

August 2, 2023

Nebraska Accountability and Disclosure Commission

nadc@nebraska.gov

RE: Ty Lucas, North Platte City Council

Dear NADC,

I am a member of the North Platte City Council. I continue to have a business affiliation with NebraskaLand Bank. I am a salaried employee, am on the Board of Directors, and remain as a minority shareholder with a stock value that exceeds \$10,000.

At the City Council Meeting of North Platte on May 2, 2023, I voted in favor of item 19 regarding the phase 2 of Victory Village apartment complex's request for an amended redevelopment plan. (agenda, meeting materials, and minutes attached)

This is an explanation of the timeline of events that have occurred followed by a request for your opinion regarding the potential for a conflict of interest:

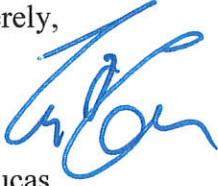
- On February 22, 2023, Brian Reilly of DP Management, LLC contacted NebraskaLand Bank to seek a financing proposal for Phase 2 of Victory Village on Lakeview, which is a phase 2 expansion of a local apartment complex. They sought construction and then term financing for 120 additional units.
- On March 6, 2023, NebraskaLand Bank issued a letter of intent proposal to Victory Village at Lakeview Apartment for Construction and Term financing of the phase 2 apartment project. The applicant did not request TIF bond financing from NebraskaLand Bank.
- NebraskaLand Bank was notified prior to the April 28, 2023 City Council meeting that Victory Village at Lakeview was making application to the City of North Platte for an expansion of prior approved Redevelopment plan that included Tax Increment Financing Assistance to complete phase 2.
- On April 27, 2023, NebraskaLand Bank issued a letter to Victory Village at Lakeview Apartment to inform the loan applicant that NebraskaLand Bank immediately revoked the Letter of Intent for financing dated March 6, 2023 to provide financing for Victory Village Phase 2 because of the potential for a conflict of interest due to my role as an elected official on the North Platte City Council.

- On April 28, 2023, I received the City Council Agenda and package that included the request of the City of North Platte for an amended redevelopment plan and expanded TIF bond that was proposed to be amended from phase 1 to assist with phase 2.
- On May 2, 2023 I voted in favor of their request to amend the redevelopment plan and increase the TIF bond on this complex and the item passed as approved.
- Victory Village at Lakeview Apartments then worked with other potential Bank lenders to seek a financing commitment. On approximately June 27, 2023, they accepted a loan proposal from United Republic Bank that was subject to various due diligence items and participation to other Banks. United Republic Bank was the Lender for phase 1 and NebraskaLand Bank was not involved as a participant Bank on phase 1.
- United Republic Bank has sent a loan participation request to approximately 21 banks that are located in Nebraska, including several that are located in the North Platte market. The total loan is approximately \$15,000,000 and United Republic Bank intends to hold approximately \$4,500,000 and participate the rest of the funding to other Banks. They now have approximately four other Banks that have agreed to provide a participation, two of which are affiliate banks to United Republic. The participation commitments total approximately \$5,250,000. They had sent a participation request sheet to NebraskaLand Bank on 6/26/23 and NebraskaLand declined the opportunity at that time due to the potential for a conflict of interest because of my City Council vote.
- As of August 2, 2023 United Republic Bank is approximately \$4,750,000 to \$5,000,000 short of the Bank participation requirements to continue with providing the financing for this project and they have exhausted significant resources talking to approximately 16 banks who were not interested. Therefore, they have been unable to meet the applicants financing needs. The project is being delayed due to the financing commitments not being delivered.
- United Republic Bank recently discussed a loan participation with the local hospital, Great Plains Health, who was an interested participant to complete the financing group. Great Plains Health is also an investor in the phase 2 of this apartment complex project. United Republic has determined they are not willing to include a non-bank, investor participant within the bank financing group under standard terms, so this leaves them short of sufficient funding to provide the requested and necessary financing for this project.
- United Republic Bank has been back in contact with NebraskaLand Bank to determine if NebraskaLand Bank could assist in completing their bank participation group.

Therefore, NebraskaLand Bank would have an interest in re-engaging in the financing for this project or may be willing to consider being a loan participant with United Republic Bank if there is Not a potential for a conflict of interest violation due to my vote on May 2, 2023.

I would appreciate your consideration and opinion of this situation. If you have any questions or need any additional information, please feel welcome to contact me at (308) 520-2254 or tlucas@nlmb.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ty Lucas', with a stylized flourish at the end.

Ty Lucas

North Platte City Council

AGENDA
NORTH PLATTE CITY COUNCIL MEETING
Tuesday, May 2, 2023; 5:30 P.M.
CITY HALL COUNCIL CHAMBERS

The City of North Platte is inviting you to view the meeting live on YouTube at the following link <https://www.ci.north-platte.ne.us/government/city-council/agendas/minutes/>

To view past and present videos, click Live Stream for the scheduled event.

CALL TO ORDER

INVOCATION Pastor Joe Sukraw, Hope Embraced

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN MEETINGS ACT

A CURRENT COPY OF THE OPEN MEETINGS ACT OF NEBRASKA IS POSTED ON THE WALL AT THE BACK OF THE COUNCIL CHAMBERS.

MEETING PROCEDURE

THE PUBLIC MAY ADDRESS SPECIFIC AGENDA ITEMS AT THE PLEASURE OF THE MAYOR. IF RECOGNIZED BY THE MAYOR, PLEASE IDENTIFY YOURSELF BY STATING YOUR NAME AND ADDRESS.

PLEASE ADDRESS THE COUNCIL THROUGH THE MAYOR AND LIMIT YOUR REMARKS.

WE RESPECT OUR CITY EMPLOYEES, AND REQUEST THAT ANY COMPLAINTS OR CRITICISMS OF EMPLOYEES NOT BE AIRED IN A PUBLIC MEETING. CONCERNS ABOUT EMPLOYEES SHOULD BE BROUGHT TO THE ATTENTION OF THE CITY ADMINISTRATOR OR MAYOR. INDIVIDUALS IN VIOLATION WILL BE DECLARED OUT OF ORDER.

AWARDS, ACCOLADES, AND PRESENTATIONS

CONSENT AGENDA

ALL MATTERS UNDER "CONSENT AGENDA" ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. ANY CITY COUNCIL MEMBER MAY, HOWEVER, REMOVE AN ITEM FROM CONSENT BY REQUEST.

