

MINUTES OF THE REGULAR CITY COUNCIL MEETING
June 7, 2016; 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. in the City Hall Council Chambers at 211 West 3rd Street. Present were Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. Mayor Dwight Livingston presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Livingston 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, City Hall, 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

Lee moved and Carman seconded the motion to approve the consent agenda as follows:

1. Approve minutes of work session and regular meeting on May 17, 2016.
2. Send application of Robert Spears as Liquor License Manager at Peak Interests, LLC dba Pizza Hut located at 1902 South Jeffers to Liquor Control Commission with no recommendation.
3. Send application of Best Western Plus North Platte Inn & Suites for a Class C Liquor License (Beer, Wine & Distilled Spirits, On and Off Sale) and Catering License located at 3201 South Jeffers to the Liquor Control Commission with no recommendation.
4. Approve Mayor's appointment of Phil Barkley to the Housing Authority to replace Carolyn Trujillo.
5. Approve appointments of Dwight Livingston, Bob Barr, Lisa Burke, Kevin Dodson, Ron Hanson, Jim Hawks, Fiona Libsack, Megan McGown, Danielle Nichols, Jim Nisley, Ray Morrisette, Tony Orr, Jamie Peters, Leland Poppe, Brandon Raby, Amy Stefka, Eric Seacrest, and Treg Vyzourek to the Mayor's Wellness Committee.

Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #6
CONDITIONAL USE
PERMIT, 3210
RODEO ROAD

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by Chance Nutter for a conditional use to allow a 7' x 11' billboard sign to be located at 3210 Rodeo Road in a B-2 Highway Commercial District on property described as Lot 1, Gies Subdivision of Block 24 of West End Addition to North Platte, Lincoln County, Nebraska.

No one appeared.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Lee moved and Carman seconded the motion to approve the Conditional Use Permit. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #7
CONDITIONAL USE
PERMIT, 3015 EAST
PHILIP

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by Daniel McKeon for a conditional use to allow an 11' x 22' billboard sign to be located at 3015 East Philip Avenue in an I-1 Light Industrial District on property described as part of Section 2, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

No one appeared.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Lee moved and Carman seconded the motion to approve the Conditional Use Permit. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #8
APPROVE ORD 3946

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3946 to rezone certain property from an R-4 Dwelling

District to a PR-2 Planned Dwelling District located at 1802 North Sheridan Avenue on property described as Lot 7 Obermeiers Replat, North Platte, Lincoln County, Nebraska.

No one appeared.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Lee moved that the rule requiring Ordinance No. 3946 to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3946 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 3946. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #9
ORD 3947 ON 1ST
READING

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3947 to rezone certain lands from an A-1 Agricultural District to a B-2 Highway Commercial District located at 3502 South Willow described as a tract of land in the W ½ of the W ½ of Section 16, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska (proposed Lot 1 Willow First Subdivision).

Willis Roethemeyer, applicant, told the Council he has a buyer for the property that wants to build a construction sales office and shop on part of the land and the rest of the land will either be farmed or planted with grass that will be kept mowed.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3947 to be read by title on its first reading. Lee moved and Carman seconded the motion to approve Ordinance No. 3947 on its first reading. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee,

Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #10
WILLOW FIRST
SUBDIVISION, 3502
SOUTH WILLOW

Lee moved and Carman seconded the motion to adopt recommendation by the North Platte Planning Commission regarding an application by Willis Roethemeyer for preliminary and final approval of Willow First Subdivision located at 3502 South Willow Street. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #11
AMEND
COMPREHENSIVE
PLAN 2011 FUTURE
LAND USE MAP,
4520 SOUTH
BUFFALO BILL

Mayor Livingston declared a Public hearing regarding an amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map changing certain lands from Residential – Low Density Single Family to Commercial located at 4520 South Buffalo Bill Avenue and described as part of tract B, Correction of Major's Replat in the E ½ of Section 18, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

Michael Ady, 4702 Valley Drive, told the Council he lives on a quiet street and has concerns about the noise, traffic and lighting the brewery will bring to the area.

Gary Person, representing North Platte Chamber & DEVCO, told the Council he supports the project as the brewery will be a unique experience and will bring economic revenue to the area.

