

MINUTES OF THE REGULAR CITY COUNCIL MEETING

January 2, 2024; 5:30 p.m.

CALL TO ORDER Invocation was given by Councilman Rieker 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 Renee White, Deputy City Clerk 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 December 19, 2023.
2. Place on file Treasurer's reports for October 2023.
3. Approve application by North Platte Area Habitat for Humanity for a Special Designated Liquor License, for a Community Social on January 19, 2024, from 5:00 p.m. to 7:00 p.m. at 1105 South Dewey Street, North Platte, Nebraska.
4. Approve the application by Las Mananitas for a Special Designated Liquor License, for a Fundraiser (Spanish Dance), on January 20, 2024, from 9:00 p.m. to 1:00 a.m. at 408 North Dewey Street, North Platte, Nebraska.
5. Authorize Chief Thompson to make application for "SAFER" funds through the Assistance to Firefighters Grant (AFG) Funding Program and commit to required matching funds if application is successful.
6. Micro TIF application removed from Agenda.
7. Subdivision removed from Consent Agenda to Regular Agenda.
8. Appoint Brent R. Burklund of T.C. Engineering as City Street Superintendent from January 1, 2024, through December 31, 2024.

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

ITEM #7  
SUBDIVISION  
2321 W. 18<sup>TH</sup> ST.

Rieker moved and Garrick seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of NP Subdivision and approval of a variance to Section 155.093(D) depth of lot.

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

ITEM #9  
ELECT COUNCIL  
PRESIDENT

Volz moved and Garrick seconded the motion to nominate Jim Nisley as Council President for 2024. Roll call vote: "AYE": Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSTAIN": Nisley. Motion carried.

ITEM #10  
SHADE  
STRUCTURE  
BILL WOOD  
FIELD

Volz moved and Flanders seconded the motion to authorize the Mayor to sign all necessary documents for Commercial Recreation Specialist to install a Shade Systems shade structure at Bill Wood Field and to use ARPA funds in the amount of \$107,472.20 for its purchase. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #11  
ORDINANCE NO.  
4156 ON 1<sup>ST</sup>  
READING

Mayor Kelliher instructed Ordinance No. 4156 to create Sanitary Sewer Connection District No. 22 a 15" P.V.C. sanitary sewer beginning on Echo Drive approximately 1300 feet south of Walker Road to be read by its title on its first reading. Rieker moved and Garrick seconded the motion to adopt Ordinance No. 4156 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #12  
CONDITIONAL  
USE HEIGHT OF  
TOWER

Mayor Kelliher declared a Public Hearing on an application by Tri-State Broadcasting Association, Inc. to allow the extension of an existing radio communication tower from 70' to 110' located at 201 South Bailey Avenue. No comments heard.

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.

Garrick moved and Rieker seconded the motion that we find the request for a conditional use permit to allow extension of an existing radio communication tower from 70' to 110' located at 201 South Bailey Avenue meets the minimum standards stated in the North Platte Code of Ordinances Section 156.322 and approve and grant 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, Volz, Lucas, Garrick, Flanders, Rieker, Woods. "NAY": None. Motion carried.

ITEM #13  
ORDINANCE NO.  
4157 ON 1<sup>ST</sup>  
READING

Mayor Kelliher declared a Public Hearing on the proposed annexation into the corporate limits of the City of North Platte, Parcel ID # 0053645.00, 0053635.00 and 0053585.10 described as Part of the E ½ W ¼ & Part of the W ½ W ¼ Section 2, Township 13 N, Range 30 West of the 6th P.M., Lincoln County, Nebraska and Part of Lot 3 & Lot 4 North of Suburban Irrigation Ditch and Part of Accretions of Lot 3 & Lot 4 Section 11, Township 13 N, Range 30 West of the 6th P.M., Lincoln County, Nebraska consisting of approximately 209 acres.

Gary Person, President North Platte Chamber and Develop Corporation, 502 S. Dewey, stated that he has been working with a local development and investment team. This and the next item would help close a donut hole in the middle of our community which is a good development practice. This would be a historic and significant move for our community to move forward. Development would be a game changer and really set the stage for our community for years to come. Highly encourage the adoption of both annexation plans.

