

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
July 5, 2023; 5:30 p.m.

- CALL TO ORDER Invocation was given by Father Johnathan Sorensen and the pledge of allegiance was recited.
- ROLL CALL 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, Volz, Lucas, Garrick, Flanders, Woods. Rieker was absent. Mayor Brandon Kelliher presided and City Clerk Angela Gilbert recorded the proceedings.
- OPEN MEETINGS ACT 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 Volz moved and Nisley seconded the motion to approve the Consent Agenda as follows:
1. Approve the Minutes of June 20, 2023.
  2. Approve the appointment of Jarid Childears to the Board of Adjustment.
  3. Authorize the Police Department to apply for Nebraska Department of Transportation Highway Safety Office grant funded overtime reimbursement to participate in the "Speeding Prevention Enforcement" selective overtime enforcement campaign.
  4. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Carlini First Replat located at 2902 South Willow Street.
  5. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Second Street First Replat located at 1822 and 1902 East 2<sup>nd</sup> Street.
  6. Approve a MicroTIF Project for Burwick Investments, LLC to renovate 2<sup>nd</sup> floor apartments as part of a historic building rehabilitation project located at 400-406 North Dewey Street and 115 East 4<sup>th</sup> Street.
- Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick,

Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #7  
ORDINANCE 4129  
ON 3<sup>RD</sup> READING

Mayor Kelliher instructed Ordinance No. 4129 amending the Official City of North Platte Zoning Map extending the 2-mile extraterritorial jurisdiction located on the southwest side of North Platte along West State Farm Road and South Buffalo Bill Avenue approximately 839 acres to be read by title on its third reading. Garrick moved and Lucas seconded the motion to approve Ordinance No. 4129 on its third reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon. "ABSENT:" Rieker. Motion carried.

ITEM #8  
ORDINANCE 4132  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing on adopt Ordinance No. 4132 vacating a portion of an alley located at 95 Rose Park Drive.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4132 to be read by title on its first reading. Garrick moved and Flanders seconded the motion to approve Ordinance No. 4132 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #9  
ORDINANCE 4134  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4134 annexing Lots 1, 2, 3 and 4, Block 6, Lincoln Highway 8th Addition North Platte, Lincoln County, Nebraska (Proposed Cochran First Replat) consisting of approximately 10.35 acres located at 2321 West 18<sup>th</sup> Street into the corporate limits of the City of North Platte.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4134 to be read by title on its first reading. Lucas moved and Volz seconded the motion

to approve Ordinance No. 4134 on its first reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": Tryon. Motion carried.

ITEM #10  
COCHRAN 1<sup>ST</sup>  
REPLAT, 2321 WEST  
18<sup>TH</sup>

Garrick moved and Volz seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of Cochran First Replat located at 2321 West 18th Street in an R-1 Dwelling District on property described as Lots 1, 2, 3, and 4, Block 6, Lincoln Highway 8th Addition, North Platte, Lincoln County, Nebraska. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #11  
ORDINANCE 4135  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing to adopt Ordinance No. 4135 annexing County Clerks Subdivision Part of the S ½ of Section 4-13-30 and Accretions to Lot G (Proposed GPH Sports Medicine Replat) consisting of approximately .4946 acres into the corporate limits of the City of North Platte.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4135 to be read by title on its first reading. Lucas moved and Nisley seconded the motion to approve Ordinance No. 4135 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #12  
ORDINANCE 4133  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4133 to vacate all utility easements on property located at 1502 South Jeffers Street all part of proposed GPH Sports Medicine Replat.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4133 to be read by title on its first reading. Nisley moved and Lucas seconded the

motion to approve Ordinance No. 4133 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #13  
APPROVE  
ORDINANCE 4131

Mayor Kelliher declared a Public hearing on Ordinance No. 4131 to rezone certain lands from a B-2 Highway Commercial District to a PB-2 Planned Highway Commercial District located at 1502 South Jeffers Street. (Proposed GPH Sports Medicine Replat).

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4131 to be read by title on its first reading. Garrick moved and Nisley seconded the motion to approve Ordinance No. 4131 on its first reading.