1. Approve the Minutes of April 18, 2023. (Pages 1-4) (Angela Gilbert, City Clerk)
2. Approve the application by Platte Bar, Inc. for a Special Designated License on June 16, 2023 from 8:00 a.m. to 1:00 a.m. and June 17, 2023 from 8:00 a.m. to 1:00 a.m. at Platte Bar, 119 West 6th Street for a Beer Garden. (Pages 5-8) (Angela Gilbert, City Clerk)
3. Send the application of BOCHO'S LLC dba San Pedro Mexican Restaurant for a Class I Liquor License (Beer, Wine, Distilled Spirits, On Sale Only) for their location at 1002 South Jeffers Street to the Nebraska Liquor Control Commission with no recommendation. (Pages 9-20) (Angela Gilbert, City Clerk)
4. Authorize the purchase of a used John Deere 524k Loader with trade-ins from Murphy Tractor & Equipment for the Street Division. (Pages 21-22) Steve Mentzer, Public Service Director
5. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Habitat 7th Replat located at 1411 and 1421 East 2nd Street. (Pages 23-26) (Judy Clark, Planning Administrator)
6. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Hassett 3rd Replat located at 808 Rodeo Road. (Pages 27-31) (Judy Clark, Planning Administrator)
7. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Iron Trail Second Subdivision located at 2001 East State Farm Road. (Pages 32-37) (Judy Clark, Planning Administrator)

REGULAR AGENDA

CLOSED SESSION TO DISCUSS PERSONNEL OR POTENTIAL LITIGATION (IF NECESSARY)

8. Adopt the Resolution consenting to the sale and consumption of alcoholic liquor on East 5th Street and North Dewey Street during Music on the Bricks on May 20, 2023. (Pages 38-41) (Angela Gilbert, City Clerk)
9. Approve the application by GL Concepts, LLC dba Good Life on the Bricks for a Special Designated License on May 20, 2023 from 12:00 p.m. to 1:00 a.m. on East 5th Street and North Dewey Street during Music on the Bricks. (Pages 42-45) (Angela Gilbert, City Clerk)
10. Approve the Resolution for the Nebraska Land Days Parade to be held on June 17, 2023. (Pages 46-49) (Brent Burklund, City Engineer)
11. Approve the use of the Construction Manager at Risk project delivery method for construction of an Industrial Wastewater Treatment Plant and associated wastewater required components. (Pages 50-60) (Brent Burklund, City Engineer)

12. Adopt Resolution to approve the placement of STOP signs at the intersection of 17th Street and Cody Avenue for eastbound and westbound traffic. (Pages 61-63) (Brent Burklund, City Engineer)
13. Third reading and action on Ordinance No. 4119 regarding an application by Barefoot Bet, LLC to rezone certain lands from an F-1 Floodway District to an A-1 Transitional Agricultural District located on West Koubek Road. (Pages 64-69) (Judy Clark, Planning Administrator)
14. Third reading and action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4120 to rezone certain lands from an R-1 Dwelling District to a B-2 Highway Commercial District located at 2620 South Willow Street. (Pages 70-74) (Judy Clark, Planning Administrator)

PUBLIC HEARING

15. Action on Ordinance No. 4124 annexing Parcel ID#0053626.50 (Prataria Ventures) described as Lots 3 and 4 Section 10, Township 13N, Range 30W of the 6th P.M., Lincoln County, Nebraska consisting of approximately 65.03 acres into the corporate limits of the City of North Platte. (Pages 75-80) (Judy Clark, Planning Administrator)

PUBLIC HEARING

16. Action on Ordinance No. 4125 annexing Parcel ID#0053626.00 (NPPD Canal) described as Part of Lot 3 Section 10, Township 13N, Range 30W of the 6th P.M., Lincoln County, Nebraska consisting of approximately 8.93 acres. (Pages 81-86) (Judy Clark, Planning Administrator)

PUBLIC HEARING

17. Adopt the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4126 to rezone certain land from an A-1 Transitional Agricultural District to an R-3 Dwelling District located at 4114 Victoria Lane. (Pages 87-91) (Judy Clark, Planning Administrator)
18. Adopt the recommendation by the North Platte Planning Commission for preliminary and final approval of Ponderosa Second Subdivision located at 4114 Victoria Lane. (Pages 92-96) (Judy Clark, Planning Administrator)

PUBLIC HEARING

19. Adopt the Resolution as presented in Council materials and approval of the City of North Platte Amended Redevelopment for Phase 2 of the Lakeview Apartments and approval of related actions. (Pages 97-116) (Judy Clark, Planning Administrator)
20. Action on Ordinance No. 4122 to create Paving District No. 836 on Iron Trail Drive from Twin Rivers Road west approximately 1,021.55 feet to Slough Drive and Slough Drive from State Farm Road north approximately 1,760.77 feet. (Pages 117-119) (Brent Burklund, City Engineer)

21. Action on Ordinance No. 4123 to create Water Extension District No. 267 on Iron Trail Drive from Twin Rivers Road west approximately 1,021.55 feet to Slough Drive and Slough Drive from State Farm Road north approximately 1,760.77 feet. (Pages 120-122) (Brent Burklund, City Engineer)
22. Action on Ordinance No. 4121 to create Sanitary Sewer Connection District No. 21 a 15" P.V.C. sanitary sewer beginning at the northeast corner of Lot 1 of Iron Trail 3rd Administrative Subdivision then continuing west parallel to the north lot lines of Lot 1 of Iron Trail 3rd Administrative Subdivision, Lots 3 and 5 of Iron Trail 2nd Subdivision and the south lot line of Part of W1/2, NE1/4 & Part SE1/4 of 15-13-30 to the northwest corner of Lot 3 of Iron Trail 2nd Subdivision (approximately 2,000 feet); thence south at Slough Drive parallel to the east lot line of Lots 1-3 of Iron Trail 2nd Subdivision and the west lot line of Lots 4-5 of Iron Trail 2nd Subdivision (approximately 1760.77 feet). (Pages 123-127) (Brent Burklund, City Engineer)
23. Approve the Claims. (Pages 1-15) (Dawn Miller, Director of Finance)

PUBLIC AGENDA REQUEST

WE RESPECT OUR CITY EMPLOYEES, AND REQUEST THAT ANY COMPLAINTS OR CRITICISMS OF EMPLOYEES NOT BE AIRED IN A PUBLIC MEETING. CONCERNS ABOUT EMPLOYEES SHOULD BE BROUGHT TO THE ATTENTION OF THE CITY ADMINISTRATOR OR MAYOR. INDIVIDUALS IN VIOLATION WILL BE DECLARED OUT OF ORDER.

