

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
June 4, 2024; 5:30 p.m.

- CALL TO ORDER Invocation was given by Chaplain Don Anderson 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, Garrick, Flanders, Rieker, Woods. Lucas 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 Rieker moved and Nisley seconded the motion to approve the Consent Agenda as follows:
1.
    - A. Approve the Minutes of May 21, 2024.
    - B. Place on file Treasurer's Report for April 2024.
    - C. Approve the application by Fraternal Order of Eagles #2839 for a Special Designated License on September 6, 2024 from 1:00 p.m. to 1:00 a.m. at 620 North Chestnut for the Cody Cruisers supper and registration.
    - D. To authorize the Mayor to execute the High Intensity Drug Trafficking Area (HIDTA) Initiative—Cooperative Operation for Drug Enforcement (CODE) Grant, required certified assurances and other application documents.
    - E. Approve application by Brick Street Cork and Cap for a Special Designated License on June 28, 2024 from 3:00 p.m. to 11:30 p.m. at Jerry Remus Chevrolet at 3801 South Jeffers Street for Business after Hours.
- Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #2  
FUEL AGREEMENT  
WITH LINCOLN  
COUNTY

Rieker moved and Nisley seconded the motion to approve the renewal of the Interlocal Fuel Agreement between Lincoln County and the City of North Platte for services of providing fuel to the Lincoln County Roads Department and authorize the Mayor to sign all documents for the City. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #3  
REMOVED FROM  
THE AGENDA

Mayor Kelliher removed the lease proposal regarding lease purchase financing with U.S. Bancorp Government Leasing and Finance, Inc. for two (2) Freightliner M2-106 chassis with 20-yard Labrie Expert (side-arm garbage trucks) for use by the Sanitation Department in the total amount of \$683,718 from the Agenda as more information is needed on the item.

ITEM #4  
APPROVE  
ORDINANCE 4168

Mayor Kelliher instructed Ordinance No. 4168 to Amend Title IX, Chapter 90, Section 90.03 of the Code of the City of North Platte, relating to the Enforcement of Animal Control Ordinances to be read by title on its first reading. Rieker moved and Garrick seconded the motion to approve Ordinance No. 4168 on its first reading.

Volz moved and Garrick seconded the motion to amend the motion to waive the three readings of Ordinance No. 4168. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

Roll call vote to approve Ordinance No. 4168: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #5  
CADENA REPLAT,  
2803 WEST 6<sup>TH</sup>

Garrick moved and Flanders seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of Cadena Replat located at 2803 West 6<sup>th</sup> Street and approval of a variance to Section 155.093(D) to allow the depth of the lot to exceed (3) three times the width. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #6  
CANTEEN  
COMMONS  
APARTMENTS

Mayor Kelliher declared a Public hearing to adopt the Resolution regarding the Redevelopment Plan for the Canteen Commons Apartments Redevelopment Project and approval of related actions.

CRA Attorney Mike Bacon told the Council that it is a 20-year Work Force Housing project with 28 apartment units for a total estimated cost of \$5,090,000. He said the project is in a truly needed area, but it would not be economically feasible to acquire and develop it without TIF as it needs substantial electrical work and paving done.

Blu McGrath, 731 East Sierra Drive, stated it is an optimal place for new housing, but he sees it as a mixed-use transition with residential and retail and he believes townhomes, condos, or single-family homes would fit our community better instead of apartments.

Eric Seacrest, 109 South Maloney Drive, told the Council this property near downtown has been undeveloped for decades and this is the first redevelopment project being brought to us. He stated if it is not approved, nothing will happen because it is not feasible without TIF.

Charlie Burwick, applicant and developer, stated he wants to grow North Platte and make it a better place to live, and he believes these pet friendly apartments that are close to downtown will help the community. He said he is open to options as the two houses currently on the property will be left for future development.

