

MINUTES OF THE REGULAR CITY COUNCIL MEETING
June 15, 2021; 5:30 p.m.

CALL TO ORDER

Invocation was given by Bob Deardoff 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, Tryon, Lucas, Garrick, Carman, Rieker. Volz and Woods were absent. Mayor Brandon Kelliher presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Kelliher 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 and City Hall; the designated method for giving notice (Certificate of Posting) is attached to these Minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

Nisley moved and Garrick seconded the motion to approve the Consent Agenda as follows:

1. Approve Minutes of June 1, 2021.
2. Approve applications by Pals Brewing Company LLC for Special Designated Licenses on seven consecutive Thursdays from July 1, 2021 to August 12, 2021 from 4:00 p.m. to 10:00 p.m. at Fort Cody Trading Post, 221 Halligan Drive for a Music Series.
3. Send application of Pepperjax Development LLC dba Pepperjax Grill for a Class I Liquor License (Beer, Wine & Distilled Spirits, On Sale Only) located at 1313 South Dewey Street to the Nebraska Liquor Control Commission with no recommendation.
4. Adopt the recommendation by the North Platte Planning Commission for preliminary and final approval of Cody Land First Replat located at 1903 North Sheridan Avenue.
5. Removed from Consent Agenda.

Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #5
AGREEMENT
WITH STATE
OF NEBRASKA-
HISTORY
NEBRASKA

Nisley moved and Lucas seconded the motion to approve and authorize the Mayor's signature regarding an agreement between State of Nebraska-History Nebraska and the City of North Platte to complete historic preservation related activities in the Certified Local Government. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #6
ORDINANCE 4069
ON 1ST READING

Mayor Kelliher declared a Public hearing on recommendation by the North Platte Planning Commission for approval of Ordinance No. 4069 vacating a portion of North Eastman Avenue located between 820 and 902 East 15th Street.

Robert Zeigler, applicant, told the Council since he already maintains the road, he would like to own it as there are no other property owners involved.

Garrick moved and Rieker seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

Mayor Kelliher instructed Ordinance No. 4069 to be read by title on its first reading. Nisley moved and Lucas seconded the motion to approve Ordinance No. 4069 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #7
CONDITIONAL USE
PERMIT, 3191
NORTH STUDLEY
ROAD

Mayor Kelliher declared a Public hearing on recommendation by the North Platte Planning Commission to amend a Conditional Use Permit to allow an addition to a Dance School located at 3191 North Studley Road in an A-1 Transitional Agricultural District.

Philip Hamilton spoke on behalf of the applicant. He told the Council the applicant would like to build an addition to the Dance School so she can put in a trampoline park and rock climbing wall. He also said she is willing to remove the trees along Studley Road and Hall School Road.

Rieker moved and Garrick seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

Lucas moved and Garrick seconded the motion to find the request to amend a Conditional Use Permit to allow an addition to a Dance School located at 3191 North Studley Road in an A-1 Transitional Agricultural District with the condition that the trees along both Studley Road and Hall School Road be removed to ensure clear vision at the intersection 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 based on the following factual findings:

1. The use shall conform to all applicable ordinances, laws and regulations of any governmental jurisdiction.
2. The use shall have adequate water, sewer, and drainage facilities.
3. Ingress and egress shall be so designated as to minimize traffic congestion in the public streets.
4. The use shall in all other respects conform to the applicable regulations of the district in which it is located.
5. The use shall be in harmony with the character of the area and the most appropriate use of the land.

Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #8
CONDITIONAL USE
PERMIT, 1302
SOUTH CHESTNUT
STREET

Mayor Kelliher declared a Public hearing on recommendation by the North Platte Planning Commission to approve a Conditional Use Permit to allow an 80 foot aesthetic pole monopole tower/telecommunication facility for the Viaero Wireless Network located at 1302 South Chestnut Street in a B-2 Highway Commercial District.

Chris Riha, representing Viaero Wireless, told the Council Viaero has purchased the property and intends to demolish the existing structure in order to put in a new retail store at the site as well as the tower.

Lucas moved and Rieker seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

Rieker moved and Nisley seconded the motion to find the request for a Conditional Use Permit to allow an 80 foot aesthetic pole monopole tower/telecommunication facility for the Viaero Wireless Network located at 1302 South Chestnut Street in a B-2

Highway Commercial District 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 :

1. A 6 foot white PVC fence be installed at the base of the tower and around all components associated with the tower. based on the following factual findings:

1. The use shall conform to all applicable ordinances, laws and regulations of any governmental jurisdiction.
2. The use shall have adequate water, sewer, and drainage facilities.
3. Ingress and egress shall be so designated as to minimize traffic congestion in the public streets.
4. The use shall in all other respects conform to the applicable regulations of the district in which it is located.
5. The use shall be in harmony with the character of the area and the most appropriate use of the land.

Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #9
CONDITIONAL USE
PERMIT, 2720
SOUTH WILLOW
STREET

Mayor Kelliher declared a Public hearing on recommendation by the North Platte Planning Commission to approve a Conditional Use Permit to allow a 100 foot monopole tower and associated equipment for the Viaero Wireless Network located at 2720 South Willow Street in a B-2 Highway Commercial District.

No one appeared.

Rieker moved and Garrick seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

Rieker moved and Garrick seconded the motion to find the request for a Conditional Use Permit to allow a 100 foot monopole tower and associated equipment for the Viaero Wireless Network located at 2720 South Willow Street in a B-2 Highway Commercial District 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 :

1. A 6 foot chain link fence be installed at the base of the tower and around all components associated with the tower.

based on the following factual findings:

1. The use shall conform to all applicable ordinances, laws and regulations of any governmental jurisdiction.
2. The use shall have adequate water, sewer, and drainage facilities.
3. Ingress and egress shall be so designated as to minimize traffic congestion in the public streets.
4. The use shall in all other respects conform to the applicable regulations of the district in which it is located.
5. The use shall be in harmony with the character of the area and the most appropriate use of the land.

Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #10
REDEEM ELECTRIC
REVENUE BONDS

Garrick moved and Rieker seconded the motion to adopt the Resolution authorizing the early redemption of the City's outstanding Electric Revenue Refunding Bonds, Series 2010, in the principal amount of \$145,000. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #11
REMOVED FROM
THE AGENDA

Mayor Kelliher removed the approval for a one-time event to discharge fireworks for Platte River Cruise Night on July 10, 2021 at the Front Street Parking lot behind the Alco Building from the Agenda at the request of the Fire Department.

ITEM #12
SALE AND
CONSUMPTION
OF ALCOHOL ON
CITY PROPERTY
FOR PLATTE RIVER
CRUISE NIGHT

Rieker moved and Lucas seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic liquor on East 5th Street and North Bailey Street during Platte River Cruise Night on July 9 and 10, 2021. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

ITEM #13
SPECIAL
DESIGNATED
LICENSES FOR
PLATTE RIVER
CRUISE NIGHT

Rieker moved and Carman seconded the motion to approve application by North Platte Jaycee's for Special Designated Licenses on July 9, 2021 from 6:00 p.m. to 1:00 a.m. and July 10, 2021 from 1:00 p.m. to 1:00 a.m. on East 5th Street between North Dewey and North Bailey Streets during Platte River Cruise Night. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

- ITEM #14
AGREEMENT WITH
HEALTHCHECK360
- Garrick moved and Lucas seconded the motion to authorize the Mayor to execute the agreement between the City of North Platte and HealthCheck360. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.
- ITEM #15
ORDINANCE 4068
ON 3RD READING
- Mayor Kelliher instructed Ordinance No. 4068 to create Water Extension District No. 266 at the intersection of West 9th Street and North Carr Avenue thence south approximately 450 feet to be read by title on its third reading. Garrick moved and Rieker seconded the motion to approve Ordinance No. 4068 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.
- ITEM #16
STOP SIGN AT
BRETWOOD CIRCLE
AND LAKEVIEW
BOULEVARD
- Lucas moved and Rieker seconded the motion to adopt the Resolution for placement of a stop sign at the intersection of Bretwood Circle and Lakeview Boulevard heading eastbound. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.
- ITEM #17
ISSUE WARRANT TO
BEVERIDGE, INC.
- Rieker moved and Garrick seconded the motion to adopt the Resolution approving a claim and authorizing the issuance of a warrant to Beveridge, Inc. in the amount of \$146,294.10 to pay approved claim and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing passed and approved on May 21, 2013. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.
- ITEM #18
DISCUSSION WAS
HELD
- Discussion was held as to whether or not the City Council Meeting location should be changed when an item relating to Sustainable Beef is on the agenda. No action was taken.
- ITEM #19
CLAIMS
- Rieker moved and Carman seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.
- ADJOURN
- Rieker moved and Nisley seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Tryon, Lucas, Garrick, Carman, Rieker. "NAY": None. "ABSENT": Volz, Woods. Motion carried.

Adjourned at 6:44 p.m.

Angela Gilbert

Angela Gilbert, City Clerk