

MINUTES OF THE REGULAR CITY COUNCIL MEETING
March 5, 2019; 5:30 p.m.

CALL TO ORDER

Invocation was given by Clint Walker 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 5:30 p.m. in the City Hall Council Chambers at 211 West 3rd Street. Present were Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. 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

Petersen moved and Carman seconded the motion to approve the Consent Agenda as follows:

1. Approve minutes of February 19, 2019.

Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #2
H&A CONTRACTS
BEGINNING 04-01-19

Lee moved and Petersen seconded the motion to authorize Mayor to sign Health and Accident Contracts for the City's Self-Insuring Health and Accident Plan beginning April 1, 2019.

Spencer Thomas, representing NOVO Benefits, told the Council there will be an increase in deductibles and approximately a 15% increase in Health and Accident rates for the City beginning April 1, 2019.

Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #3
APPROVE ORD 4005

Lee moved that the rule requiring Ordinance No. 4005 authorizing the issuance of General Obligation Various Purpose Bonds in the principal amount of not to exceed \$7,750,000 to be

read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Bruce Lefler, Ameritas Investment Corp., answered questions regarding the issuance of the bonds.

Mayor Livingston instructed Ordinance No. 4005 to be read one time by title only. Lee moved and Carman seconded the motion to adopt Ordinance No. 4005. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #4
BLIGHT AND
SUBSTANDARD
STUDY – PACIFIC
STREET STUDY

Mayor Livingston declared a Public hearing on Resolution to approve and adopt a Blight and Substandard Study by the City of North Platte and approval of related actions regarding the Blight and Substandard Study – Pacific Street Study (Study) prepared by Marvin Planning Consultants, LLC.

Keith Marvin of Marvin Planning Consultants, LLC told the Council the Blight Study will not impact property values and is not meant to degrade anybody's homes. He said Blight Studies and the use of TIF are meant to be redevelopment tools and communities all over the state are using them. He stated that we are allowed to blight up to 35% of the city and currently about 21.8% of North Platte is blighted.

Mark Woods, 902 North Emory, told the Council he is all for development but is against the use of TIF, especially for housing. He said developers should have to use their own money to build and not receive tax dollars.

Shane Harlin, 2820 West 4th Street, told the Council property taxes are already high and the neighborhood should not be held accountable for code violations and road maintenance issues. He also asked why twelve year old houses are being included in the study and how the boundaries were set.

Howard Mendonca, 2920 West 4th Street, told the Council houses and apartments do not grow a community, jobs do, and he would like to see big businesses come to town to replace businesses we have lost.

Craig Reid of Perry Reid Properties in Lincoln told the Council his company is in support of the study and with the use of TIF,

they can try to close the gap to make up the cost of building new apartments in the area.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

Lee moved and Carman seconded the motion to adopt the Resolution to approve and adopt the Blight and Substandard Study – Pacific Street Study (Study) prepared by Marvin Planning Consultants, LLC. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Ostendorf. "NAY": Carman, Rieker. Motion carried.

ITEM #5
CONDITIONAL USE
PERMIT, 420 EAST
WALKER ROAD

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission on an application by North Platte Recreational, LLC, owner, and Verizon Wireless Communications, lessee, for a Conditional Use Permit to allow a 98' telecommunication tower and radio equipment site to be located at 420 East Walker Road.

Jeffrey Skinner, representing Verizon Wireless, told the Council there is a need for a tower as it will solve capacity issues in this area. He stated the zoning is favorable, it meets minimum setbacks, the height is low enough to not require lights, there are no residents in the area and there will be a chain link fence surrounding the tower.