INFORMATIONAL ITEMS FROM MAYOR, COUNCIL, ADMINISTRATOR, AND ATTORNEY

ADJOURN

CITY COUNCIL AGENDA

ITEM NO. 19



CITY OF NORTH PLATTE STAFF SUMMARY REPORT May 2, 2023

AGENDA ITEM TITLE: Public Hearing City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development, Judy Clark, Planning Administrator

SESSION TYPE:

- ☐ Consent Agenda
- ☐ Work Session
- ☐ Information Item
- ☒ Regular Business
- ☐ Other:

EXECUTIVE SUMMARY:

Discuss and consider action on Planning Commission's recommendation to approve the City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development on property described as Lot One and Lot Two, Lakeview First Administrative Subdivision, North Platte, Lincoln County, Nebraska pursuant to Nebraska Community Development Law and passage of appropriate resolution.

The City Planning Commission's responsibility in the Redevelopment process is to take public comment on whether the real estate described is in conformance with the City of North Platte Comprehensive Plan and if the project meets or will meet subdivision and zoning regulations and is an overall fit for development of the city. The following statements should be considered and confirmed.

- This property as presented is located in an area that has been declared blighted and substandard.
- The property is in conformance with the current City of North Platte Comprehensive Plan
- The project meets or will meet subdivision and zoning regulations.
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region.

The principal purpose of a comprehensive plan is to provide basic policies to guide the many activities of the city. It is used to help determine investment priorities and guide public and private development. At the same time, a comprehensive plan must be flexible in order to address changing conditions and respond to new situations that cannot be foreseen at the time of adoption. One goal of the current city Comprehensive Plan is to create sufficient housing stock to provide safe choices and options for types of units and by cost. Sufficient housing stock and options is obtained by:

- Redeveloping underutilized land with a mix of land uses that encourage new housing options, neighborhood services, and a variety of transportation options (sidewalks, paths, trails, and roads)
- Reducing the number of substandard housing units in the community.
- Creating alternative housing options such as senior housing or low-to-moderate income housing.
- Providing incentives such as density bonuses for redevelopment of areas with substandard housing stock into affordable, safe housing including housing programs that encourage construction of multi-family rental units.
- Affirm and support fair housing practices in North Platte
- Preparing for future growth by extending city infrastructure to areas targeted for development

As presented in the Redevelopment Plan, the project entails construction of 15 apartment buildings, each with 8 units. Each building will cover approximately 8,500 square feet. In addition, 60 garages will be built on site. The project is intended to provide Workforce Housing as defined in 18-2104(32) of the Act, with each rental unit costing less than \$200,000. The plan is intended to comply with any Workforce Housing Incentive Plan approved by the City of North Platte City Council. The proposed apartments are designed to be attractive to new residents considering relocation to the City of North Platte and specifically designed to meet the needs of today's working families.

On April 25, 2023 the City Planning Commission unanimously recommended approval of City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development resolution.

On April 27, 2023 the City of North Platte Community Redevelopment Authority met to consider the City of Platte Planning Commissions comments, approve any additional changes, and forward to the City Council. The Community Redevelopment Authority unanimously approved the City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development.

Planning staff recommends approval of the City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development and passage of the attached resolution. The redevelopment plan is in conformance with the North Platte Nebraska Comprehensive Plan 2011 and meets, or will meet, current City of North Platte Subdivision and Zoning Regulations and the property is located in an area that has been declared blighted and substandard. This area is appropriate for residential development. This area is surrounded by a mix of single-family, duplex, and multi-family dwellings. The proposed residential development in this location is a good fit for the area and for the growth and development of the City of North Platte.

A copy of the City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments Development along with the proposed resolution is attached.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS:

None

WHY THIS ITEM IS BEFORE THE COUNCIL:

Pursuant to the Nebraska Community Development Law, NEB. REV. STAT. 18.2101-18.2123.01, requires council to hold a public hearing for the purpose of receiving comment for final approval of the redevelopment plan.

ACTION REQUIRED AT THIS COUNCIL MEETING:

The City Council's responsibility in the redevelopment process is to take public comment pursuant to the Nebraska Community Development Law and consider City Planning Commission's comments and recommendations regarding the redevelopment plan as presented, is located in an area that has been declared blighted and substandard, is in conformance with the current City of North Platte Comprehensive Plan, meets or will meet subdivision and zoning regulations and that development of this property to its full potential is in the best interest of the City of North Platte and the entire region.

PROPOSED MOTION:

"I move to adopt the resolution as presented in council materials and approval of the City of North Platte Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments and approval of related actions."

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF NORTH PLATTE, NEBRASKA, APPROVING THE CITY OF NORTH PLATTE AMENDED REDEVELOPMENT PLAN FOR PHASE 2 OF THE LAKEVIEW APARTMENTS DEVELOPMENT; APPROVAL OF A REDEVELOPMENT PROJECT OF THE CITY OF NORTH PLATTE; AND APPROVAL OF RELATED ACTIONS

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH PLATTE, NEBRASKA:

Recitals:

- a. The Mayor and Council of the City of North Platte, Nebraska (the "City"), upon the recommendation of the City Planning Commission (the "Planning Commission"), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), has previously declared an area, including an area legally described on the attached Exhibit "A" (the "Redevelopment Area"), to be blighted and substandard and in need of redevelopment; and
- b. Pursuant to and in furtherance of the Act, the City of North Platte Amended Redevelopment Plan For Phase 2 of the Lakeview Apartments Development (the "Redevelopment Plan") has been prepared and submitted to the North Platte Community Redevelopment Authority (the "Authority") by North Platte Apts II, LP, (the "Redeveloper"), a copy of which is Attached hereto as Exhibit "B", for the purpose of redeveloping the Redevelopment Area; and
- c. The Authority submitted the Redevelopment Plan to the Planning Commission for its recommendation on the Redevelopment Plan after holding a public hearing in compliance with the provisions of the Act; and
- d. The Planning Commission has reviewed the Redevelopment Plan and recommended its approval by the Mayor and Council of the City;
- e. Pursuant to Section 18-2113 of the Act, the Authority has conducted a cost benefit analysis of the project set forth in the Redevelopment Plan (the "Redevelopment Project"), reviewed the Redevelopment Plan, and recommended approval of the Redevelopment Plan by the Mayor and Council of the City;
- f. The Plan provides for incentives for construction of work force housing. Pursuant to Section 2142.05 of the Act the City has previously approved its Work Force Housing Incentive Plan.
- g. The City, in compliance with all public notice requirements imposed by the Act, published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan and received extensive public comment thereon; and

h. The City Council has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in it are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Resolved that:

1. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act. Section 18-2102 of the Act establishes the legislative declarations and determinations for the Act. The Redevelopment Plan clearly demonstrates that the criteria declarations have been satisfied. The Redevelopment Area (the "Site") constitutes an economically and socially undesirable land use in its current state. The Site is not designed for proper utilization, is undesirable for economic and social purposes and constitutes a barrier to the sound growth of the City. Given the foregoing, the conditions of the Site are beyond the remedy and control of normal regulatory processes and police power and due to the high cost of development and cannot be dealt with effectively by the ordinary operations of private enterprise. Further documentation of these findings is set forth in the Blight and Substandard Determination Study for the Site on file in the office of the North Platte City Clerk.

