

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

CALL TO ORDER

Invocation was given by Chaplain Gary Smith 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

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

1. Approve minutes of work sessions on October 14 and 23, regular meeting on October 15, and special meeting on October 23, 2019.
2. Place on file ML&W reports for September 2019.
3. Place on file Treasurer's report for September 2019.
4. Approve application by United States Junior Chamber of Commerce dba North Platte Jaycees for a Special Designated License on December 7, 2019 from 4:00 p.m. to 9:00 p.m. at D&N Event Center, 501 East Walker Road for the Soup for Paws Fundraiser.
5. Approve application by Aden Enterprises, LLC dba Sutherland Longhorn Bar for a Special Designated License on December 13, 2019 from 5:00 p.m. to 12:00 a.m. and December 14, 2019 from 9:00 a.m. to 12:00 a.m. at D&N Event Center, 501 East Walker Road for the NP Visitor's Bureau ACL Cornhole Tournament.
6. Approve application by Aden Enterprises, LLC dba Sutherland Longhorn Bar for a Special Designated License on January 10, 2020 from 11:00 a.m. to 12:00

a.m. and January 11, 2020 from 8:30 a.m. to 12:00 a.m. at D&N Event Center, 501 East Walker Road for the ACO Major Cornhole Tournament.

7. Accept bids for Sewer Extension District No. 349 and award contract to Midlands Contracting, Inc. of Kearney in the amount of \$369,838.00 and authorize Mayor to sign contract.
8. Accept bid and award contract for one (1) 2021 50-foot Aerial Device mounted on a 33,000 GVWR cab and chassis for the Electric Department to Altec Industries, Inc. in the amount of \$218,821.00.
9. Adopt recommendation by the North Platte Planning Commission for preliminary and final approval of Iron Trail First Subdivision.

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

ITEM #10
ORD 4017 ON 1ST
READING

Mayor Livingston declared a Public hearing to adopt Ordinance No. 4017 for amendments to Sections 150.030, 150.031, 150.032, 150.034, 150.035 and 150.036 of the Municipal Code of the City of North Platte relating to adoption of the updated International Building code.

No one appeared.

Lee moved and Carman 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. 4017 to be read by title on its first reading. Lee moved and Carman seconded the motion to approve Ordinance No. 4017 on its first reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #11
AMEND
COMPREHENSIVE
PLAN 2011 FUTURE
LAND USE MAP, 101
LAKEVIEW BLVD.

Mayor Livingston declared a Public hearing regarding an amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Residential Low Density Single Family to Residential Medium Density Single, Duplex, Multifamily and Commercial located at 101 Lakeview Boulevard and described as Lot 2, Block 1, Municipal Second Subdivision to North Platte, Lincoln County, Nebraska. (Proposed Lots 1-6 Lakeview First Subdivision).

Brian Riley, DP Management in Omaha, told the Council they intend to build 160 one and two bedroom quality units with amenities that appeal to seniors as well as young professionals. He said they are also wanting to put in a commercial building such as a convenience store/gas station in the area.

Josh Howe, 4015 West Redwood Drive, asked the Council to vote against the rezoning in the neighborhood due to health, safety, need and visibility issues.

Fiona Libsack, 3320 Sunset Drive, told the Council she supports the project and would like to see a gas station in that area due to the convenience. She said Great Plains Health employees have a need for housing and should have housing options.

John Cherry, 4007 Redwood Drive, told the Council he does not think R-3 zoning is a good fit for this neighborhood and due to Union Pacific Railroad layoffs, there is not a housing need.

Clarine Eickhoff, 8909 South Buffalo, told the Council DP Management will follow the steps and do the project right. She said we need to consider the zoning for the project and what is the most valuable for this area and the community.

Gary Person, Director of North Platte Chamber/DEVCO, told the Council he has been involved for over five years to get this area of town developed and it has always included mixed development, validated with studies that have been done. He also stated the Chamber/DEVCO is very supportive of this project.

Wayne Busboom, 3911 West Redwood Drive, stated he has no problem with more housing, but he does not want commercial in the area.

Paul Koubek, 4021 Redwood Drive, stated he has no problem with the housing, but he does not want commercial in the neighborhood, especially close to the elementary school and he believes there will be issues with transients coming to the area.

Nancy Faulhaber, Realtor with Coldwell Banker, told the Council there are currently 146 houses on the market, but we also need apartments for people that are moving here for jobs.

Mel McNea, CEO of Great Plains Health, stated he wants hospital employees to find housing and a lot of them want

apartments so he is supportive of the project and the need it will fulfill in North Platte.

Lee moved and Petersen 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 Carman seconded the motion to approve the amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #12
ORD 4018 ON 1ST
READING

Mayor Livingston declared a Public hearing to adopt Ordinance No. 4018 to rezone certain lands from a PR-1 Dwelling District to an R-3 Dwelling District and to a B-1 Neighborhood Commercial District located at 101 Lakeview Boulevard and described as Lot 2, Block 1, Municipal Second Subdivision to North Platte, Lincoln County, Nebraska. (Proposed Lots 1-6 Lakeview First Subdivision).

Brian Riley, DP Management, told the Council that no plans have been made yet, but there will be two \$10 million phases to the project and they would like to stay with the same rezoning request so it will include banks.

Lee moved and Carman 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. 4018 to be read by title on its first reading. Lee moved and Lucas seconded the motion to approve Ordinance No. 4018 on its first reading. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

ITEM #13
APPROVE
LAKEVIEW 1ST
SUBDIVISION

Lee moved and Carman seconded the motion to adopt recommendation by the North Platte Planning Commission for preliminary and final approval of Lakeview 1st Subdivision. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

ITEM #14
REQUEST FOR
EXTENSION OF
CDBG 16-OH-33066
TO SEPTEMBER 15,
2020

Lee moved and Carman seconded the motion to approve request for an extension of CDBG 16-HO-33066 Owner Occupied Rehabilitation Grant Contract to extend the contract end date to September 15, 2020 and authorize submission of the request for extension to the Nebraska Department of Economic Development (NEDED). Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #15
AGREEMENTS FOR
EASEMENTS WITH
EADM, LLC

Lee moved and Carman seconded the motion to authorize Mayor to execute easements across City property to EADM, LLC for access to the hotel being constructed by EADM, LLC and for storm water drainage of EADM, LLC property. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #16
SERVICE
AGREEMENT
WITH NPPD

Lee moved and Carman seconded the motion to authorize Mayor to execute Service Agreement between Nebraska Public Power District and City of North Platte. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #17
USE OF ALCO
PARKING LOT ON
May 8 AND 9, 2020

Lee moved and Carman seconded the motion to approve request for use of Alco parking lot, west of Dewey Street extended for a Poker Run on May 8 and 9, 2020. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #18
APPROVE ORD 4019

Lee moved that the rule requiring Ordinance No. 4019 to create Street Improvement District No. 328 Dewey Street from Fourth Street to Sixth Street, Fifth Street from Jeffers to Dewey Street, Sixth Street from Jeffers Street to Chestnut Street in the City of North Platte, Lincoln County, Nebraska to be read on three different dates be suspended. Backenstose seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4019 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 4019. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #19
YEAR-END STREET

Lee moved and Petersen seconded the motion to adopt the Resolution for signing of the Year-End Certification of City

SUPERINTENDENT
FORM 2019

Street Superintendent Form 2019 and authorize Mayor to sign Year-End Certification of City Street Superintendent. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #20
CLAIMS

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

ADJOURN

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

Adjourned at 6:59 p.m.

Angela Gilbert

Angela Gilbert, City Clerk