

MINUTES OF THE REGULAR CITY COUNCIL MEETING
May 6, 2014; 7:30 p.m.

CALL TO ORDER

Invocation was given by Tim Adams 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, McNea, 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 Petersen seconded the motion to approve the consent agenda as follows:

1. Approve minutes of April 15, 2014.
2. Send application of Charles P. Anderson as Liquor License Manager at Whiskey Creek Steakhouse located at 311 Halligan Drive to Liquor Control Commission with no recommendation.
3. Approve Mayor's re-appointments of Kim Shapiro and Judy Herbst Brown to the Historic Preservation Commission.
4. Adopt recommendation by the City of North Platte Planning Commission regarding an application by the Development Corporation of North Platte for Twin Rivers Business Park First Replat located on Twin Rivers Road.

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

ITEM #5
CONDITIONAL USE
PERMIT, 2820

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by McJay Partnership and Irrigation Technology, Inc.

SOUTH WILLOW

for a Conditional Use Permit to construct a contractor's office and storage site on property located at 2820 South Willow.

No one appeared.

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

Lee moved and Petersen seconded the motion to approve the Conditional Use Permit to construct a contractor's office and storage site on property located at 2820 South Willow. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #6
CONDITIONAL USE
PERMIT, 1002 EAST
PHILIP

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by Judy Lowe and Jeffrey and Kristal Steinbeck for a Conditional Use Permit to construct an office building for professional counseling services located at 1002 East Philip Avenue.

No one appeared.

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

Lee moved and Petersen seconded the motion to approve the Conditional Use Permit to construct an office building for professional counseling services located at 1002 East Philip Avenue. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #7
REMOVED FROM
THE AGENDA

Mayor Livingston told the Council that the Public hearing on recommendation by the City of North Platte Planning Commission regarding adopting Ordinance No. 3893 an application by North Platte Area Habitat for Humanity and Bernie and Cynthia Smith to rezone certain lands from an R-2 Dwelling District to an I-1 Light Industrial District located on property described as the North 76 Feet of Lot 4, Block 95, Original Town of North Platte, Nebraska and the South 56 Feet

of Lot 4, Block 95, Original Town of North Platte, Nebraska is being removed from the Agenda at the request of the applicant.

ITEM #8
CONDITIONAL USE
PERMIT, 702 NORTH
BAILEY

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission for an application by Troyer Enterprises, Inc. for a Conditional Use Permit to construct a 150' (plus 6' lightning rod) telecommunications tower and related equipment located at 702 North Bailey with variances to front and side yard setbacks.

Trevor Wood, Agent for Selective Site Development, told the Council the tower will bring new wireless service to North Platte. He presented the Council with Exhibit #1, documents that were included in the agenda materials and also presented to the North Platte Planning Commission on April 22, 2014. He said the tower will be unlighted so it should not be obstructive, it will meet FCC safety regulations, and it is highly unlikely that the tower will fall over as it will be built to withstand 90 mph winds. He told the Council that a 6 foot fence will be built around the property, which will comply with the clear vision zone. He also said that no one opposed the project at the Planning Commission meeting.

Kyle Troyer, property owner, told the Council he has not received any objections from the neighbors he has spoken with. He said the 6 foot fence built to screen the property will be an enhancement from the current fence.

Jay Boo, 121 West 8th and 920 North Jeffers, told the Council that a 75 foot tower would be just as efficient and we do not need to obstruct the view of the water tower.

Dan Troyer, property owner, told the Council there are taller structures in the near vicinity of the property.

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

Lee moved and Baker seconded the motion to adopt Resolution "A" approving the Conditional Use Permit to construct a 150' (plus 6' lightning rod) telecommunications tower and related equipment located at 702 North Bailey with variances to front and side yard setbacks and fence height meets the minimum

standards stated in The North Platte Code of Ordinances Section 156-322. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #9
CLAIMS

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

ADJOURN

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

Adjourned at 8:06 p.m.

Angela Gilbert, City Clerk