The City Council further finds and documents that: the Redevelopment Project described in the Redevelopment Plan would not be economically feasible without the use of funds from tax-increment financing and would not occur in the Redevelopment Area without the use of funds from tax-increment financing; the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The Cost Benefit Analysis incorporated into the Redevelopment Plan and adopted by the Authority provides significant documentation of the benefit to the City. Documentation of the fact that the Redevelopment Project is not financially feasible and would not occur at the Site, without tax increment financing, is provided by correspondence of the Redeveloper's lender indicating that that tax increment financing is needed to make the Redevelopment Project occur. The Plan is necessary to prevent the spread of blight and substandard conditions within the municipality, will promote additional safe and suitable housing for individuals and families employed in the municipality, and will not result in the unjust enrichment of any individual or company. The City Council acknowledges receipt of the recommendations of the Authority and the Planning

Commission with respect to the Redevelopment Plan.

2. In accordance with Section 18-2147 of the Act, the City provides that any ad valorem tax on real property in the City of North Platte, Nebraska, more fully described on Exhibit A, attached hereto, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract and a Redevelopment Contract Amendment entered into between the Redeveloper and the Authority. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

(b) That proportion of the ad valorem tax on real property in the Project Area in excess of such amount (the Redevelopment Project Valuation), if any, shall be allocated to, is pledged to, and, when collected, shall be paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Redevelopment Project Area shall be paid into the funds of the respective public bodies.

3. The Redevelopment Plan is approved in the form attached as Exhibit "B". The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

4. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on _____, 2023 .

City of North Platte, Nebraska

Mayor

ATTEST:

City Clerk

RESOLUTION

RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE CITY OF NORTH PLATTE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NORTH
PLATTE, NEBRASKA:

Recitals:

- a. Pursuant to and in furtherance of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), a Redevelopment Plan (the "Redevelopment Plan"), has been prepared and submitted to the Planning Commission (the "Commission") by the Community Redevelopment Authority (the "Authority") of the City of North Platte, Nebraska and North Platte Apts II, LP, (the "Redeveloper"), for the purpose of redeveloping the Redevelopment Area legally described in ~~Exhibit A~~ and in the form attached hereto as ~~Exhibit B~~; and
- b. The City has previously adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and
- c. This Commission has reviewed the Redevelopment Plan as to its conformity with the Comprehensive Plan for the development of the City.
- d. On the date of this resolution, the Commission held a public hearing and received public comment on the Redevelopment Plan. Public notice of the hearing was provided in strict accordance with the provisions of the Act.

Resolved that:

1. The Commission hereby recommends approval of the Redevelopment Plan.
2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.
3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: 4-25-2023

ATTEST:

PLANNING COMMISSION OF THE CITY
OF NORTH PLATTE, NEBRASKA

By: _____

Chair

By: _____
Recording Secretary

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT AREA

Lot 1 and Lot 2 Lakeview First Administrative Subdivision, North Platte, Lincoln County, Nebraska.

EXHIBIT B

**CITY OF NORTH PLATTE AMENDED REDEVELOPMENT PLAN
FOR PHASE 2 OF THE LAKEVIEW APARTMENTS DEVELOPMENT**

**CITY OF NORTH PLATTE
AMENDED REDEVELOPMENT PLAN FOR PHASE 2 OF THE
LAKEVIEW APARTMENTS
DEVELOPMENT**

I. INTRODUCTION.

On February 18, 2020, the City Council of the city of North Platte approved a redevelopment plan titled "CITY OF NORTH PLATTE REDEVELOPMENT PLAN FOR THE LAKEVIEW APARTMENTS DEVELOPMENT" (the "Original Plan"). The Original Plan provided for the development of 160 apartments in two phases. Each phase would result in the construction of 10 buildings with eight apartments in each building. The first phase was completed in 2022. This Redevelopment Plan, (the "Redevelopment Plan" or "Plan") provides for the amendment of the Original Plan and increases the number of apartment buildings and the total apartments for the second phase of development. In the second phase will result in the construction of 15 apartment buildings with eight units each for a total of 120 additional apartments. The mix of the apartment buildings in the second phase will be revised to add a number of three-bedroom apartments.

This Plan covers 8.11 acres in two lots legally described as Lot 1 and Lot 2 Lakeview First Administrative Subdivision, North Platte, Lincoln County, Nebraska.

The Redevelopment Area was declared substandard and blighted by the North Platte City Council as part of the Original Plan process. Because of the pandemic, significant inflation and supply chain shortages the Redeveloper has been unable to initiate phase 2 of the Original Plan. All available evidence suggests that the area has not had the private investment necessary to contribute to the wellbeing of the community, nor would the area be reasonably anticipated to be developed without public action given the cost of construction and low return on capital for such construction of rental units.

In August 2019 the City of North Platte adopted a "WORKFORCE HOUSING INCENTIVE PLAN FOR THE MUNICIPALITY OF NORTH PLATTE, NEBRASKA", (the "Incentive Plan"). The Original Plan provided that the construction of the apartments as part of phase 2 would qualify as "Workforce Housing" as defined in section 18-2103 (32) of the Nebraska Community Development Law (the "Act"). Under the Incentive Plan, the construction costs for the apartments as part of phase 2 would qualify for TIF eligible expenses. The apartments constructed as part of this Plan will qualify as Workforce Housing.

To encourage private investment in the Redevelopment Area, this Plan has been prepared to accomplish the goal of providing workforce housing in the Redevelopment Area.

II. EXISTING SITUATION.

This section of the Redevelopment Plan examines the existing conditions within the designated Redevelopment Area. This section is divided into the following subsections: existing land use, existing zoning, existing public improvements, and existing building condition/blighting influences.

A. Existing Land Use. The Redevelopment Area is undeveloped and is adjacent to Phase 1 of the Original Plan. The outlines in blue and pink on Exhibit "A" shows the apartments that as part of this Plan. The outlines in black show the buildings constructed in the first phase of the Original Plan.

