

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

- CALL TO ORDER Invocation was given by Daniel Ramsey 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, Rieker, Woods. 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 Rieker moved and Nisley seconded the motion to approve the Consent Agenda as follows:
1. Approve the Minutes of August 15 and 17, 2023.
 2. Place on file Treasurer's report for July 2023.
 3. Approve the application by La Casa Del Rios LLC for a Special Designated License on September 8 and 9, 2023 from 6:00 p.m. to 11:00 p.m. at the American Legion, 2020 East 4th Street for a Class Reunion.
 4. Approve the application by Fraternal Order of Eagles #2839 for a Special Designated License on October 7, 2023 from 4:00 p.m. to 12:00 a.m. at D & N Event Center, 501 East Walker Road for the Pheasants Forever Fundraiser.
 5. Authorize the Mayor to execute the purchase agreement with Bill Summer's Ford in the amount of \$91,286.68 for two new service department trucks for the Water Department.
- Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.
- ITEM #6
SALE AND
CONSUMPTION Garrick moved and Flanders seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic

OF ALCOHOL FOR
PRAIRIE ARTS
CENTER ON 09-07-23

liquor on property owned by the City of North Platte during the Creativity Unlimited Arts Council dba Prairie Arts Center Fundraiser on September 7, 2023. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #7
SPECIAL
DESIGNATED
LICENSE FOR
PRAIRIE ARTS
CENTER ON 09-07-23

Garrick moved and Lucas seconded the motion to approve the application by Creativity Unlimited Arts Council dba Prairie Arts Center for a Special Designated License on September 7, 2023 from 5:00 p.m. to 11:00 p.m. in the City owned parking lot west of the Prairie Arts Center, 416 North Jeffers Street for a Fundraiser. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #8
SALE AND
CONSUMPTION
OF ALCOHOL FOR
PRAIRIE ARTS
CENTER ON 09-23-23

Flanders moved and Garrick seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic liquor on property owned by the City of North Platte during the Creativity Unlimited Arts Council dba Prairie Arts Center Husker Football Tailgate on September 23, 2023. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #9
SPECIAL
DESIGNATED
LICENSE FOR
PRAIRIE ARTS
CENTER ON 09-23-23

Garrick moved and Volz seconded the motion to approve the application by Creativity Unlimited Arts Council dba Prairie Arts Center for a Special Designated License on September 23, 2023 from 8:00 a.m. to 11:00 p.m. in the City owned parking lot west of the Prairie Arts Center, 416 North Jeffers Street for a Husker Football Tailgate. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #10
PULLED FROM THE
AGENDA

Mayor Kelliher pulled third reading on Ordinance No. 4137 to Add Chapter 119 "Games of Skill" to Title XI "Business Regulations" to the Code of the City of North Platte, relating to Games of Skill from the Agenda until the next Council meeting so the wording in the Ordinance could be worked on.

ITEM #11
PULLED FROM THE
AGENDA

Mayor Kelliher pulled Ordinance No. 4148 to amend § 110.01 of the Code of the City of North Platte, relating to occupation taxes from the Agenda until the next Council meeting so the wording in the Ordinance could be worked on.

ITEM #12
REVOKE
CONDITIONAL
USE PERMIT, 2000

Rieker moved and Garrick seconded the motion to revoke the Conditional Use Permit approved on September 3, 2019 due to non-compliance of approved permit application provisions on

WEST EUGENE AVE.

property located at 2000 West Eugene Avenue. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #13
AMENDMENT TO
FUTURE LAND USE
MAP AT 2118, 2208,
2210 AND 2212
ANNA AVE. FAILED

Mayor Kelliher declared a Public hearing to adopt the recommendation by the North Platte Planning Commission for an amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map amending certain lands from Public/Quasi-Public to Commercial on property located at 2118, 2208, 2210 and 2212 Anna Avenue.

Scott and Melinda Standage, applicants, told the Council it will be a small, family-oriented business and it would be a shame for this beautiful church to set empty or be demolished; by using it as a reception hall, it would put the building back on the tax rolls. They stated the building has a 118-person capacity, will be monitored by cameras, and have hours from 8:00 a.m. to 11:00 p.m., including setting up and cleaning. They also explained that they have no intentions of removing the barricades in the alley as they do not want people to be able to pull through their property to the alley.

Gary Waggoner, 3902 Sugarberry Court, told the Council he knows the applicants and he does not think the noise or parking will be an issue.

