

PLATTSMOUTH CITY COUNCIL  
December 3, 2012

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:00 o'clock p.m. on December 3, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: Terry Kerns, John R. Porter, Jeanie Brookhouser, Steve Riese, Pat Dugan, Art Tesarek and Doug Derby. Council Members Absent: Terry D. Tilson. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Attorney Roger Johnson and City Treasurer Peggy Wilsey.

Notice of this meeting was given in advance by publication in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. All proceedings hereafter shown were taken while the convened meeting was open to the public.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act and a copy of all documents being discussed at the meeting were available for inspection and indicated the location of such copies in the room where the meeting was being held.

ITEM 5-CITIZEN DELEGATION

Vicki Huddleston, 320 S. 16<sup>th</sup> Street, Plattsmouth-Vice President of the Plattsmouth Main Street Association wanted to inform the Mayor and Council that she is working with an organization called Home Front Hugs to circulate cards for the troops. The cards are at various locations throughout city for people to sign.

ITEM 6-MAYORAL PROCLAMATIONS

Mayor Bowman, at a reception honoring outgoing Council Member Art Tesarek, proclaimed December 3, 2012 as Art Tesarek Day in the City of Plattsmouth.

ITEM 7-CONSENT AGENDA:

Motion by Porter, seconded by Brookhouser to approve the Consent Agenda as presented with additional claims.

- A Consider approval of November 19, 2012 Plattsmouth City Council Meeting Minutes
- B Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 11/16/2012 not Net as before

General Admin 14,211.82

Humane 1,301.18

EMS 7,759.29  
 Police 33,229.42  
 Street 10,966.77  
 Public Library 6,318.12  
 Parks 1,086.12  
 Oakhill Cemetery 1,376.80  
 Senior Center 2,033.84  
 Community Center 7,748.00  
 Pool  
 Water 6,075.90  
 Sewer 5,936.69  
 CBD 570.00  
 TOTAL SALARIES 98,613.95

VARIOUS

SHELL	4882.74	
AMERICAN FAMILY LIFE ASS		215.59
BLUE CROSS BLUE SHIELD		39,192.83
UNITED STATES LIFE INSUR		30.40
MUTUAL OF OMAHA		18.96
MUTUAL OF OMAHA		60.81
DELTA DENTAL PLAN		55.40
MUTUAL OF OMAHA		538.79
PLATTSMOUTH STATE BANK		1,651.68
THE UNION CENTRAL LIFE I		155.02
UNITED STATES LIFE INSUR		107.21
GENERAL ADMINISTRATION		
BLACK HILLS ENERGY		628.45
COMPUTERS TO GO		308.99
DELTA DENTAL PLAN		298.65
FIRST BANKCARD		190.75
J P COOKE COMPANY		28.06
JOHN BAXTER		150.00
KATHRYN SHARP		125.00
KONICA MINOLTA BUSINESS		14.08
OLMSTED & PERRY ENGINEER		326.05
PAYFLEX		40.02

RDG PLANNING & DESIGN	320.00
THE COLUMBUS TELEGRAM	689.39
VERIZON WIRELESS	186.54
WELLS FARGO BANK	1,750.00
HUMANE/CODE ENFORCEMENT	
DELTA DENTAL PLAN	110.80
HEARTS UNITED	70.00
POLICE	
BELLEVUE POLICE DEPARTME	750.00
CASS COUNTY SHERIFF	3,509.00
DEBRA S FLAHERTY	10.00
DELTA DENTAL PLAN	686.45
FIRST BANKCARD	31.86
GALLS	418.99
JACK'S UNIFORMS & EQUIPM	225.63
KAHLER CONSTRUCTION	2,855.00
KONICA MINOLTA BUSINESS	8.41
LEROY LEWIS	600.00
METRO CHIEFS ASSOCIATION	30.00
PAYFLEX	26.68
VERIZON WIRELESS	73.23
WARGA BROADCASTING LLC	300.00
WOODHOUSE FORD SOUTH INC	95.35
STREET	
ALLIED OIL & TIRE COMPAN	1,121.30
ASPHALT & CONCRETE MATER	756.80
BLACK HILLS ENERGY	194.75
BOMGAARS SUPPLY	246.31
CHOICE ELECTRIC INC	210.00
DELTA DENTAL PLAN	320.30
FIRST BANKCARD	38.99
IMPACT MANUFACTURING	249.71
JOHN DEERE CREDIT	19.36
MARTIN MARIETTA AGGREGAT	740.67
MICHAEL TODD & COMPANY I	486.55
NEBRASKA PUBLIC POWER DI	89.24
PAYFLEX	6.66
PLATTSMOUTH READY MIX IN	678.44
VERIZON WIRELESS	133.00
LIBRARY	
BAKER & TAYLOR BOOKS	653.20
BLACK HILLS ENERGY	75.85