B. Existing Zoning. The Redevelopment Area is zoned R-3, Multifamily Residential.

C. Existing Public Improvements. Lakeview Boulevard is adjacent to the west edge of the Redevelopment Area and provides access to the Redevelopment Project Site. Sewer and water line installation will be required to be installed.

D. Existing Building Conditions/Blighting Influences. A blight and substandard study ("Blight Study") was prepared for an area which included the Redevelopment Area. The evaluation and subsequent findings of the Blight Study were based upon the criteria outlined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 et seq.). The Blight Study determined that the study area exhibited a number of deficiencies applicable to the consideration of a "substandard and blight" designation including the existence of conditions which endanger life or property by fire or other causes and dilapidation/deterioration. In addition, the Blight Study identified the existence of two conditions within the study area that are determinants of blight and the area substantially impairs or arrests the sound growth of the community and the population decline and low per-capita income. The City Council declared the Community Redevelopment Area blighted and substandard and eligible for a redevelopment project, The Blight Study is incorporated herein by this reference. A copy of the Blight Study is available at the City of North Platte Clerk's Office.

III. FUTURE SITUATION.

This section of the Redevelopment Plan examines the future conditions within the Community Redevelopment Area. This section is divided into the following subsections:

- A. Proposed Land Use Plan
- B. Conformance with the Comprehensive Plan; Conformance with the Community Development Law Declarations
- C. Relationship to Local Objectives
- D. Building Requirements and Standards after Redevelopment
- E. Proposed Changes and Actions
- F. Cost-Benefit Analysis
- G. Proposed Cost and Financing

H. Procedure for Changes in the Approved Redevelopment Plan

A. Proposed Land Use Plan. The land use plan for the Redevelopment Area as it relates to the Redevelopment Area is conceptually shown on Exhibit "A". The Project entails the construction of 15 apartment buildings with 8 apartments each. Each building will cover approximately 8,500 square feet. In addition, 60 garages will be built on the site. The Project is to provide Workforce Housing as defined in 18-2103 (32) of the Act, with each rental unit costing less than \$200,000.

This Redevelopment Plan is intended to comply with any Workforce Housing Incentive Plan approved by the North Platte City Council. The proposed apartments are designed to be attractive to new residents considering relocation to the City of North Platte and specifically designed to meet the needs of today's working families. The Redeveloper intends to market the Redevelopment Project apartments to such working families.

The Redevelopment Authority intends to negotiate a specific redevelopment agreement with North Platte Apts II, LP a Nebraska limited partnership, designated herein as the Redeveloper, outlining the proposed Redevelopment Project. The written redevelopment agreement will include a Redevelopment Project description, specific funding arrangements, and specific covenants and responsibilities of the Community Redevelopment Authority and the Redeveloper to implement the Redevelopment Project.

B. Conformance with the Comprehensive Plan; Conformance with the Community Development Law Declarations. In accordance with Nebraska State Law, the Redevelopment Plan described in this document has been designed to conform to the Comprehensive Development Plan for the City of North Platte ("Comp Plan"). In approving the Plan the City Council finds that this Redevelopment Plan is feasible and in conformity with the general plan for the development of the City as a whole and the plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

C. Relationship to Local Objectives. The proposed Community Redevelopment Area lies within the boundary of Lot One and Lot Two of Lakeview First Administrative Subdivision to the City of North Platte. This Plan has been developed on the basis of the goals, policies and actions adopted by the City for the community as a whole to provide needed workforce rental housing. General goals, policies and actions relating to the community as a whole and for the Redevelopment Area are contained in the Comp Plan.

D. Building Requirements and Redevelopment Standards. The redevelopment of the Community Redevelopment Area should generally achieve the following requirements and standards:

1. Population Density. There are no dwelling units currently located within the Redevelopment Area. Population will increase to provide residences for 120 families.

2. Land Coverage and Building Density. The Project will create 15 apartment buildings with eight apartments in each building. Building site coverage will change to approximately 8,500 square feet per apartment building.

3. General Environment. Provide for the redevelopment and rehabilitation of a site that is underutilized to provide a partial remedy to the shortage of rental workforce housing in the City.

4. Pedestrian ways and Open Spaces. Provide a pedestrian circulation system to facilitate the movement of pedestrians to and within the major development activities within the area.

5. Building Heights and Massing. Building heights and massing will comply with the zoning ordinances and building regulations.

6. Circulation, Access and Parking. Provide for vehicular circulation through and access to the Community Redevelopment Area in a manner consistent with the needs of the development and the community.

Provide for an adequate supply of appropriately located parking in accordance with applicable zoning district regulations.

7. Off-Street Loading, Service and Emergency Facilities. Provide for consolidated off-street loading and service facilities, with access to be provided (where feasible) from public service alleys, drives or courts and connected appropriately with the street system.

Provide for emergency vehicle access in a manner compatible with established design and environmental objectives.

E. Proposed Changes and Actions. The Redevelopment Area is anticipated to function as a multifamily apartment complex. This section describes the proposed changes needed, if any, to the zoning ordinances or maps, street layouts, street levels or grades, and building codes and ordinances, and actions to be taken to implement this Redevelopment Plan.

1. Zoning, Building Codes and Ordinances. The Community Redevelopment Area is zoned R-3. No additional changes to the City's Zoning Ordinances, Building Codes, or other local ordinances are contemplated to implement this Redevelopment Plan.

2. Traffic Flow, Street Layout and Street Grades. The Area is adjacent to Lakeview Boulevard. No change to street layouts or grades is required.

3. Public Redevelopments, Improvements, Facilities, Utilities and Rehabilitations. All on site public improvements will be installed at the cost of the Redeveloper to city standards.

4. Site Preparation and Demolition. Site preparation will be required prior to commencement of construction.

5. Private Redevelopment, Improvements, Facilities and Rehabilitation. The private improvements anticipated within the Redevelopment Area include 15 apartments, 60 garages and parking areas.

6. Open Spaces, Pedestrian ways, Landscaping, Lighting, Parking. The proposed site plan and private sector improvements will comply with the City's minimum open space, pedestrian way, landscaping, lighting, and parking standards as defined in the Zoning and Subdivision Ordinances, Building Codes, or other local ordinances. In addition, the City may elect to require additional standards in these areas as described in a written redevelopment agreement in order to help remove blight and substandard conditions

F. Cost-Benefit Analysis. A Redevelopment Project TIF Statutory Cost Benefit Analysis ("Cost-Benefit Analysis") is required to be prepared by the Redevelopment Authority prior to submission of this Plan to the City Council. The Cost-Benefit Analysis must comply with the requirements of the Community Development Law in analyzing the costs and benefits of the Redevelopment Project, including costs and benefits to the economy of the community and the demand for public and private services. Attached as Exhibit "B" is the Cost-Benefit Analysis.

