable TV Board and John Hales to Airport Joint Zoning Board and re-appointments of George Hipple to Alarm Review Board and Jenny Mellott to Animal Control Commission.
3. Authorize Public Service Department to sell surplus Fire Department pagers to Commtech for \$1,720.
4. Accept bids and award contract to Altec Industries for the purchase of one (1) 2007 56,000 pound GVWR 6x4 280 H.P. Truck with a 55 foot Digger Derrick in the amount of \$166,353.
5. Accept bids and award contract to Anderson Ford of Lincoln, NE for the purchase of one (1) 2008 27,500 pound GVWR Cab and Chassis with a 12 foot Dump Body in the amount of \$56,485.
6. Removed from consent.
7. Authorize Mayor to sign two agreements with NPPD;

one for right-of-way easement for bridge, pedestrian walkway and water line, and one for existing drainage ditch, including construction of underground drainage pipes, along South Buffalo Bill corridor.

8. Accept Certificate of Completion and Assessment Schedule for Paving District No. 808 (West 15th Street from the west right-of-way of North Hayes Avenue west 295.6 feet) and set Board of Equalization for May 1, 2007.
9. Accept Certificate of Completion and Assessment Schedule for Paving District No. 812 (West Philip Avenue from the west right-of-way of Lakeview Boulevard west 822 feet) and set Board of Equalization for May 1, 2007.
10. Accept Certificate of Completion and Assessment Schedule for Paving District No. 814 (Bryan Avenue from 596.96 feet south of the south right-of-way of East Philip Avenue south approximately 495.46 feet and all of proposed Linda Court) and set Board of Equalization for May 1, 2007.

Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #6
AUTHORIZE GOLF
COURSE TO
PURCHASE
EQUIPMENT

McGuire moved and Pederson seconded the motion to authorize Golf Course to purchase three John Deere 1545 rotary mowers with 72 inch decks, one John Deere 1200 Hydro bunker rake, one John Deere 3325c Fairway mower and one John Deere Pro Gator with cargo box and authorize Mayor to sign Lease-Purchase contracts. Roll call vote: "AYE": Stoll, Parish, McGuire, Britton, Campbell. "NAY": Spohn, Pederson, Kurre. Motion carried.

ITEM #11
CENTRAL
NEBRASKA
REGIONAL
INTEROPERABILITY
COMPACT

McGuire moved and Pederson seconded the motion to authorize Mayor to sign Interlocal Agreement to jointly share communications with 21 other counties and cities affiliated with the Central Nebraska Regional Interoperability (CNRI) Compact. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #12
BOARD OF
EQUALIZATION FOR
PAVING 810

Mayor Richardson told the Council they were sitting as a Board of Equalization to approve Assessment Schedule for Paving District No. 810 (Lakeview Boulevard from the south right-of-way of Park Ridge Road south to the north right-of-way of Philip Avenue).

No one appeared.

McGuire moved and Pederson seconded the motion to close the hearing. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

McGuire moved and Pederson seconded the motion to adopt the Resolution assessing Paving District No. 810. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #13
BOARD OF
EQUALIZATION FOR
PAVING 811

Mayor Richardson told the Council they were sitting as a Board of Equalization to approve Assessment Schedule for Paving District No. 811 (West 17th Street from the east right-of-way of Jackson Avenue to the west right-of-way of Madison Avenue).

No one appeared.

McGuire moved and Pederson seconded the motion to close the hearing. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

McGuire moved and Pederson seconded the motion to adopt the Resolution assessing Paving District No. 811. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #14
AMENDMENT TO
LAND USE PLAN

Mayor Richardson declared a Continued Public hearing to adopt recommendation by the North Platte Planning Commission to approve the amendment to the Generalized Future Land Use Plan of North Platte's Comprehensive Plan 2010 from Agricultural/ Vacant to Industrial. The land being considered for the amendment is bordered on the south by West Front Street, on the west by North Platte's two mile jurisdiction, on the east by the existing I-2 Heavy Industrial District and on the north by Drainage Ditch No. 2.

Bob Peterson, 2942 N. Splinter Road, told the Council that the County had already zoned the proposed area as Industrial.

McGuire moved and Pederson seconded the motion to close the hearing. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

McGuire moved and Pederson seconded the motion to approve the amendment. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #15
APPROVE ORD 3692

Mayor Richardson declared a Continued Public hearing to approve Ordinance No. 3692 recommendation by the North Platte Planning Commission to approve the rezoning of certain lands from A-1 Agricultural District to I-2 Heavy Industrial District. The land being considered for rezoning is bordered on the South by the North Boundary of the Right-of-Way of West Front Street, on the West by the Outer Boundary of North Platte's Two Mile Jurisdiction, on the East by the existing I-2 Heavy Industrial District and on the North by the South Boundary of Drainage Ditch No. 2, all in Lincoln County, Nebraska.

No one appeared.

McGuire moved and Pederson seconded the motion to close the hearing. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

McGuire moved that the rule requiring Ordinance No. 3692 to be read on three different dates be suspended. Kurre seconded the motion. Roll call vote: "AYE": Spohn, Stoll, Parish, McGuire, Britton, Campbell. "NAY": Pederson, Kurre. Motion carried.

Mayor Richardson instructed Ordinance No. 3692 be read one time by title only. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3692. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #16
ORD 3690 ON 2ND
READING

McGuire moved that the rule requiring Ordinance No. 3690 recommendation by the North Platte Planning Commission to approve the rezoning of certain lands from R-2 Dwelling District to I-1 Light Industrial District. The land is located at 619 and 621 North Adams Avenue on lots 8 and 9, Block 4, of North Platte Town Lot Company's Addition to North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Campbell seconded the motion. Roll call vote: "AYE": Spohn, McGuire, Britton, Campbell. "NAY": Stoll, Pederson, Parish, Kurre. Motion failed as six votes are needed to

suspend the rules.

