

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
November 6, 2007; 7:30 p.m.

CALL TO ORDER

Invocation was given by Rich Morrell 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 Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. Spohn was absent. 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 Pederson seconded the motion to approve the consent agenda as follows:

1. Approve minutes of special meeting on October 9 and regular meeting on October 16, 2007.
2. Removed from consent.
3. Send application of Allison Harrach as Liquor License Manager at Country Club of North Platte (1008 West 18<sup>th</sup> Street) to Liquor Control Commission with no recommendation.
4. Send application of Ann Helberg as Liquor License Manager at Wooden Butler Inc. dba Wooden Butler (505-507 North Dewey) to Liquor Control Commission with no recommendation.
5. Send application of Joleen Linder as Liquor License Manager at Pump & Pantry #39 (2601 Eagle Wings Place) to Liquor Control Commission with no recommendation.
6. Send application of Alamo 1873, LLC dba Alamo Bar for a Class C Liquor License (Beer, Wine & Distilled Spirits, On & Off Sale) at 610 North Chestnut Street to the

Liquor Control Commission with no recommendation.  
Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #2  
SPECIAL  
DESIGNATED  
PERMIT FOR NP  
COMMUNITY  
PLAYHOUSE

McGuire moved and Pederson seconded the motion to approve application by North Platte Community Playhouse for a Special Designated Permit on November 15, 2007 from 5:00 p.m. to 9:00 a.m. at North Platte Community Playhouse, 301 East 5<sup>th</sup> Street. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #7  
POSTPONE UNTIL  
11-20-07 PENDING  
INVESTIGATION

McGuire moved and Kurre seconded the motion to accept and place on file Claims from James & Loretta Ellett (310 & 312 North Ash), Francis McIntosh (tenant of 312 North Ash), Lyle Barksdale (509 West 3<sup>rd</sup>), Sylvester Yanken (409 West 3<sup>rd</sup>), Dan & Rebecca Weller (515 West 3<sup>rd</sup>), Jerney & Raegan Anderson (514 West 4<sup>th</sup>), John & Marie Murphy (510 West 4<sup>th</sup>) and James Goeke (721 West 4<sup>th</sup>) for water damage to their properties.

McGuire moved and Kurre seconded the motion to amend the motion to deny the claims.

Loretta Ellett, 310 & 312 North Ash, told the Council that work was being done on Ash and Maple Streets before the water damage occurred. She said that heavy equipment was operating in the vicinity of the water and sewer main. She said her insurance company had denied her claim for damage and home owners should not have to incur additional expenses by going to court.

Reagan Anderson, 514 West 4<sup>th</sup>, told the Council that City crews did not notify property owners about potential damage and her property had 1 ½ feet of water in the basement and their furnace was completely submerged.

Dan Weller, 515 West 3<sup>rd</sup>, told the Council he had incurred \$2,300 out-of-pocket expenses to date and he has lost 1/3 of his living space due to the damage. He said the Council should reimburse the property owners.

Kurre moved and Britton seconded the motion to postpone action on the Claims until November 20, 2007 pending an investigation to determine if the City was liable. Roll call vote: "AYE": Stoll, Pederson, Parish, Kurre, Britton, Campbell.

"NAY": McGuire. "ABSENT": Spohn. Motion carried.

ITEM #8  
AMEND NP  
DOWNTOWN  
REDEVELOPMENT  
PLAN

Mayor Richardson declared a continued Public hearing from October 9, 2007 to adopt Resolution and approve an amendment to the North Platte Downtown Redevelopment Plan. The property affected by this notice is described as Lot 3 and 4 Block 115 Original Town of City of North Platte, Lincoln County, Nebraska and the North 44 feet of Lot 5 and 6 Block 115 Original Town of City of North Platte, Lincoln County, Nebraska. The property is located in the 100 block on the south side of East 6<sup>th</sup> Street.

Mike Jacobson, Chairman of Community Redevelopment Authority, explained the amendment to the North Platte Downtown Redevelopment Plan. He indicated the proposed parking lot was a by-product of demolishing buildings in disrepair and providing monies to relocate the Lincoln Connection.

Tim Ludke, owner of T-Lectric, told the Council that four viable businesses would have to be relocated and that a parking lot was not needed. He supplied photographs showing other available parking in the area.

Dan Eller, Manager of Alco, told the Council there is sufficient parking in the area and four businesses should not be forced to relocate.

Stephanie Branch, owner of Stephanie's, told the Council that downtown streets were unsafe and that current parking lots were in need of signage, lighting and repair. She indicated money could better be spent on other infrastructure needs in the downtown area.

Jess Pare, manager of Tri-State Spas, told the Council his building was not in need of repair and that parking was adequate in this location.

Alan Hirschfeld, Chairman of Downtown Association, told the Council that his board supported the CRA amendment.

Cindy Hill, member of Downtown Association and board member for the Lincoln Connection voiced support for the project and indicated the plan would allow the Lincoln Connection to move into a new home.

Mike Groene, member of Western Nebraska Taxpayers Association, told the Council that there had been a loss of property tax revenue due to TIF projects.