G. Proposed Costs and Financing; Statements. The City will negotiate with the redeveloper owner of the Redevelopment Area on a specific written redevelopment agreement. The written redevelopment agreement would include a site plan, project description, specific Tax Increment Funding arrangements including issuance of a tax increment revenue bond in the amount of \$2,228,795, the proceeds of which granted to the Redeveloper. The agreement will further provide specific covenants and responsibilities of the Redevelopment Authority and the redeveloper to implement the Redevelopment Project.

Estimated Eligible Redevelopment Project costs are limited to rehabilitation costs and are shown below:

POTENTIAL ELIGIBLE PRIVATE IMPROVEMENTS

Construction costs for workforce housing: \$23,155,750 (\$192,965 per unit)
[Construction costs are an eligible expenditure for workforce housing pursuant to Neb. Rev. Stat. §18-2103 (32)]

The figures above are estimates. Final figures are subject to a specific site plan, design specifications, City approval and public regulations.

The Eligible Improvements will exceed the amount of funds available from the tax-increment financing indebtedness.

The public will fund as much of the above Eligible Improvements as needed to the extent necessary to meet the public purpose and community goals, policies and standards. The City will not fund improvements that exceed the amount of funds available from tax-increment financing indebtedness. The amount of the available proceeds for tax-increment financing is estimated at approximately \$2,228,795. This assumes an increased valuation as a result of the project of approximately \$15,000,000.

Any ad valorem tax levied upon the real property in a Redevelopment Project for the benefit of any public body shall be divided, for a period not to exceed fifteen (15) years after the effective date established in the redevelopment agreement. Said taxes shall be divided as follows:

a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each such public body upon the Redevelopment Project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That portion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, a Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the authority shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a Redevelopment Project shall be paid into the funds of the respective public bodies.

The Redevelopment Project is within the corporate boundaries of the City.

Because the redevelopment plan proposes to use tax-increment financing funds as authorized in § 18-2147 of the Community Development Law, the Authority and City Council, in approving this Plan find as follows:

a. the Redevelopment Project in the plan would not be economically feasible without the use of tax-increment financing;

i. This finding is documented by the cash flow projections showing that the rate of return on investment is 3.462 % without a grant in the form of tax increment financing. This amount is insufficient to attract investment in this proposed project. With the proposed TIF grant the rate of return increases to 7.2689% which is marginally acceptable to induce the Redeveloper to invest in the project.

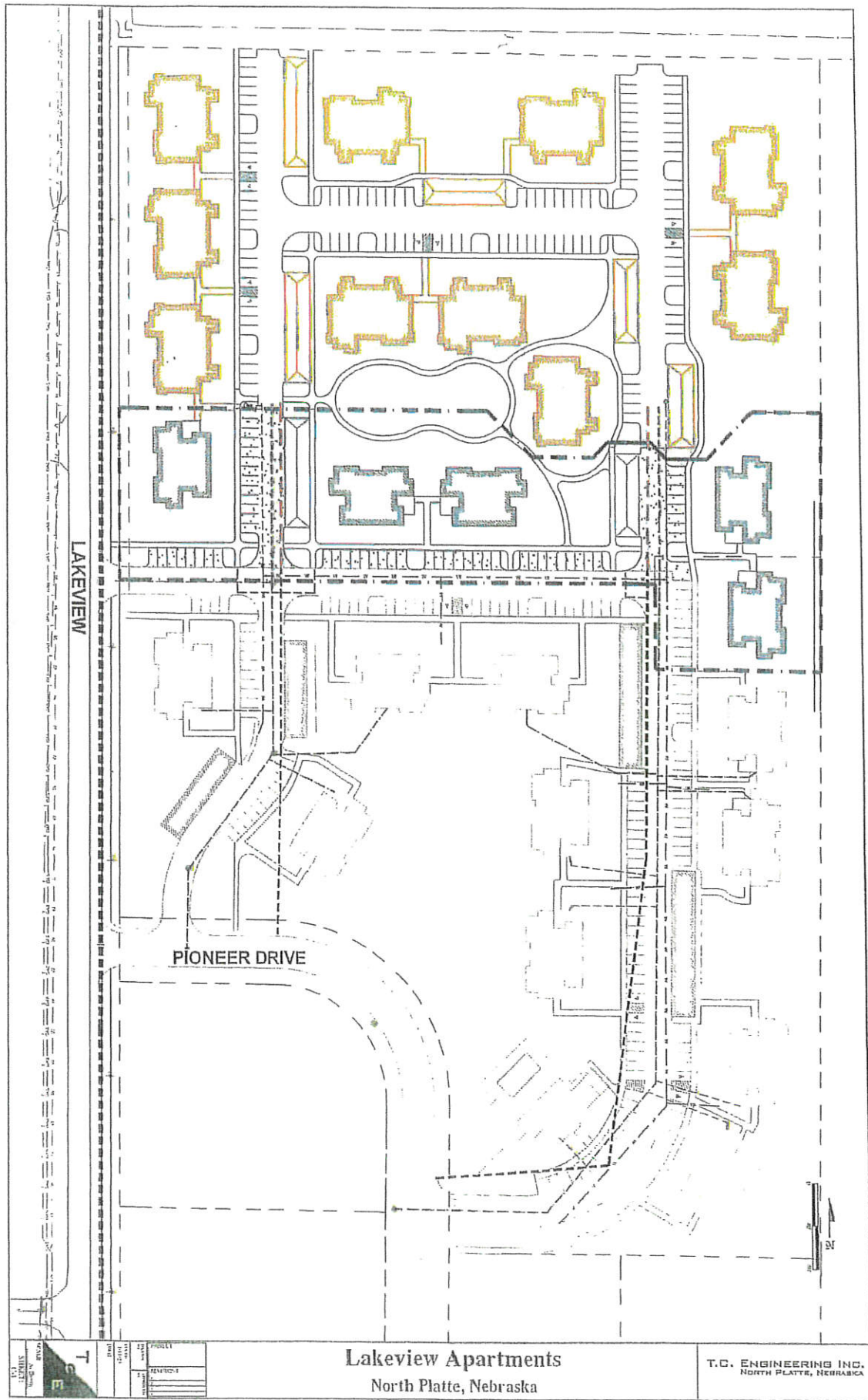
b. the Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing; and

c. the costs and benefits of the Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and been found to be in the long term best interest of the community impacted by the Redevelopment Project.