Mayor Richardson instructed Ordinance No. 3690 to be read by title on its second reading. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3690 on its second reading. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #17
ORD 3691 ON 2ND
READING

McGuire moved that the rule requiring Ordinance No. 3691 recommendation by the North Platte Planning Commission to approve amendment to section 12-271 of the Buildings and Building Regulations of North Platte's Code of Ordinances to be read on three different dates be suspended. Campbell seconded the motion. Roll call vote: "AYE": Spohn, McGuire, Campbell. "NAY": Stoll, Pederson, Parish, Kurre Britton. Motion failed as six votes are needed to suspend the rules.

Mayor Richardson instructed Ordinance No. 3691 to be read by title on its second reading. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3691 on its second reading. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #18
ORD 3689 ON 2ND
READING

McGuire moved that the rule requiring Ordinance No. 3689 recommendation by the North Platte Planning Commission to approve the amendments to Section 56-3, Section 56-35, Section 56-63 (a), Section 56-79 (b), Section 56-303 (a) and Section 56-362 (b) of North Platte Zoning Regulations of North Platte's Code of Ordinances to be read on three different dates be suspended. Campbell seconded the motion. Roll call vote: "AYE": Spohn, Stoll, McGuire, Campbell. "NAY": Pederson, Parish, Kurre, Britton. Motion failed as six votes are needed to suspend the rules.

Mayor Richardson instructed Ordinance No. 3689 to be read by title on its second reading. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3689 on its second reading. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #19
AMENDMENT TO
MAJOR STREET
PLAN

McGuire moved and Pederson seconded the motion to adopt recommendation by the North Platte Planning Commission to approve the amendment to the Major Street Plan of the North Platte comprehensive Plan 2010 reclassifying a portion of Bryan

Avenue from an Arterial Street to a Local Street beginning at the intersection of East 4th Street and Bryan Avenue north to the south railroad right-of-way and from Railroad Street north to the intersection of East 12th Street and Bryan Avenue, reclassifying a portion of Bryan Avenue from an Arterial Street to a Collector Street beginning at the intersection of East 4th Street and Bryan Avenue south to the intersection of Bryan Avenue and Leota Street. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #20
AMENDMENT TO
MAJOR STREET
PLAN

McGuire moved and Spohn seconded the motion to adopt recommendation by the North Platte Planning Commission to approve the amendment to the Major Street Plan of the North Platte Comprehensive 2010 reclassifying a portion of Bicentennial Avenue from a Collector Street to a Local Street, from the intersection of East 8th Street and Bicentennial Avenue south to the north railroad right-of-way and from the south railroad right-of-way to the intersection of East 4th Street and Bicentennial Avenue, reclassifying a portion of Bicentennial Avenue from an Arterial Street to Local Street from the intersection of East 4th Street and Bicentennial Avenue south to the intersection of Burlington Boulevard and Bicentennial Avenue and reclassifying a portion of Bicentennial Avenue from an Arterial Street to a Collector Street from the intersection of Burlington Boulevard and Bicentennial Avenue south to the intersection of Bicentennial Avenue and East Leota Street. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #21
2007-2008 PUBLIC
TRANSIT
CONTINUATION
GRANT

McGuire moved and Pederson seconded the motion to adopt Resolution for North Platte Public Transit Continuation Grant for operating funds for service from July 1, 2007 through June 30, 2008. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #22
2007-2008 CAPITAL
APPLICATION FOR
PUBLIC
TRANSPORTATION
ASSISTANCE

McGuire moved and Pederson seconded the motion to approve 2007-2008 Capital Application for Public Transportation Assistance in the amount of \$50,000 and authorize forwarding the application to the Nebraska Department of Roads. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #23

McGuire moved and Pederson seconded the motion to approve

AGREEMENT TO
RE-CODIFY
EXISTING CODE OF
ORDINANCES

Agreement with American Legal Publishing Corporation to re-codify the existing City of North Platte Code of Ordinances. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #24
AGENDA ITEM
PROCEDURE FORM

McGuire moved and Pederson seconded the motion to approve Agenda Item Procedure Form to be used for City Council Agenda items. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #25
FAILED

McGuire moved and Kurre seconded the motion to approve Mayor's appointments of Dan McGuire (Council Member), Keith Blackledge (Historian), Jess Nielsen (Attorney), Stephen Granger (Architect), Robert Lesso (Community Member), Kimberley Shapiro (Community Member), and Kenneth Aten (Community Member) to the Historical Preservation Commission. Roll call vote: "AYE": McGuire, Kurre, Campbell. "NAY": Spohn, Stoll, Pederson, Parish, Britton. Motion failed.

ITEM #26
SUPERFUND
NATIONAL
PRIORITIES LIST

McGuire moved and Parish seconded the motion to authorize Mayor to sign letter to United States Environmental Protection Agency concerning potential listing on Superfund National Priorities List.

McGuire moved and Kurre seconded the motion to amend the body of the letter by adding in the second to last paragraph the words "if available" (The City's ordinances require that all private properties connect with the city water system to obtain water used for human consumption, "if available"). Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

Roll call vote on motion as amended: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ITEM #27
CLAIMS

McGuire moved and Spohn seconded the motion to pay the claims. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. Motion carried.

ADJOURN

McGuire moved and Pederson seconded the motion to adjourn. Roll call vote: "AYE": Spohn, Stoll, Pederson, Parish, McGuire,

Kurre, Britton, Campbell. "NAY": None. Motion carried.

Adjourned at 8:50 p.m.

Bill May, City Clerk