

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
September 4, 2012; 7:30 p.m.

CALL TO ORDER

Invocation was given by 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, McNea, McGuire, Carman, Steinbeck, Campbell. Pederson was absent. 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

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

1. Approve minutes of August 21, 2012.
2. Approve Mayor's re-appointment of Elyse Bohling to the Library Advisory Board.
3. Approve Mayor's re-appointment of Connie Huebner to the Library Advisory Board.
4. Approve Mayor's re-appointment of Kim Osborn to the Library Advisory Board.

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

ITEM #5  
CONDITIONAL USE  
PERMIT, 805  
HALLIGAN DRIVE

Mayor Kaschke declared a Public hearing on an application by Duanne and Dixie Gaedke for a Conditional Use Permit to allow a caretaker office and owners dwelling (night watchman) to be located on the existing Cody Go Carts recreational site at 805 Halligan Drive on property described as tract 1, Pt. NW ¼ Section 14, Township 13N, Range 30 West of the 6<sup>th</sup> P.M., Lincoln County, Nebraska.

No one appeared.

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

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

ITEM #6  
ORD 3859 FAILED

McGuire moved and Stoll seconded the motion to table action on Ordinance No. 3859 rezoning certain lands from an R-3 Dwelling District to a B-2 Highway Commercial District located at 2401 West 9<sup>th</sup> Street on property described as Lot 1, Wolf's Replat of Lot 5 and a part of Lots "C" and 4, of the Replat of Scout's Rest Addition, North Platte, Lincoln County, Nebraska until the September 18, 2012 Council Meeting. Roll call vote: "AYE": Stoll, McNea, McGuire. "NAY": Barrett, Carman, Steinbeck, Campbell. "ABSENT": Pederson. Motion failed.

Mayor Kaschke declared a Public hearing to adopt Ordinance No. 3859 rezoning certain lands from an R-3 Dwelling District to a B-2 Highway Commercial District located at 2401 West 9<sup>th</sup> Street.

Andrea MacMillan, 2305 West 9<sup>th</sup>, told the Council she lives next door to the property and is against the rezoning as the neighborhood is not well equipped for big trucks and the street is already in bad shape with no sidewalks. She is concerned about the safety of the children in the neighborhood and the property values of the homes.

Rita Hernandez, 2121 West 9<sup>th</sup>, told the Council she lives two blocks east of the property and is against the rezoning for the same reasons as Andrea MacMillan, and also that the property is a historical property. She asked the Council to vote against the rezoning and respect the wishes of the neighborhood.

Mark Grubbs, applicant, urged the Council to approve the Conditional Use Permit, even though the Planning Commission did not. He said the property is zoned as Business Transitional

and he would be willing to put up a six foot fence as stated in the Zoning Regulations. He said there is not very many options for the property if it is not rezoned to a B-2 District.

Gerald Campbell, 2301 West 9<sup>th</sup>, told the Council he is against the rezoning as he feels the truck traffic may be a safety hazard for the children in the neighborhood and the business would disturb the peace of the community.

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

Mayor Kaschke instructed Ordinance No. 3859 to be read by title on its first reading. McGuire moved and Stoll seconded the motion to approve Ordinance No. 3859 on its first reading. Roll call vote: "AYE": None. "NAY": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "ABSENT": Pederson. Motion failed.

ITEM #7  
PUBLIC HEARING  
ON ORDINANCE  
3858 ADOPTING THE  
2012-2013 BUDGET

Mayor Kaschke declared a Public hearing on Ordinance No. 3858 to adopt the budget statement and to appropriate City monies for 2012-2013.

No one appeared.

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

ITEM #8  
PUBLIC HEARING  
ON RESOLUTION  
SETTING PROPERTY  
TAX RATE FOR 2012-  
2013

Mayor Kaschke declared a Public hearing on Resolution setting the property tax rate for fiscal year 2012-2013.

No one appeared.

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

ITEM #9  
ORD 3852 ON 2<sup>ND</sup>  
READING

Mayor Kaschke instructed Ordinance No. 3852 repealing Section 93.05 of the North Platte Code of Ordinances, relating to weapons, explosives and firearms in parks, pathways or other recreation facilities within the city to be read by title on its

second reading. Steinbeck moved and Carman seconded the motion to approve Ordinance No. 3852 on its second reading. Roll call vote: "AYE": Barrett, Stoll, McNea, Carman, Steinbeck, Campbell. "NAY": McGuire. "ABSENT": Pederson. Motion carried.

ITEM #10  
REMOVE "NO  
PARKING" ON WEST  
PHILIP AVENUE

McGuire moved and Stoll seconded the motion to adopt Resolution for removal of "NO PARKING" on both sides of West Philip Avenue from Bare Avenue to Lakeview Boulevard. Roll call vote: "AYE": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Pederson. Motion carried.

ITEM #11  
AGREEMENT FOR  
HIGHWAY 83  
IMPROVEMENTS

McGuire moved and Stoll seconded the motion to adopt Resolution approving Nebraska Department of Roads Project No. NH-83-2(140), Control No. 61449A for improvements to U.S. Highway 83. Roll call vote: "AYE": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Pederson. Motion carried.

ITEM #12  
INTERLOCAL  
AGREEMENT FOR  
PLANNING  
SERVICES

McGuire moved and Stoll seconded the motion to approve Interlocal Agreement with Lincoln County regarding Planning Services. Roll call vote: "AYE": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Pederson. Motion carried.

ITEM #13  
AGREEMENT  
WITH LARM

McGuire moved and Stoll seconded the motion to adopt Resolution approving agreement between the City of North Platte and League Association of Risk Management (LARM). Roll call vote: "AYE": Barrett, Stoll, McNea, McGuire, Carman, Steinbeck, Campbell. "NAY": None. "ABSENT": Pederson. Motion carried.

ITEM #14  
CLAIMS

McGuire moved and Stoll seconded the motion to approve the Claims. Roll call vote: "AYE": Barrett, Stoll, McNea, Carman, Steinbeck, Campbell. "NAY": McGuire. "ABSENT": Pederson. Motion carried.

ADJOURN

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

Adjourned at 8:04 p.m.

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Angela Gilbert, City Clerk