David Bernard-Stevens, President of the Chamber of Commerce, told the Council the North Platte Chamber Board supported downtown revitalization and the parking lot if not needed now, would be important in the future development of the downtown.

Karen Tallman, owner of Tallman Jewelers, told the Council she had been a downtown business owner for 35 years and that the brick streets and other infrastructure needed to be repaired.

Dave McNew, owner of Depot Restaurant, said the CRA proposal is a good start to revitalizing the downtown area and that the proposal would help the Lincoln Connection relocate to a more suitable area.

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

McGuire moved and Pederson seconded the motion to adopt Resolution and approve the amendment to the North Platte Downtown Redevelopment Plan. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #9  
PAINT BIKE LANES  
ON BUFFALO BILL

Pederson moved and Britton seconded the motion to approve Healthy for Life request for City of North Platte to paint bike lanes on Buffalo Bill from 4<sup>th</sup> Street to Sunset.

Molly O'Holleran, Dana Hurst and Grant Schram, representing Healthy for Life, told the Council they planned to provide ongoing educational programs so that users of the bike trails and even the motoring public could safely adapt to the new bike lanes.

Roll call vote: "AYE": Stoll, Pederson, Parish, Kurre, Britton, Campbell. "NAY": McGuire. "ABSENT": Spohn. Motion carried.

ITEM #10  
BOARD OF  
EQUALIZATION FOR

Mayor Richardson told the Council they were sitting as a Board of Equalization to approve an Assessment Schedule for Water Extension District No. 256 (in proposed Iron Eagle Second

WATER EXTENSION  
256

Replat beginning at Halligan Drive and Iron Eagle Lane then north in Iron Eagle Court then west in Iron Eagle Court approximately 1750 feet, also beginning at Halligan Drive and Iron Eagle Drive then north in Iron Eagle Drive to Iron Eagle Court).

No one appeared.

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

McGuire moved and Pederson seconded the motion to adopt the Resolution assessing Water Extension District No. 256. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #11  
BOARD OF  
EQUALIZATION FOR  
SANITARY SEWER  
337

Mayor Richardson told the Council they were sitting as a Board of Equalization to approve an Assessment Schedule for Sanitary Sewer District No. 337 (in proposed Iron Eagle Second Replat beginning at Iron Eagle Lane and Iron Eagle Court then west in Iron Eagle Court approximately 1750 feet).

No one appeared.

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

McGuire moved and Pederson seconded the motion to adopt the Resolution assessing Sanitary Sewer Extension District No. 337. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #12  
BOARD OF  
EQUALIZATION FOR  
PAVING 821

Mayor Richardson told the Council they were sitting as a Board of Equalization to approve an Assessment for Paving District No. 821 (in proposed Iron Eagle Second Replat beginning at Halligan Drive and Iron Eagle Lane then north in Iron Eagle Lane to Iron Eagle Court then west in Iron Eagle Court approximately 1750 feet, also beginning at Halligan Drive and Iron Eagle Drive then north in Iron Eagle Drive to Iron Eagle Court).

No one appeared.

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

McGuire moved and Pederson seconded the motion to adopt the Resolution assessing Paving District No. 821. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #13  
APPROVE ORD 3713

McGuire moved that the rule requiring Ordinance No. 3713 to create Paving District No. 824 in South Jeffers Street beginning at Fremont Drive thence north approximately 400 feet to be read on three different dates be suspended. Stoll seconded the motion. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

Mayor Richardson instructed Ordinance No. 3713 to be read one time by title only. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3713. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #14  
APPROVE ORD 3714

McGuire moved that the rule requiring Ordinance No. 3714 to create Water Extension District No. 257 in South Jeffers Street beginning at the north right-of-way of Fremont Drive thence north approximately 400 feet to be read on three different dates be suspended. Pederson seconded the motion. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

Mayor Richardson instructed Ordinance No. 3714 to be read one time by title only. McGuire moved and Pederson seconded the motion to approve Ordinance No. 3714. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #15  
AGREEMENT FOR  
STORM WATER  
MANAGEMENT  
PLAN PROGRAM

McGuire moved and Pederson seconded the motion to accept and authorize Mayor to sign Intergovernmental Agreement with the Nebraska Department of Environmental Quality regarding the implementation of the Storm Water Management Plan Program. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT":

Spohn. Motion carried.

ITEM #16  
LEASE AGREEMENT  
FOR GOLF CARTS  
AND GAS UTILITY  
CARS

McGuire moved and Pederson seconded the motion to approve Lease Agreement with Masek Golf Car Company for 36 2008 golf carts and two Yamaha gas utility cars. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #17  
SETTLEMENT  
AGREEMENT WITH  
NORTHWESTERN  
ENERGY

McGuire moved and Pederson seconded the motion to adopt Resolution approving Settlement Agreement with NorthWestern Energy relative to NorthWestern Energy's pending application for rate adjustment. Roll call vote: "AYE": Stoll, Pederson, Parish, McGuire, Kurre, Britton, Campbell. "NAY": None. "ABSENT": Spohn. Motion carried.

ITEM #18  
CLAIMS

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

ADJOURN

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

Adjourned at 10:08 p.m.

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Bill May, City Clerk