

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
July 7, 2015; 7:30 p.m.

CALL TO ORDER

Invocation was given by Andrew Lee 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 Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. Nisley was absent. 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 Baker seconded the motion to approve the consent agenda as follows:

1. Approve minutes of June 16, 2015.
2. Approve Mayor's re-appointment of Rob Stefka to the Community Redevelopment Authority Board.
3. Approve Mayor's appointment of Paul Pedersen to Board of Adjustment.
4. Approve Mayor's re-appointment of Marcene Franzen to Board of Adjustment.
5. Approve application by Chef Lalanne, LLC dba Canteen Bar & Grille for a Special Designated License on August 18, 2015 from 3:00 p.m. to 10:30 p.m. at Great Plains Health, 601 West Leota for their Grand Opening Reception.

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

ITEM #6  
APPROVE ORD 3917

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3917 to rezone certain lands from an A-1 Transitional Ag District to a B-2 Highway Commercial District located east of

Iron Eagle Golf Course on property described as part of Tract 3 and Tract 4, Iron Eagle Subdivision, North Platte, Lincoln County, Nebraska (proposed Lots 1, 2, and 3 Iron Eagle Third Replat and Tract 3 Iron Eagle Subdivision, North Platte, Lincoln County, Nebraska).

No one appeared.

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

Lee moved that the rule requiring Ordinance No. 3917 to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

Mayor Livingston instructed Ordinance No. 3917 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 3917. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #7  
IRON EAGLE 3<sup>RD</sup>  
REPLAT, HALLIGAN  
DRIVE

Lee moved and Carman seconded the motion to adopt recommendation by the North Platte Planning Commission regarding an application by E. Glenn Chase Jr. and Alice Chase for preliminary and final approval of Iron Eagle Third Replat located on Halligan Drive east of Iron Eagle Golf Course. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #8  
DENY  
AMENDMENT TO  
COMPREHENSIVE  
PLAN 2011 FUTURE  
LAND USE MAP

Mayor Livingston declared a Public hearing regarding an amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map changing Lot 2 Dodson First Replat from Residential-Low Density to Commercial located at 102 South Bare Avenue.

Mitch Wagner, applicant, told the Council there is a need for a convenience store in that area of town and he foresees office buildings being built on the rest of the property in the future. He said they added a walking path behind the store and could maybe put in a crosswalk or warning signal for safety.

Dan Mauk, Director of North Platte Chamber and DEVCO, told the Council he supports economic growth and it is logical for growth in that part of town. He said everybody loves economic development but does not want it in their neighborhood. He does not think the lot is feasible for housing and it will either be vacant like it is currently or it will be commercial. He also said that traffic on A Street will increase when Birdwood Crossing opens, whether or not a convenience store is built there.

Dave Walz, 3310 Maplewood Drive, told the Council he bought his house on a quiet cul-de-sac that is safe for kids. He believes the store will bring more pollution, noise, traffic, bugs and bums to the area, which he thinks should stay residential in nature.

Jim Agler, 3311 Reagan Court, told the Council he is concerned about the safety of the kids and pets in the neighborhood and does not think this is the best use for the property as it should stay residential. He also said there is no guarantee the applicants will keep to their plan once it is rezoned.

Niles Dodson, 105 Dixie Avenue, told the Council he is the previous owner of the property, which he sold in January, and hopes it stays residential.

Karen O'Connor, 3320 Eisenhower Court, told the Council she is not against business as her husband owns a business and she is not against growth, just in this location. She believes there could be an increase in crime, strangers, trash, traffic and fuel smells. She said there is no turning back if the property is rezoned.

Jerry Ochoa, 803 North Dewey, told the Council he lives near two convenience stores and he has not seen an increase in crime, robberies or trash due to the convenience stores in his neighborhood.

John Williams, 3420 Eisenhower Court, told the Council he wants a quiet neighborhood and the residents do not need this store as it is not very far to other shopping areas.

Jeff Higgins, 101 South Bare, told the Council he cannot imagine selling his house if the store opens. He also said that alcohol and tobacco sales will be near a "drug free zone" by an elementary school.

Charles and Joyce Hipwell, 3301 West A Street, told the Council they live directly across the street from the property and it is not a safe or common sense situation due to traffic and kids in the neighborhood.

Betty Calhoun, 3311 Eisenhower Court, told the Council she does not want a convenience store behind her house and the area should remain residential like it was when they bought their homes.

Harriet Spelts, 76 South Bare, told the Council they could build a convenience store elsewhere.

Nancy Quirk, 105 South Bare, told the Council she lives directly across from the property and she fears for the safety of her grandchildren and other children walking to and from school.

Betty Cooksley, 3321 Eisenhower Court, told the Council she is against the project in her neighborhood as it is directly behind her house.

Randy Opitz, 3301 Eisenhower Court, told the Council his is not against businesses but a gas station right next to a residential neighborhood is not a good idea.

Mike Coufal, 3402 Eisenhower Court, told the Council his family just moved here and they chose North Platte because it is a small, quiet town.

Jess Ablard, 111 South Bare, told the Council he lives right across the street from the property and does not want the lights and traffic near his home.

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

Lee moved and Carman seconded the motion to deny the amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman. "NAY": Steinbeck, Campbell. "ABSENT": Nisley. Motion carried.

ITEM #9  
NO ACTION TAKEN

No action was taken on Ordinance No. 3916 to rezone certain

lands from an R-1 Dwelling District to a B-1 Neighborhood Commercial District located at 102 South Bare Avenue (southwest corner of the intersection of A Street and Bare Avenue) on property described as Lot 2 Dodson First Replat, in the City of North Platte, Lincoln County, Nebraska.

ITEM #10  
APPROVE ORD 3915

Lee moved that the rule requiring Ordinance No. 3915 amending Ordinance No. 3914 previously adopted June 16, 2015 relating to the City's Sewer System Revenue Refunding Bonds, Series 2015; particularly amending and restating Section 20 thereof; otherwise ratifying and affirming the initial ordinance to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

Mayor Livingston instructed Ordinance No. 3915 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 3915. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #11  
LEASE  
PURCHASE  
FOR SNOW  
REMOVAL  
EQUIPMENT

Lee moved and Carman seconded the motion to accept Lease Proposal and authorize the Mayor to sign the "Acceptance" documents and lease-purchase documents with U.S. Bancorp Government Leasing and Finance, Inc. for two (2) 2016 Freightliner cab and chassis with dump boxes, snow plows, salt spreaders and controls for use by the Public Service Department in the total amount of \$298,742. Roll call vote: "AYE": Baker, Petersen, Pedersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Nisley. Motion carried.

ITEM #12  
CLAIMS

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

ADJOURN

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

Adjourned at 8:32 p.m.

*Angela Gilbert*

Angela Gilbert, City Clerk