

MINUTES OF THE REGULAR CITY COUNCIL MEETING
March 4, 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 Steinbeck seconded the motion to approve the consent agenda as follows:

1. Approve minutes of work session and regular meeting on February 18, 2014.
2. Send application of Screaming Beans & Grapes, LLC dba Sip for a Class C Liquor License (Beer, Wine & Distilled Spirits, On & Off Sale) located at 202 South Dewey to the Liquor Control Commission with no recommendation.
3. Approve Mayor's appointment of Patricia Abels to the Library Advisory Board to replace Virginia Entz.
4. Removed from consent.
5. Removed from consent.
6. Receive Certificate of Completion and Assessment Schedule for Paving District No. 829 (West 16th Street from Jeffers Street to Sycamore Street) and accept said improvements.
7. Accept and place on file City of North Platte Audit for fiscal year ended September 30, 2013.

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

ITEM #4
DENY PURCHASE
OF DUMP TRUCK
FOR THE WATER
DEPT.

Lee moved and Barrett seconded the motion to deny the purchase of one (1) 2015 five (5) yard dump truck from Nebraska Truck Center for the Water Department in the amount of \$67,585. Roll call vote: "AYE": Barrett, Baker, Lee, Carman. "NAY": Petersen, McNea, Steinbeck, Campbell. Mayor Livingston voted "AYE" and the motion carried.

ITEM #5
AWARD BID TO NE
TRUCK CENTER FOR
DUMP TRUCK FOR
SEWER DEPT.

Lee moved and Barrett seconded the motion to accept the bid and award the contract to Nebraska Truck Center for one (1) 2015 five (5) yard dump truck for the Sewer Department in the amount of \$66,585. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #8
CONDITIONAL USE
PERMIT, 802 EAST
FRANCIS

Mayor Livingston declared a Public hearing to approve recommendation by the North Platte Planning Commission for a Conditional Use Permit to construct a 100' telecommunications tower facility with related equipment on property located at 802 East Francis Street.

Tony Johnson, Chair of the North Platte Planning Commission, told the Council the Planning Commission approved the Conditional Use Permit with the requirement that a flashing light be placed on top of the tower. He said he believes this requirement should be left up to the FAA and not the Planning Commission.

Tracy Martinez, 1003 West 9th Street, told the Council the tower on 9th Street has a privacy fence around it and it is a nuisance because kids like to climb and play on the fence.

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.

Campbell moved and Petersen seconded the motion to adopt Resolution "A" to approve the Conditional Use Permit, with an amendment to eliminate the requirement that a flashing light be placed on top of the tower. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #9
CONDITIONAL USE
PERMIT, 3783 N.
THOMPSON DRIVE

Mayor Livingston declared a Public hearing to approve recommendation by the North Platte Planning Commission for a Conditional Use Permit to construct a 187' (179' plus 8' antenna) telecommunications tower facility with related equipment on property located at 3783 North Thompson Drive.

No one appeared.

Lee moved and Carman 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 adopt Resolution "A" to approve the Conditional Use Permit. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #10
APPROVE ORD 3889

Mayor Livingston declared a Public hearing to adopt Ordinance No. 3889 to rezone certain lands from an R-4 Dwelling District to an R-3 Dwelling District located on property described as Lots 13-20, Block 1, Shults 2nd Replat to North Platte, Lincoln County, Nebraska.

Matt Thomas with Dana Point Development told the Council the units will be similar to the ones he built on Dixie Avenue. He said there is a good need for housing in North Platte and there is already a waiting list for the proposed units. He asked that the Council waive the three readings and approve the rezoning on first reading due to time constraints with the financing for the project.

Tony Johnson, Chair of North Platte Planning Commission, told the Council that the Planning Commission liked the plan of the units and he believes the neighborhood will be upgraded with an R-3 District because of the types of homes allowed in R-4 Districts.

Dan Mauk, Director of the Chamber and Development Corporation, told the Council there is a great need for housing in the area and he encouraged the Council to approve the rezoning.

Lee 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.

Baker moved that the rule requiring Ordinance No. 3889 to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3889 to be read one time by title only. Lee moved and Baker seconded the motion to approve Ordinance No. 3889. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #11
ORD 3885 ON 2ND
READING

Mayor Livingston instructed Ordinance No. 3885 adopting Section 150.008 to the City of North Platte Municipal Code to regulate all new and used mobile homes being located, relocated, moved and set in the City of North Platte and its extraterritorial jurisdiction to be read by title on its second reading. Lee moved and Carman seconded the motion to approve Ordinance No. 3885 on its second reading.

Patrick Peterson, Owner of Mobile Manor; Douglas Nelson, Manager of River Valley Trailer Park; Dean Dike, Manager of Green Acres Trailer Park; and Elizabeth Buehler, Owner of West Gate Mobile Home Park, told the Council they are against the Ordinance as it will cost the mobile home parks more money because they will have to pay lot rent somewhere while the trailer is being fixed up before it can ever be inspected and moved into their park. They said that just because a home is older, does not mean it is in bad shape. They encouraged the Council to table the Ordinance in order to get more input from owners as they feel they should have been included more in the process.

Martin Huff, Director of Manufactured Housing Association in Lincoln, encouraged the Council to either table or deny the Ordinance as it will run some of the mobile home parks out of business that have been around for a lot of years. He told the Council they need to give the Building Department the authority to get rid of some of the homes that are junk or have been moved into town due to floods.

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

ITEM #12
APPROVE ORD 3890

Lee moved and Baker seconded the motion to approve Ordinance No. 3890 to create Street Improvement District No. 299 in 6th Street from Emory Avenue to Mills Avenue, Hayes Avenue from 5th Street to 6th Street, Emory Avenue from 6th Street to Front Street in the City of North Platte, Lincoln County, Nebraska on its first reading.

Lee withdrew his motion with the approval of Baker.

Lee moved that the rule requiring Ordinance No. 3890 to be read on three different dates be suspended. Baker seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3890 to be read one time by title only. Lee moved and Baker seconded the motion to approve Ordinance No. 3890. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #13
APPROVE ORD 3891

Lee moved that the rule requiring Ordinance No. 3891 to create Street Improvement District No. 300 in Custer Avenue from 6th Street to Front Street in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3891 to be read one time by title only. Lee moved and Petersen seconded the motion to approve Ordinance No. 3891. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #14
APPROVE ORD 3888

Lee moved that the rule requiring Ordinance No. 3888 to create Street Improvement District No. 298 in U.S. Highway 83 from First Street to Sixth Street in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 3888 to be read one time by title only. Lee moved and Baker seconded the motion to

approve Ordinance No. 3888. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #15
ONE & SIX ROAD
PLAN FOR 2013-2019

Lee moved and Campbell seconded the motion to adopt the Resolution approving the One & Six Road Plan for 2013-2019. Roll call vote: "AYE": Barrett, Baker, Petersen, McNea, Lee, Carman, Steinbeck, Campbell. "NAY": None. Motion carried.

ITEM #16
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

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

Adjourned at 9:09 p.m.



Angela Gilbert, City Clerk