Mark Oettinger, purchaser, told the Council the brewery will have a relaxed atmosphere and only be open minimal hours. He said the property will have a fence built around it with security lighting.

Lisa Burke, representing Lincoln County Visitor's Center, told the Council she is in support of the project as the brewery will be a place for citizens to socialize and a definite asset and tourist attraction for the community.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Lee moved and Petersen seconded the motion to adopt the amendment. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #12
ORD 3948 ON 1ST
READING

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3948 to rezone certain property from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 4520 South Buffalo on property in the SE ¼ of Section 18, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

Mark Oettinger, purchaser, asked the Council to waive the three readings and pass the Ordinance now so they can move forward with the project.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Petersen moved that the rule requiring Ordinance No. 3948 to be read on three different dates be suspended. Pedersen seconded the motion. Roll call vote: "AYE": Nisley, Petersen, Pedersen, Steinbeck, Campbell. "NAY": Baker, Lee, Carman. Motion failed.

Mayor Livingston instructed Ordinance No. 3948 to be read by title on its first reading. Lee moved and Carman seconded the motion to approve Ordinance No. 3948 on its first reading. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #13
ORD 3949 ON 1ST
READING

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3949 to rezone certain property from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 2421 West State Farm Road on property in the SE ¼ of Section 18, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

No one appeared.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3949 to be read by title on its first reading. Lee moved and Carman seconded the

motion to adopt Ordinance No. 3949 on its first reading. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #14
OTTER FIRST
SUBDIVISION, 4520
SOUTH BUFFALO
BILL AND 2421
WEST STATE FARM
RD

Lee moved and Carman seconded the motion to adopt recommendation by the North Platte Planning Commission regarding an application by Bob Majors and Otter Investments for preliminary and final approval of Otter First Subdivision located at 4520 South Buffalo Bill Avenue and 2421 West State Farm Road. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #15
ORD 3945 ON 1ST
READING

Mayor Livingston instructed Ordinance No. 3945 annexing Lot 3 of Calvary 1st Subdivision of Part of the NE ¼ of Section 17, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska to be read by title on its first reading. Lee moved and Carman seconded the motion to approve Ordinance No. 3945 on its first reading. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #16
APPROVE ORD 3950

Lee moved that the rule requiring Ordinance No. 3950 conveying Lots 1, 2 and 3, Block 2, of Industrial Park Sixth Replat of Lot 2, Industrial Park Fifth Replat, being a part of Section 3, Township 13 North, Range 30 West of the 6th P.M., North Platte, Lincoln County, Nebraska to LPH Enterprises LLC to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Campbell. "NAY": Steinbeck. Motion carried.

Mayor Livingston instructed Ordinance No. 3950 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 3950. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #17
CONVEY LOT TO
MICHAEL AND
LAURIE GEIER

Lee moved and Carman seconded the motion to approve agreement conveying Lot 1, Block 1, of Industrial Park Sixth Replat of Lot 2, Industrial Park Fifth Replat, being a part of Section 3, Township 13 North, Range 30 West of the 6th P.M., North Platte, Lincoln County, Nebraska to Michael E. Geier and Laurie S. Geier. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #18
REQUEST TO
DISCHARGE
FIREWORKS AFTER
10:00 P.M. DENIED

Lee moved and Carman seconded the motion to approve request from First Assembly of God Church at 808 West Philip Avenue to discharge fireworks after 10:00 p.m. on Sunday, July 3, 2016. Roll call vote: "AYE": None. "NAY": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. Motion failed.

ITEM #19
EMPLOYEE
ASSISTANCE
PROGRAM

Lee moved and Baker seconded the motion to authorize Mayor to sign Contract with Lutheran Family Services for continuation of Employee Assistance Program. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #20
CHANGE TIME OF
MEETING ON
06-21-16 TO 5:30 P.M.

Lee moved and Carman seconded the motion to adopt Resolution moving the June 21, 2016 City Council Meeting from its regularly scheduled time of 7:30 p.m. to 5:30 p.m. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #21
CLAIMS

Baker moved and Nisley seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ADJOURN

Lee moved and Baker seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Adjourned at 8:38 p.m.



Angela Gilbert, City Clerk