

MINUTES OF THE REGULAR CITY COUNCIL MEETING
April 3, 2012; 7:30 p.m.

CALL TO ORDER

Invocation was given by Father Jim Golka 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, Stoll, Pederson, McNea, McGuire, Carman, Steinbeck, Campbell. Mayor Marc Kaschke presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Kaschke 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

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

1. Approve minutes of work session and regular meeting on March 20, 2012.
2. Approve application by United States Junior Chamber of Commerce dba North Platte Jaycees, Inc. for a Special Designated Permit on April 28, 2012 from 12:00 p.m. to 1:00 a.m. at D&N Event Center, 501 East Walker Road for MMA Fight Night.
3. Accept and place on file North Platte Fire Department annual report for 2011.
4. Accept bids and award contract for Transit Storage Facility State Project #BLD-M5651, Control #61229, FTA Grant #NE-18-X030 and #NE-86-X001 to Sampson Construction Co. Inc. of Kearney, NE in the amount of \$1,616,000 and authorize Mayor to sign contract.

Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #5
AIRPORT
AUTHORITY BONDS

Pederson moved and McGuire seconded the motion to adopt Resolution relative to the Airport Authority's proposal to issue not to exceed \$270,000 of Airport Authority Bonds and commit to continuation of permitted additional levy of up to three and one-half cents per \$100 of taxable valuation. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #6
ORD 3840 ON 3RD
READING

Mayor Kaschke instructed Ordinance No. 3840 amendments to Chapter 156 of North Platte's Code of Ordinances relating to zoning regulations and zoning map to be read by title on its third reading. Pederson moved and McGuire seconded the motion to approve Ordinance No. 3840 as previously amended on its third reading. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #7
TABLE ACTION ON
ORD 3846 UNTIL
DISCUSSIONS ARE
HELD

Mayor Kaschke instructed Ordinance No. 3846 amending Section 94.056 of North Platte's Code of Ordinances to regulate aboveground storage tanks to be read by title on its first reading. Pederson moved and McGuire seconded the motion to approve Ordinance No. 3846 on its first reading.

Patrick Fiedler, President of Fiedler Group Engineering Services, told the Council that his company is installing above-ground natural gas tanks at truck stops every 300 miles along Interstate 80 and the Flying J Travel Center in North Platte is a good location for a natural gas fuel stop. He told the Council he would like to come back and visit with Administration and the Fire Department before the Council takes action on regulating aboveground storage tanks.

Pederson moved and McGuire seconded the motion to withdraw the motion and table action on Ordinance No. 3846 until discussions are held on the matter. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #8
ORD 3844 ON 1ST
READING

Mayor Kaschke instructed Ordinance No. 3844 amending Section 130.027 of the City of North Platte Code of Ordinances to authorize the discharge of fireworks on property owned by the City with the approval of the Mayor and City Council to be read by title on its first reading. Pederson moved and McGuire seconded the motion to approve Ordinance No. 3844 on its first reading. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson,

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

ITEM #9
APPROVE ORD 3845

Pederson moved that the rule requiring Ordinance No. 3845 providing for the issuance and registration of warrants to be read on three different dates be suspended. McGuire seconded the motion. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried. Mayor Kaschke instructed Ordinance No. 3845 to be read one time by title only. Pederson moved and McGuire seconded the motion to approve Ordinance No. 3845. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #10
APPROVE ORD 3843

Pederson moved that the rule requiring Ordinance No. 3843 to create Street Improvement District No. 295 on US Highway 83 from Philip Avenue to First Street in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. McGuire seconded the motion. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried. Mayor Kaschke instructed Ordinance No. 3843 to be read one time by title only. Pederson moved and McGuire seconded the motion to approve Ordinance No. 3843. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #11
LEASE PURCHASE
EQUIPMENT FOR
PUBLIC SERVICE
DEPT.

Pederson moved and McGuire seconded the motion to adopt Resolution authorizing the Mayor to sign lease-purchase documents with First National Bank North Platte for three mowers (one Groundsmaster 4000-D; two John Deere 997 Commercial L.C.), one John Deere hydraulic high dump material collection system, one John Deere 1026 tractor, loader and blade, two John Deere XUV 825i Gators with blades for use by the Public Service Department in the total amount of \$112,847.48. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #12
EXECUTIVE
SESSION

Pederson moved and McGuire seconded the motion to go into Executive Session at 7:48 p.m. for the purpose of discussing litigation regarding mediated Settlement Memorandum to settle claims filed by Commercial Construction, Inc. in connection with the construction of South Buffalo Bill Extension Project. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson,

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

RETURN TO
REGULAR SESSION

Pederson moved and McGuire seconded the motion to come out of Executive Session and return to Regular Session at 8:26 p.m. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

SETTLEMENT WITH
COMMERCIAL
CONSTRUCTION,
INC.

Pederson moved and McGuire seconded the motion to authorize Mayor to execute mediated Settlement Memorandum to settle claims filed by Commercial Construction, Inc. in connection with the construction of South Buffalo Bill Extension Project in the amount of \$445,000. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #13
CLAIMS

McGuire moved and Stoll seconded the motion to approve the Caims. Roll call vote: "AYE": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "NAY": None. "ABSTAIN": Pederson. Motion carried.

ADJOURN

Pederson moved and McGuire seconded the motion to adjourn. Roll call vote: "AYE": Barrett, Stoll, McNea, Pederson, McGuire, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Adjourned at 8:28 p.m.

Angela Gilbert, City Clerk