

PLATTSMOUTH CITY COUNCIL
February 4, 2013
7:00 p.m.

- 1 Meeting Called to Order by Mayor Michael C. Bowman
- 2 Announce Location of Open Meetings Act and Documents to be Discussed at the Meeting
- 3 Pledge of Allegiance
- 4 Roll Call
- 5 Citizens Delegation
- 6 Mayor Proclamations
- 7 **CONSENT AGENDA**
 - A Consider approval of January 21, 2013 City Council Meeting Minutes
 - B Consider approval of claims
- 8 **UNFINISHED BUSINESS**
 - A Consider third reading of ORDINANCE NO. 1855: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, ENACTING 5-6.1 OF THE LAND DEVELOPMENT ORDINANCE, CREATING THE DOWNTOWN PLATTSMOUTH HISTORIC DISTRICT; ESTABLISHING SUPPORTIVE OVERLAY ZONING WITHIN THE PLATTSMOUTH LAND DEVELOPMENT ORDINANCE, AMENDING THE PLATTSMOUTH ZONING MAP; ALLOWING FOR SEVERABILITY OF PROVISIONS; TO REPEAL ALL ORDINANCES IN CONFLICT, TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**
 - B Consider third reading of ORDINANCE NO. 1856: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ANNEXING CERTAIN LANDS ADJACENT TO THE CITY OF PLATTSMOUTH, NEBRASKA AND DEFINING THE BOUNDARIES THEREOF AS FOLLOWS: TRACT 1: A PARCEL OF LAND BEING SITUATE IN PART OF THE NORTHWEST (NW ¼) OF THE NORTHWEST (NW ¼) OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF TAX LOT 86 BEING THE POINT OF BEGINNING; THENCE N00°00'00"E A DISTANCE OF 462.26 FEET ALONG WEST LINE OF SAID TAX LOT 86; THENCE S89°36'08"W A DISTANCE OF 121.00 FEET ALONG LINE OF SAID TAX LOT 86; THENCE**

N0°00'00"E A DISTANCE OF 505.65 FEET ALONG THE WEST LINE OF SAID TAX LOT 86; THENCE N89°47'32"E A DISTANCE OF 593.80 FEET ALONG NORTH LINE OF SAID TAX LOT 86 TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 75; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 75 TO THE NORTHWEST CORNER OF SUBLOT 4 OF TAX LOT 36 (REPLATTED) , THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID SUBLOT 4 TO THE NORTHEAST CORNER OF BESTMANN ADDITION, THENCE CONTINUING SOUTH ALONG THE EAST LINE OF BESTMANN ADDITION TO THE SOUTHEAST CORNER OF SAID ADDITION, THENCE WEST ALONG THE SOUTH LINE OF SAID ADDITION TO THE SOUTHWEST CORNER OF BESTMANN ADDITION, THENCE S89°36'13"W A DISTANCE OF 124.83 FEET ALONG THE SOUTH LINE OF SAID TAX LOT 86 TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 12.3 ACRES, MORE OR LESS; TRACT 2: A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHEAST (SE ¼) OF THE NORTHEAST (NE ¼) AND THE NORTHEAST (NE ¼) OF THE SOUTHEAST (SE ¼) OF SECTION 14, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF TAX LOT 1 BEING THE POINT OF BEGINNING; THENCE SOUTH ALONG THE EAST LINE OF TAX LOT 1 TO THE SOUTHEAST CORNER OF TAX LOT 1, THENCE CONTINUING SOUTH ALONG THE EAST LINE OF TAX LOT 15 (NE1/4,SE ¼) A DISTANCE OF 594 FEET, THENCE WEST ALONG AND PARALLEL TO THE NORTH LINE OF TAX LOT 15, 990 FEET; THENCE NORTH ALONG AND PARALLEL TO THE EAST LINE OF TAX LOT 15 A DISTANCE OF 594 FEET TO THE SOUTHWEST CORNER OF TAX LOT 14 THENCE NORTH ALONG THE WEST LINE OF TAX LOT 14 TO THE NORTHWEST CORNER OF TAX LOT 14, THENCE EAST ALONG THE NORTH LINE OF TAX LOTS 1, 11, AND 14 TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 43.5 ACRES, MORE OR LESS.; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE

9 NEW BUSINESS

- A Consider acceptance of bid and award contract to Neuvirth Construction for the construction of the Well House No. 8 and Site Improvements at the Water Treatment Plant at a contract price of \$550,158.30 and authorize the Mayor to execute the contract
- B PUBLIC HEARING: Hear public comment regarding a special use permit application by Cheryl Dorff for a stable in a RR (Rural Residential) Zoning District on property located at 18621 Deer Ridge Drive, Plattsmouth, legally described as lot 23, Swallow Hills Estates, Cass County, Nebraska
- C Consider for approval RESOLUTION NO. 13-009: **A RESOLUTION OF THE**

MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE A SPECIAL USE PERMIT FOR STABLE OPERATIONS SPECIFIC TO THE APPLICANT ON LOT 23, SWALLOW HILLS ESTATES, CASS COUNTY, NEBRASKA (SWALLOW HILLS)

- D Consider for approval RESOLUTION NO. 13-010: Adoption of **HOUSING REHABILITATION PROGRAM GUIDELINES** for the **2012 Plattsmouth Citywide Housing Rehabilitation Program**, including a Program Income Re-Use Plan and Minimum Standards under the Affordable Housing Program through the Nebraska Department of Economic Development
- E John Yochum, Executive Director of the Cass County Nebraska Economic Development Council (CCNEDC) presentation regarding the activities and benefits of CCNEDC
- F Consider approval of the renewal of the Agreement between the City of Plattsmouth and the Cass County Nebraska Economic Development Council and authorize the Mayor to execute the agreement
- G Consider first reading of **ORDINANCE NO. 1857: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 4, ARTICLE 1, SECTION 4-144 RELATED TO THE IMPLEMENTATION OF RESOLUTION NO. 11-044 CREATING LIMITED TRUCK ROUTES WITHIN THE CORPORATE LIMITS OF THE CITY AND TO ESTABLISH A PENALTY FOR THE VIOLATION OF THE SAME; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**
- H Consider approval of an Escrow Agreement by and between Westside Development, Inc. which is the Owner and Developer of Westside Plaza and the City of Plattsmouth to assure completion of infrastructure on Public Right of Way no later than April 30, 2013
- I Consider approval of a License Agreement Allowing Use of Right of Way for the construction of infrastructure in the form of a retaining wall along Westside Drive adjacent to Lot 10, Westside Commercial Subdivision, as surveyed, platted and recorded in Cass County, Nebraska
- J Receive a claim filed by Michael and Vicki Williams, 412 Fulton Avenue, Plattsmouth and consider referring to the insurance company
- K Consider excusing the absences of Council Member Terry D. Tilson from the following Regular City Council Meetings: December 3, 2012, December 17, 2012, January 7, 2013, January 21, 2013 and February 4, 2013
- L Consider a closed session to protect the public interest in regard to legal contractual matters related to the Plattsmouth Rural Fire Board Interlocal Agreement and legal contractual matters related to the Keno contract with SSRJ, Inc.

M Consider approval of Amendment No. 4 to the Lottery (Keno) Operator Agreement with SSRJ, Inc. doing business as Plattsmouth Keno

N Consider granting further Cessation and Interruption of Operations for SSRJ, Inc. dba Plattsmouth Keno through February 18, 2013

10 City Administrator Communication

11 Mayor and City Council Communication

12 Adjourn