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

Garrick moved and Volz seconded the motion to adopt the Resolution regarding the Redevelopment Plan for the Canteen Commons Apartments Redevelopment Project and approval of related actions regarding the Redevelopment Plan and approval of related actions. Roll call vote: "AYE": Nisley, Volz, Garrick, Flanders. "NAY": Tryon, Rieker, Woods. "ABSENT": Lucas. Mayor Kelliher voted "AYE" and the motion carried.

ITEM #7  
TABLED UNTIL  
NEXT CITY  
COUNCIL MEETING

Mayor Kelliher declared a Public hearing to adopt the recommendation by the North Platte Planning Commission for an amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain land Residential Low Density Single Family to Commercial located on South Buffalo Bill Avenue north of West State Farm Road.

Ken Kaskie, representing the subdivision adjacent to the property, told the Council he has a list of neighbors in opposition to the project due to more noise and traffic and the impact it will have on the nearby property values. He said the property is outside city limits so there are no taxes or benefits to the City. He stated he has requested an Economic and Social Impact Study be done in the area and he believes there are places inside city limits that would be better suited for the business.

Bev Gottula, 4620 Valley Drive, told the Council her property abuts the field, and she does not want her beautiful scenery to change. She asked the Council to consider the impact this will have on the nearby property owners.

Mark Oettinger, applicant, stated the project is for one business and not a business park. He said it will bring job growth and people can get local service and not have to drive out of town. He explained there should be minimal noise to the neighborhood as the showroom and service area will be inside the building and he plans to put up a fence on the East side of the property.

Gary Person, President of North Platte Chamber/DEVCO, told the Council this property is in a high visible area on the way to Lake Maloney, the owners are proven good businesspeople that are involved in the community, and it would be a nice commercial business for North Platte.

Sarah Pearson, 4701 Valley Drive, stated she does not want more noise in the area.

Calvin Songster, 4601 Valley Drive, told the Council he submitted a letter to them explaining the reasons he is opposed to the rezoning.

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

Nisley moved and Flanders seconded the motion to table the amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map until the next City Council Meeting. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": Rieker. "ABSENT": Lucas. Motion carried.

ITEM #8  
REMOVED FROM  
THE AGENDA

Mayor Kelliher removed action on Ordinance No. 4165 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Commercial District located on South Buffalo Bill Avenue north of West State Farm Road from the Agenda until the amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map is approved.

ITEM #9  
CONDITIONAL USE  
PERMIT, 1911 N.  
BUFFALO BILL AVE.

Mayor Kelliher declared a Public hearing to approve an application by Lonestar Cowboy Church of North Platte for a Conditional Use Permit to allow a church and accessory structures to be located at 1911 North Buffalo Bill Avenue.

John Sexson, applicant, told the Council he is planning to use the property for worship services, family and children's events, camper hook ups and horse boarding for people traveling to the area.

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

Garrick moved and Volz seconded the motion to find the request for a Conditional Use Permit to allow a church and accessory structures on property located at 1911 North Buffalo Bill 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, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #10  
ORDINANCE 4167  
ON 1<sup>ST</sup> READING

Mayor Kelliher declared a Public hearing to consider action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4167 to rezone certain lands from an R-M

Mobile Home District to an R-3 Dwelling District located at 2401 East 2<sup>nd</sup> Street.

Brian Cabrera, owner of the property, explained to the Council that he is selling 1.36 acres to allow someone to build a single-family home, duplex or apartment on the property.

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

Mayor Kelliher instructed Ordinance No. 4167 to be read by title on its first reading. Flanders moved and Rieker seconded the motion to adopt Ordinance No. 4167 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Rieker, Woods. "NAY": None. "ABSENT": Lucas. Motion carried.

ITEM #11  
REMOVED FROM  
THE AGENDA

Mayor Kelliher removed preliminary and final approval of Platteview Fourth Replat located at 2401 East 2<sup>nd</sup> Street from the Agenda until Ordinance No. 4167 is passed.


ITEM #12  
CLAIMS

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

ADJOURN

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

Adjourned at 7:04 p.m.

  
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Angela Gilbert, City Clerk