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

Rieker moved and Lucas seconded the motion to adopt Ordinance No. 4157 annexing Parcel ID # 0053645.00, 0053635.00 and 0053585.10 described as Part of the E ½ W ¼ & Part of the W ½ W ¼ Section 2, Township 13 N, Range 30 West of the 6th P.M., Lincoln County, Nebraska and Part of Lot 3 & Lot 4 north of Suburban Irrigation Ditch and Part of Accretions of Lot 3 & Lot 4 Section 11, Township 13 N, Range 30 West of the 6th P.M., Lincoln County, Nebraska consisting of approximately 209 acres on first reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Tryon, Woods. Motion carried.

ITEM #14  
ORDINANCE NO.  
4158 ON 1<sup>ST</sup>  
READING

Mayor Kelliher declared a Public Hearing on the proposed annexation into the corporate limits of the City of North Platte, Parcel ID #0055485.00 and 0053596.00 described as North Platte Farms Subdivision Part of Tract A S ½ of Lot 3 & N ½ of Section 10, Township 13 N, Range 30 West of the 6th P.M, Lincoln County, Nebraska and a Tract of land in Part of the SE ¼ of Section 4, Township 13 N, Range 30 W of the 6th P.M., Lincoln County, Nebraska into the corporate limits of the City of North Platte consisting of approximately 41.86 acres. No comments heard.

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

Lucas moved and Volz seconded the motion to adopt Ordinance No. 4158 annexing Parcel ID #0055485.00 and 0053596.00 described as North Platte Farms Subdivision Part of Tract A S ½ of Lot 3 & N ½ of Section 10, Township 13 N, Range 30 West of the 6th P.M, Lincoln County, Nebraska

and a Tract of land in Part of the SE ¼ of Section 4, Township 13 N, Range 30 W of the 6th P.M., Lincoln County, Nebraska into the corporate limits of the City of North Platte consisting of approximately 41.86 acres on first reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Rieker. "NAY": Tryon, Woods. Motion carried.

ITEM #15  
SOUTHEASTERN  
BLIGHT AND  
SUBSTANDARD  
ANALYSIS

Mayor Kelliher declared a Public Hearing on a resolution regarding the City of North Platte, Nebraska Southeastern Analysis Area Update Blight and Substandard Study as prepared by Marvin Planning Consultants, Inc., to its conformity with the City of North Platte Comprehensive Plan 2011 whether the real estate described should be declared substandard and blighted for the development of the City of North Platte pursuant to Nebraska Community Development Law. The study includes an estimated 743.55 acres located generally from South Tabor Avenue east to Newberry Access Road and from East E Street south to the South Platte River.

Gary Person, President North Platte Chamber and Develop Corporation, 502 S. Dewey, stated that builders and investors know that they need to be part of the communities housing solution. Gary shared and discussed a handout with council members of some research on why tax increment financing and community growth coincide.

Eric Seacrest, 109 S. Maloney Drive, stated that decent affordable housing and good roads where they are needed are essential. Workforce housing is needed and won't happen without some assistance in this community.

Volz 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.

Garrick moved and Flanders seconded the motion to adopt resolution as presented in council materials regarding the City of North Platte, Nebraska Southeastern Analysis Area Update Blight and Substandard Study as prepared by Marvin Planning Consultants, Inc., and approval of related actions. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #16  
EXTREMELY  
BLIGHTED  
DETERMINATIO  
N STUDY

Mayor Kelliher declared a Public Hearing on a resolution regarding the Extremely Blighted Determination Study for North Platte, Nebraska as prepared by Information Art and determine whether the real estate described should be extremely blighted for development of the City of North Platte pursuant to Nebraska Community Development Law. The study includes an estimated 743.55 acres located generally from South Tabor Avenue east to Newberry Access Road from East E Street south to the South Platte River.

Steven Budke, 920 Dillon Circle, stated that having local investors interested is an absolute game changer for our community and is why I ask you to fulfill the vision that you have started. This will elevate our community in ways that you cannot even see.

Volz moved and Garrick 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 Garrick seconded the motion to adopt resolution as presented in council materials regarding the Extremely Blighted Determination Study for North Platte, Nebraska as prepared by Information Art and approval of related actions. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. Motion carried.

ITEM #17  
CLAIMS

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

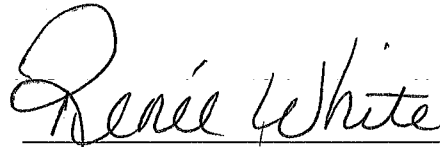
PUBLIC AGENDA  
REQUEST

Tracy Martinez, 1003 West 9<sup>th</sup> Street, requested City Council consider extending 8<sup>th</sup> Street from Curtis to Adams.

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 7:10 p.m.



Renee White, Deputy City Clerk