

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
August 5, 2014; 7:30 p.m.

CALL TO ORDER

Invocation was given by Amy Woods 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 Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. McNea 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 July 15, 2014.
2. Approve application by Sculley, LLC dba Sculley's Shooters for a Special Designated License on August 9, 2014 from 1:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for a concert.
3. Approve application by Sculley, LLC dba Sculley's Shooters for a Special Designated License on August 23, 2014 from 1:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for a Roller Derby.
4. Removed from consent.

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

ITEM #4  
CLASS C AND  
CATERING LICENSE  
FOR WILD BILL'S  
WINGS & BOWLING

Petersen moved and Lee seconded the motion to send application of Wild Bill's Wings & Bowling for a Catering and a Class C Liquor License (Beer, Wine & Distilled Spirits, On & Off Sale) located at 1100 South Jeffers to the Liquor Control Commission

with no recommendation. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #5  
CALL HIGHWAY  
ALLOCATION  
FUND PLEDGE  
REFUNDING BONDS

Lee moved and Petersen seconded the motion to adopt Resolution to call \$740,000 Highway Allocation Fund Pledge Refunding Bonds, Series 2009. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #6  
APPROVE ORD 3896

Lee moved that the rule requiring Ordinance No. 3896 authorizing the issuance of Highway Allocation Fund Pledge Refunding Bonds in the amount of \$755,000 to be read on three different dates be suspended. Barrett seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

Mayor Livingston instructed Ordinance No. 3896 to be read one time by title only. Lee moved and Baker seconded the motion to approve Ordinance No. 3896. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #7  
CALL GENERAL  
OBLIGATION  
REFUNDING BONDS

Lee moved and Petersen seconded the motion to adopt Resolution to call \$925,000 General Obligation Refunding Bonds, Series 2009. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #8  
APPROVE ORD 3897

Lee moved that the rule requiring Ordinance No. 3897 authorizing the issuance of Various Purpose and Refunding Bonds in the amount of \$1,150,000 to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

Mayor Livingston instructed Ordinance No. 3897 to be read one time by title only. Lee moved and Petersen seconded the motion to approve Ordinance No. 3897. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #9  
AIRPORT LEVY

Lee moved and Petersen seconded the motion to adopt Resolution determining amount of tax to be levied for airport

purposes.

Mike Sharkey, Airport Manager, told the Council that the airport is requesting more money this year due to revenues being down 22%, upcoming building repairs, and the need to expand their fire station.

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

ITEM #10  
CONDITIONAL USE  
PERMIT, 811 N.  
CHESTNUT

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by Mike Cohen, Owner, and Alta Stubbs, Purchaser, for a Conditional Use Permit to allow a mother-in-laws quarters in an existing structure located at 811 North Chestnut Street.

Rhonda Stubbs, 1109 West 9<sup>th</sup> Street, told the Council that her mother purchased the property and she would like to be able to live in the mother-in-laws quarters to take care of her mother. She said that if something happens to her mother then she would no longer live at the property.

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

Petersen moved and Lee seconded the motion to approve the Conditional Use Permit with the condition that upon change of ownership of the property, then the condition will expire. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck. "NAY": Campbell. "ABSENT": McNea. Motion carried.

ITEM #11  
PUBLIC HEARING  
FOR REMOVAL OF  
TRAFFIC SIGNALS  
ON 4<sup>TH</sup> STREET

Mayor Livingston declared a Public hearing to receive public comment, review traffic operations, accident data, and general consensus for a final decision on removal of traffic signals at East 4<sup>th</sup> and Bailey Streets and East 4<sup>th</sup> and Chestnut Streets.

Tom Werblow, City Engineer, read a letter from Mary Martinez stating that she is against the removal of the traffic signals because St. Pat's Church is very busy with traffic, especially on Sundays. He also told the Council that it would cost the city \$16,000 per intersection to replace the current lights and the

controllers should be replaced as well because they are so outdated.

Mike Honerman, President of the Downtown Merchant Association, told the Council that a survey was done on the downtown shop owners, employees and customers and the majority of those surveyed said there is no safe way to cross 4<sup>th</sup> Street and it is not in the best interest of our community to remove the signals. He said the board is recommending the city remove only the signal at 4<sup>th</sup> and Chestnut as there is less traffic at that intersection and leave the signal at 4<sup>th</sup> and Bailey due to safety issues.

Alan Hirschfeld, owner of Hirschfeld's, told the Council he is against removing both of the signals. He said that traffic is too heavy to turn left onto Bailey Street and the downtown should be safe, convenient and easily accessible.

Chris Chada, owner of Brown's Shoe Fit, told the Council that removing the traffic lights is a safety issue and the downtown will lose potential customers if it is not easily accessible.

Matt Junker, owner of Hot Tub Pros, told the Council that customers and employees of the downtown businesses have a difficult time parking and crossing 4<sup>th</sup> Street. He also said that traffic, especially trucks, drive faster than 25 mph on 4<sup>th</sup> Street.

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

No action was taken.

ITEM #12  
AMENDMENT TO  
LEASE AGREEMENT  
WITH VIAERO  
WIRELESS

Lee moved and Petersen seconded the motion to authorize Mayor to execute Amendment to Lease Agreement between the City of North Platte and NE Colorado Cellular, Inc. dba Viaero Wireless. Roll call vote: "AYE": Barrett, Baker, Petersen, Lee, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": McNea. Motion carried.

ITEM #13  
CLAIMS

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

ADJOURN

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

Adjourned at 8:25 p.m.

*Angela Gilbert*

Angela Gilbert, City Clerk