Lee moved and Nisley seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Lee moved and Ostendorf seconded the motion to find the request for a Conditional Use Permit to construct a 98' monopole telecommunications tower and site located at 420 East Walker Road meets the minimum standards stated in The North Platte Code of Ordinances Section 156-322 and approve and grant the Conditional Use Permit requested with the condition that all elements of the application are complied with and with the condition that Verizon be required to submit a fall zone letter designated to keep the fall zone at 30' based on the following factual findings: 1) The use does conform to all applicable ordinances, laws and regulations of any governmental jurisdiction. 2) The use does have adequate water, sewer, and drainage facilities. 3) Ingress and egress is so designated as to

minimize traffic congestion in the public streets. 4) The use does in all other aspects conform to the applicable regulations of the district in which it is located. 5) The use is in harmony with the character of the area and the most appropriate use of the land. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #6
CONDITIONAL
USE PERMIT, 4012
RODEO ROAD

Mayor Livingston declared a Public hearing on recommendation by the City of North Platte Planning Commission on an application by Gordon and Susan Crewdson for a Conditional Use Permit to allow an RV Campground, Community Center and Log Sawmill and Shop in an A-1 Transitional Agricultural District located at 4012 Rodeo Road.

Gordon Crewdson, applicant, told the Council he has already started to clean up the property and he believes his request meets the minimum standards stated in The North Platte Code of Ordinances Section 156-322.

Lee moved and Nisley seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Lee moved and Petersen seconded the motion to find the request for a Conditional Use Permit to allow an RV Campground, Community Center and Log Sawmill and Shop located at 4012 Rodeo Road meets the minimum standards stated in The North Platte Code of Ordinances Section 156-322 and approve and grant the Conditional Use Permit requested with the conditions that all elements of the application are complied with based on the following factual findings: 1) The use does conform to all applicable ordinances, laws and regulations of any governmental jurisdiction. 2) The use does have adequate water, sewer, and drainage facilities. 3) Ingress and egress is so designated as to minimize traffic congestion in the public streets. 4) The use does in all other aspects conform to the applicable regulations of the district in which it is located. 5) The use is in harmony with the character of the area and the most appropriate use of the land. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #7
ORD 4004 ON 1ST
READING AND
AMEND MASTER
PLAN

Mayor Livingston declared a Public hearing to adopt Ordinance No. 4004 to rezone certain lands from an R-3 Dwelling District to an R-4 Dwelling District and in separate action to amend the Master Plan for a Mobile Home Park to allow RV's to be parked

and occupied as part of the Mobile Home Park.

Douglas Curley, applicant, told the Council he will only allow RV's to be parked on the 19 existing sites with hook-ups and currently assigned addresses, and they will have a 30 day minimum lot lease. He also said he is willing to pay any fees or taxes the City might require.

Lee moved and Ostendorf seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4004 to be read by title on its first reading. Lee moved and Ostendorf seconded the motion to approve Ordinance No. 4004 on its first reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #8
UPDATES ON
CDBG PROGRAMS

Mayor Livingston declared a Public hearing regarding updates on Community Development Block Grant Programs (CDBG) used to assist the City of North Platte in community development and revitalization programs.

Judy Clark, Planning Administrator, gave an update on four CDBG projects, including rehabilitation in downtown North Platte and owner occupied rehabilitation for low-income home owners in North Platte.

Lee moved and Rieker seconded the motion to close the hearing and no action was taken. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #9
PULLED
FROM THE
AGENDA

Public hearing and action on recommendation by the City of North Platte Planning Commission on an application by Darlene Albrecht for a Conditional Use Permit for a professional office building in an R-3 Dwelling District located at 515 East 8th Street was pulled from the Agenda at the request of the applicant.

ITEM #10
AGREEMENT
FOR HAZARDOUS
MATERIALS
RESPONSE
SERVICES

Lee moved and Carman seconded the motion to approve renewal of Administrative and Operational Agreement for Hazardous Materials Response Services between the State of Nebraska, acting by and through the Nebraska Emergency Management Agency and the North Platte Fire Department. Roll call vote:

"AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #11
LEASE PURCHASE
OF ROTOCHOPPER
WOOD DEBRIS
SYSTEM

Lee moved and Carman seconded the motion to accept Lease Proposal and authorize the Mayor to sign the "Acceptance" document and lease-purchase documents with U.S. Bancorp Government Leasing and Finance, Inc. for a Rotochopper Wood Debris System for use by the Public Service Department in the total amount of \$398,350.00. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #12
CLAIMS

Lee moved and Petersen seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ADJOURN

Lee moved and Petersen seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Adjourned at 7:12 p.m.


Angela Gilbert, City Clerk