H. Procedure for Changes in the Approved Redevelopment Plan. If the City of North Platte desires to significantly modify this Redevelopment Plan, it may do so after holding a public hearing on the proposed change in accordance with applicable state and local laws. A redevelopment plan which has not been approved by the governing body when recommended by the authority may again be recommended to it with any modifications deemed advisable. A redevelopment plan may be modified at any time by the authority, provided, that if modified after the lease or sale of real property in the Redevelopment Project Area, the modification must be consented to by the redeveloper or redevelopers of such property or his successor, or their successors, in interest affected by the proposed modification. Where the proposed modification will substantially change the redevelopment plan as previously approved by the governing body the modification must similarly be approved by the governing body.

I. Relocation Expenditures. In the event that The Community Redevelopment Authority is required to relocate current tenants of the existing structures, the Authority will adopt rules and regulations pursuant to the Nebraska Community Development Law. This plan will not be implemented unless the Authority is reimbursed, by the redeveloper, in advance, for all estimated and actual costs incurred by the Authority, including professional fees required as a result of such relocation undertaking.

Exhibit "A"
Before and after land use



LAKEVIEW

PIONEER DRIVE

Lakeview Apartments North Platte, Nebraska

T.C. ENGINEERING INC.
NORTH PLATTE, NEBRASKA

DATE	12/1/01
BY	T.C.
SCALE	AS SHOWN
PROJECT	LAKEVIEW APARTMENTS
REVISION	
NO.	
DATE	
BY	

Exhibit "B"
Cost Benefit Analysis

As authorized in the Nebraska Community Development Law, Neb. Rev. Stat. §18-2147, the City of North Platte has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses. A cost shift of approximately \$4,374,646 in public funds (\$2,228,795 principal and \$2,145,850 interest over time) from tax increment financing provided by the City of North Platte will be required to complete the project. This investment by the city will leverage \$2,145 in private sector financing; a private investment of \$5.54 for every city dollar investment.

Sources and Uses

Land	800,000
Arch/engineer	204,250
Soft Cost	415,000
Construction	23,155,750
Financing	<u>1,425,000</u>
Total	\$26,000,000

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2023, valuation of \$46,883. It is anticipated that the assessed value will increase by \$15,000,000 as a result of the project. This project is expected to result in a tax increase of over \$300,000 annually after completion. The tax increment gained from this Redevelopment Project area would not be available for use as city general tax revenues, but would be used for eligible workforce housing construction to enable this project to be realized.

Estimated 2023 assessed value:	\$ 46,883
Estimated value after completion	\$15,046,883
Increment value	\$15,000,000
Annual TIF generated	\$ 304,000
TIF bond issue	\$ 2,228,795

Public Infrastructure and Community Public Service Needs. The Project is near a potable water and sanitary and storm sewer mains. The Redeveloper will be required to pay for the extension. No street improvements are required as a part of the Redevelopment Project.

Employment Within the Project Area. Employment within the Project Area is expected to increase slightly. Temporary construction employment will increase during the rehabilitation. The construction period is expected to exceed 20 months. Minimal jobs will be created as a part of this expansion.

Employment in the City Outside the Project Area. The latest available unemployment rate for Lincoln County, Nebraska is 2.0%. This project is not expected to materially impact area labor statistics. However the project will provide housing for additional workforce.

Impacts on Student Population. This Redevelopment Project is more suited to single individuals and is not expected to add any significant public school population. Estimated persons per household based on census data is 2.23 persons. Based on a traditional family structure, at 120 units the school age population in the Project could equal 28 students. The North Platte Public School system has excess capacity to absorb that student load.

Other Impacts. No significant impact is expected on the police, fire or medical facilities as a result of this proposed project. There will be a slight increase in traffic into and out of the redevelopment project site. Housing for additional workforce in the community should result in additional economic activity in the city and result in an increase in sales tax revenue. Assuming the cost of materials is 40% of the construction cost, possibly \$6,400,000 in materials at the project would be subject to local sales tax.

MINUTES OF THE REGULAR CITY COUNCIL MEETING
May 2, 2023; 5:30 p.m.

CALL TO ORDER Invocation was given by Joe Sukraw 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 Nisley moved and Volz seconded the motion to approve the Consent Agenda as follows:

1. Approve the Minutes of April 18, 2023.
2. Approve the application by Platte Bar, Inc. for a Special Designated License on June 16, 2023 from 8:00 a.m. to 1:00 a.m. and June 17, 2023 from 8:00 a.m. to 1:00 a.m. at Platte Bar, 119 West 6th Street for a Beer Garden.
3. Send the application of BOCHO'S LLC dba San Pedro Mexican Restaurant for a Class I Liquor License (Beer, Wine, Distilled Spirits, On Sale Only) for their location at 1002 South Jeffers Street to the Nebraska Liquor Control Commission with no recommendation.
4. The purchase of a used John Deere 524k Loader with trade-ins from Murphy Tractor & Equipment for the Street Division was removed from the Agenda.
5. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Habitat 7th Replat located at 1411 and 1421 East 2nd Street.
6. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Hassett 3rd Replat located at 808 Rodeo Road.

7. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Iron Trail Second Subdivision located at 2001 East State Farm Road.

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

ITEM #8
CONSENT TO
SELL ALCOHOL
AT MUSIC ON
THE BRICKS

Garrick moved and Volz seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic liquor on East 5th Street and North Dewey Street during Music on the Bricks on May 20, 2023. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #9
SPECIAL
DESIGNATED
LICENSE FOR MUSIC
ON THE BRICKS ON
05-20-23

Nisley moved and Lucas seconded the motion to approve the application by GL Concepts, LLC dba Good Life on the Bricks for a Special Designated License on May 20, 2023 from 12:00 p.m. to 1:00 a.m. on East 5th Street and North Dewey Street during Music on the Bricks. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #10
NEBRASKALAND
DAYS PARADE

Volz moved and Flanders seconded the motion to approve the Resolution for the NebraskaLand Days Parade to be held on June 17, 2023. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #11
CONSTRUCTION
MANAGER AT RISK

Garrick moved and Volz seconded the motion to approve the use of the Construction Manager at Risk project delivery method for construction of an Industrial Wastewater Treatment Plant and associated wastewater required components. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #12
STOP SIGNS AT
17TH AND CODY

Garrick moved and Volz seconded the motion to adopt a Resolution to approve the placement of STOP signs at the intersection of 17th Street and Cody Avenue for eastbound and westbound traffic. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #13
ORDINANCE 4119

Mayor Kelliher instructed Ordinance No. 4119 regarding an application by Barefoot Bet, LLC to rezone certain lands from an

ON 3RD READING

F-1 Floodway District to an A-1 Transitional Agricultural District located on West Koubek Road to be read by title on its third reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4119 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. "ABSTAIN": Lucas. Motion carried.