Kenneth Kemp, 2021 Anna Avenue, told the Council he has no problem with a reception hall, as long as was in a commercial zone.

Randy Pugsley, 2117 Anna Avenue, stated that the neighborhood needs to be kept residential and it does not need a commercial business.

Eric and Ruth Meekum, 2113 Anna Avenue, told the Council they have concerns regarding parking, traffic, and noise. They said they do not feel the venue fits the neighborhood and asked what will happen to the future of the site after it is changed.

Buster & Lorraine Haines, 2007 Anna Avenue, told the Council the street is already unsafe as there is a tremendous amount of traffic and constant speeding.

Jesse Martinez, 2308 Anna Avenue, spoke against the project as there will be twice as much traffic and the gas meter are in the alley, which could pose a safety concern.

Wes Meyer, 2016 Anna Avenue, told the Council it is a nice, quiet neighborhood and he is concerned with the increase in traffic and alcohol that people will provide by themselves.

Vaughn Fahrenbruck, 2307 West D Street, told the Council we do need more venues in the community but with his church also being in the neighborhood he has concerns about over-flow parking, litter and alcohol.

Julie Kinniman, 2230 Anna Avenue, stated she cannot support this location and she does not want more traffic and garbage in the neighborhood. She asked if this is the correct location or if there are other ways to use the building.

Dick Hasenauer, 2112 Anna Avenue, stated that parking will be a problem and the street will be too crowded.

Jeff Falcon, 2215 Anna Avenue, told the Council he totally supports this and hopes the Council will approve it as we need more venues in the area.

RECESS PUBLIC
HEARING UNTIL
AFTER THE BUDGET
PUBLIC HEARING

Lucas moved and Garrick seconded the motion to recess the Public hearing at 6:26 p.m. until after the Budget Public hearing at 6:30 p.m. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

RECONVENE THE
MEETING AND
PUBLIC HEARING

Lucas moved and Garrick seconded the motion to reconvene the meeting and Public hearing at 6:42 p.m. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

Bill Thrash, 2104 Anna Avenue, spoke his concerns about increased speeding, traffic, alcohol, and noise.

Kim Christiansen, 2116 Anna Avenue, told the Council she does not think this is the right place for the venue and it will be unsafe for children in the neighborhood. She stated that nobody even knew the church was for sale and the building will go waste.

Lisa Barkley, 1905 Cedarberry Road, told the Council she supports the applicants and the need for a nice facility.

Bailey Mason, 1501 West 1st, told the Council she supports the venue.

Gary Person, President of North Platte Chamber/DEVCO, told the Council the congregation could buy the church and do the same type of venue but this way it will be on the tax rolls.

Cindy Huntsman, 609 East 5th Street, told the Council this venue is a good idea, and she supports it and the applicants. She also lives by some venues and she does not notice an increase of traffic in her neighborhood.

Ken Hosmer, 2302 Anna Avenue, told the Council the building is totally surrounded by residents, the parking lot is dirt and gravel and there is not as many parking spots as stated.

Craig Smith, 1409 West D Street, offered his support and stated we need other venue like this in town.

Keltin Peterson told the Council he used to live on Anna Avenue, and he is in favor as we need more places like this. He stated that traffic is going to increase everywhere in town.

Bob Lindemeier, 219 North Bryan Avenue, stated that he performs weddings, and he supports this as there is a need for more small venues in the community.

Paul Oettinger, 804 Cedarberry Road, stated that he supports this idea because most events happen during the day, and it is a really nice spot for a family gathering.

Bill Reeves, 2710 Anna Avenue, told the Council if they rezone the lot, they will lose control over it.

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

Volz moved and Lucas seconded the motion to approve the amendment to the Future Land Use Map. Roll call vote: "AYE": None. "NAY": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. Motion failed.

ITEM #14
ORDINANCE 4142
NOT ACTED ON

Mayor Kelliher explained that Ordinance No. 4142 to rezone certain land from an R-2 Dwelling District to a PB-1 Planned Neighborhood Commercial Services District located at 2118, 2208, 2210 and 2212 Anna Avenue could not be acted on because the amendment to the Future Land Use Map did not

pass.

ITEM #15
CLAIMS

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

ADJOURN

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

Adjourned at 7:31 p.m.

Angela Gilbert

Angela Gilbert, City Clerk