Lucas moved and Nisley seconded the motion to amend the motion to waive the three readings of Ordinance No. 4131. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

Roll call vote on the main motion as amended: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #14  
GPH SPORTS  
MEDICINE REPLAT,  
1502 S. JEFFERS

Lucas moved and Garrick seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of GPH Sports Medicine Replat located at 1502 South Jeffers Street. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #15  
BLIGHT &  
SUBSTANDARD  
STUDY-DEACON'S  
POINT

Mayor Kelliher declared a Public hearing to adopt the Resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Deacon's Point Redevelopment Area (the area includes an estimated 260 acres generally located along and west of South Newberry Access north of Golden Road) as prepared by Hanna:Keelan Associates, P.C., and approval of related actions.

Gary Person, President of North Platte Chamber/ DEVCO, told

the Council this type of designation is very much needed to open the door for development as it is a challenge to find housing in the community.

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

Garrick moved and Volz seconded the motion to adopt the Resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Deacon’s Point Redevelopment Area (the area includes an estimated 260 acres generally located along and west of South Newberry Access north of Golden Road) as prepared by Hanna:Keelan Associates, P.C., and approval of related actions. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Woods. "ABSENT:" Rieker. Motion carried.

ITEM #16  
VILLAGE PARK  
FLATS RED. PLAN,  
3805 WEST A

Mayor Kelliher declared a Public hearing to adopt the Resolution and approval of Village Park Flats Redevelopment Plan on property located at 3805 West A Street and approval of related actions.

Byron Riddle, Blue Sky Development, LLC, gave a presentation on the mix of buildings they plan to offer; three apartment buildings with 32 apartments per building, 42 townhomes, 48 single family detached homes, and 114 units in triplex configuration.

Gary Person, President of North Platte Chamber/DEVCO, told the Council there is finally someone that wants to develop the land and they are a quality housing development team. He stated the land has sat there for years and it has been an ongoing effort since 2015 to attract a willing developer. He highly encouraged the Council to vote for the project.

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

Flanders moved and Garrick seconded the motion to adopt the Resolution and approval of Village Park Flats Redevelopment Plan on property located at 3805 West A Street and approval of related actions. Roll call vote: "AYE": Nisley, Tryon, Volz,

Garrick, Flanders. "NAY": Woods. "ABSTAIN": Lucas.  
"ABSENT:" Rieker. Motion carried.

ITEM #17  
ORDINANCE 4130  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing to adopt Ordinance No. 4130 to rezone certain lands from a PR-1 Dwelling District to a PR-3 Dwelling District on property described as Block 3, Lakeview First Subdivision, North Platte, Lincoln County, Nebraska located at 3805 West A Street. (Proposed Village Park Flats First Subdivision)

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4130 to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4130 on its first reading.

Garrick moved and Flanders seconded the motion to amend the motion to waive the three readings of Ordinance No. 4130. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None. "ABSTAIN": Lucas. "ABSENT:" Rieker. Motion carried.

Roll call vote on the main motion as amended: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None.  
"ABSTAIN": Lucas. "ABSENT:" Rieker. Motion carried.

ITEM #18  
VILLAGE PARK  
FLATS FIRST  
SUBDIVISION, 3805  
WEST A STREET

Garrick moved and Volz seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of Village Park Flats First Subdivision located at 3805 West A Street. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None. "ABSTAIN": Lucas. "ABSENT:" Rieker. Motion carried.

CLOSED SESSION

Lucas moved and Garrick seconded the motion to go into Closed Session at 6:45 p.m. for the purpose of contract discussions. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

Mayor Kelliher restated the purpose of the Closed Session to discuss contracts.

RETURN TO  
REGULAR SESSION

Volz moved and Garrick seconded the motion to come out of Closed Session and return to Regular Session at 7:00 p.m. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT:" Rieker. Motion carried.

ITEM #19  
CLAIMS

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

ADJOURN

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

Adjourned at 7:01 p.m.



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Angela Gilbert, City Clerk