ITEM #14
ORDINANCE 4120
ON 3RD READING

Mayor Kelliher instructed Ordinance No. 4120 action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4120 to rezone certain lands from an R-1 Dwelling District to a B-2 Highway Commercial District located at 2620 South Willow Street to be read by title on its third reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4120 on its third reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #15
ORDINANCE 4124
ON 1ST READING

Mayor Kelliher declared a Public hearing on Ordinance No. 4124 annexing Parcel ID#0053626.50 (Prataria Ventures) described as Lots 3 and 4 Section 10, Township 13N, Range 30W of the 6th P.M., Lincoln County, Nebraska consisting of approximately 65.03 acres into the corporate limits of the City of North Platte.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4124 to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4124 on its 1st reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon. "ABSENT": Rieker. Motion carried.

ITEM #16
ORDINANCE 4125
ON 1ST READING

Mayor Kelliher declared a Public hearing Ordinance No. 4125 annexing Parcel ID#0053626.00 (NPPD Canal) described as Part of Lot 3 Section 10, Township 13N, Range 30W of the 6th P.M., Lincoln County, Nebraska consisting of approximately 8.93 acres.

No one appeared.

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

Mayor Kelliher instructed Ordinance No. 4125 to be read by title on its first reading. Flanders moved and Garrick seconded the motion to approve Ordinance No. 4125 on its 1st reading. Roll call vote: "AYE": Nisley, Volz, Lucas, Garrick, Flanders, Woods. "NAY": Tryon. "ABSENT": Rieker. Motion carried.

ITEM #17
ORDINANCE 4126
ON 1ST READING

Mayor Kelliher declared a Public hearing to adopt the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4126 to rezone certain land from an A-1 Transitional Agricultural District to an R-3 Dwelling District located at 4114 Victoria Lane.

Brandon Jones, 800 Lake Drive, stated that he wanted the Council and the applicant to be aware this property is immediately adjacent to a heavy industrial site with a Conditional Use Permit on it.

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

Mayor Kelliher instructed Ordinance No. 4126 to be read by title on its first reading. Lucas moved and Volz seconded the motion to approve Ordinance No. 4126 on its first reading. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #18
PONDEROSA 2ND
SUBDIVISION, 4114
VICTORIA LANE

Lucas moved and Garrick seconded the motion to adopt the recommendation by the North Platte Planning Commission for preliminary and final approval of Ponderosa Second Subdivision located at 4114 Victoria Lane. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #19
PUBLIC HEARING
FOR LAKEVIEW
APARTMENTS
PHASE 2

Mayor Kelliher declared a Public hearing to adopt the Resolution as presented in Council materials and approval of the City of North Platte Amended Redevelopment for Phase 2 of the Lakeview Apartments and approval of related actions.

Mike Bacon, Attorney for the Community Redevelopment Authority, told the Council this Redevelopment Plan is like the plan for the first phase. He said the applicants tried to get Phase 2 approved last fall, but they lost their primary investor and with the increase in prices of materials, it did not happen. He said they now have the resources and a local investor and are ready to build another 120 apartments, with some three-bedroom units for families. He stated the TIF funding has increased to fill the funding gap.

Brian Reilly, President of DP Management, asked the Council to only take public comments and not take any action on the Resolution tonight due to financial issues still being sorted through.

Gary Person, President of North Platte/Chamber, told the Council that the Chamber supports this project because the need for housing in the area is great and this is the only way we are going to attract developers. He stated that we need to do this right, consider the great effort that has been put into this project, and that a message will be sent to all other housing developers.

Garrick moved and Nisley seconded the motion to close the hearing.

Volz recused himself from voting on Ordinance No. 4123 due to a possible conflict of interest.

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

The Amended Redevelopment Plan for Phase 2 of the Lakeview Apartments was removed from the Agenda at the request of the applicant.

ITEM #20
APPROVE
ORDINANCE 4122

Mayor Kelliher instructed on Ordinance No. 4122 to create Paving District No. 836 on Iron Trail Drive from Twin Rivers Road west approximately 1,021.55 feet to Business Park Drive and Business Park Drive from State Farm Road north approximately 1,760.77 feet to be read by title on its first reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4122 on its first reading.

Gary Person, President of North Platte Chamber/DECVO, asked the Council to waive the three readings on the Ordinances for the

paving, water, and sewer so the project can move forward. Lucas moved and Volz seconded the motion to amend the motion to waive the three readings on Ordinance No. 4122. 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 #21
APPROVE
ORDINANCE 4123

Lucas moved that the rule requiring Ordinance No. 4123 to create Water Extension District No. 267 on Iron Trail Drive from Twin Rivers Road west approximately 1,021.55 feet to Business Park Drive and Business Park Drive from State Farm Road north approximately 1,760.77 feet to be read on three different dates be waived. Volz seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Mayor Kelliher instructed Ordinance No. 4123 to be read by title one time only. Lucas moved and Volz seconded the motion to approve Ordinance No. 4123. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #22
APPROVE
ORDINANCE 4121

Garrick moved that the rule requiring Ordinance No. 4121 to create Sanitary Sewer Connection District No. 21 a 15" P.V.C. sanitary sewer beginning at the northeast corner of Lot 1 of Iron Trail 3rd Administrative Subdivision then continuing west parallel to the north lot lines of Lot 1 of Iron Trail 3rd Administrative Subdivision, Lots 3 and 5 of Iron Trail 2nd Subdivision and the south lot line of Part of W1/2, NE1/4 & Part SE1/4 of 15-13-30 to the northwest corner of Lot 3 of Iron Trail 2nd Subdivision (approximately 2,000 feet); thence south at Business Park Drive parallel to the east lot line of Lots 1-3 of Iron Trail 2nd Subdivision and the west lot line of Lots 4-5 of Iron Trail 2nd Subdivision (approximately 1760.77 feet) to be read on three different dates be waived. Flanders seconded the motion. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Mayor Kelliher instructed Ordinance No. 4121 to be read by title one time only. Garrick moved and Flanders seconded the motion to approve Ordinance No. 4121. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

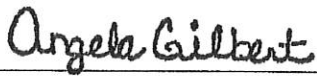
ITEM #23
CLAIMS

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

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

Adjourned at 6:43 p.m.


Angela Gilbert, City Clerk