CHARTER BUSINESS	16.00
DELTA DENTAL PLAN	110.80
DOLLAR GENERAL	15.50
FIRST BANKCARD	2,035.64
GALE	53.00
NEBRASKA PUBLIC POWER DI	422.65
R & R CLEANING	325.00
PARK & REC	
BLACK HILLS ENERGY	78.38
BOMGAARS SUPPLY	189.70
IMPACT MANUFACTURING	28.15
JOHN DEERE CREDIT	84.44
NEBRASKA PUBLIC POWER DI	98.27
THE COLUMBUS TELEGRAM	5.47
VERIZON WIRELESS	33.25
CEMETERY	
DELTA DENTAL PLAN	55.40
KEN BETTS ENTERPRISES IN	40.00
NEBRASKA PUBLIC POWER DI	37.86
PAYFLEX	6.66
PRUITT INC	21.47
FIRE	
BLACK HILLS ENERGY	32.82
FIRST BANKCARD	733.16
FORT DEARBORN LIFE INSUR	182.32
FOUR STAR LAUNDRY	.58
LARUE DISTRIBUTING INC	45.23
MULLENAX AUTO SUPPLY	321.81
THIRTYFOUR SEVENTEEN VEN	173.40
SENIOR CITIZEN CTR	
BLACK HILLS ENERGY	162.87
CIT TECHNOLOGY	156.85
DELTA DENTAL PLAN	43.30
FOUR STAR LAUNDRY	103.44
JOHN'S APPLIANCE	104.00
COMMUNITY CENTER	
ALLISON WELCH	87.50
AMERICAN RED CROSS LOESS	175.00
BLACK HILLS ENERGY	1,465.87
CECILIA A GUERRA	25.00
DAVE STEINKRUGER	50.00
DEBBIE BAGGENSTOSS	225.00
DELTA DENTAL PLAN	77.05

DIANA L. POGREBA	25.00
FISERV	187.50
FOUR STAR LAUNDRY	19.62
JOHN'S APPLIANCE	104.00
JOYCE HICKS	225.00
KAREN MOREHEAD	25.00
KELLEY STEELE	50.00
LINDA HAUENSTEIN	75.00
MICHAEL ANZALONE	120.00
MICHELLE MCKNIGHT	25.00
MIDWEST SOUND & LIGHTING	59.25
O'KEEFE ELEVATOR CO INC	154.00
PAYFLEX	6.66
SARAH ASCHENBRENNER	162.50
VERIZON WIRELESS	65.86
AQUATIC	
BLACK HILLS ENERGY	18.60
EMS	
ALS AFFILIATES	315.75
BLACK HILLS ENERGY	32.83
BROWN FLORAL & CREATIONS	37.45
DELTA DENTAL PLAN	77.05
FOUR STAR LAUNDRY	1.69
LARUE DISTRIBUTING INC	45.23
MATHESON TRI-GAS INC	69.03
METRO BILLING SERVICES	646.00
MULLENAX AUTO SUPPLY	312.00
VERIZON WIRELESS	2,673.98
WATER DEPARTMENT	
BLACK HILLS ENERGY	72.04
BOMGAARS SUPPLY	219.98
DELTA DENTAL PLAN	175.75
KERNS EXCAVATING COMPANY	3,620.00
HD SUPPLY WATERWORKS LTD	1,057.39
HDR ENGINEERING INC	37,413.64
KNIGHT TRUCKING LLC	707.86
MISSISSIPPI LIME COMPANY	3,339.90
NDEQ - FISCAL SERVICES	113,366.72
NE PUBLIC HEALTH ENVIRON	185.00
NEBRASKA PUBLIC POWER DI	111.88
OLMSTED & PERRY ENGINEER	51.42
PAYFLEX	6.66
UTILITY EQUIPMENT COMPAN	165.63

VERIZON WIRELESS	133.00
SEWER DEPARTMENT	
BERT GURNEY & ASSOCIATES	16,610.00
BLACK HILLS ENERGY	394.11
BOMGAARS SUPPLY	320.30
DELTA DENTAL PLAN	166.20
NDEQ - FISCAL SERVICES	57,605.76
OLMSTED & PERRY ENGINEER	51.43
PAYFLEX	6.66
WINGATE INN	239.90
DRUG FORFEITURE	
NEXTEL PARTNERS	99.98
CSO PROJECT PHASE II	
HDR ENGINEERING INC	22,959.17
NDEQ - FISCAL SERVICES	2,231.46
.05% SALES TAX STREET/SIDE MAINT	
BOMGAARS SUPPLY	623.36
DELTA DENTAL PLAN	43.30
JOHN DEERE CREDIT	289.95
SPRAGUE ELECTRIC	850.00
WESTSIDE	
OLMSTED & PERRY ENGINEER	837.08
Total Claims	345,100.31
Total Claims and Salaries	443,714.26

ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, and Brookhouser. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

City Administrator Erv Portis stated that City Attorney Roger Johnson and himself are meeting with the owner of SSRJ, Inc. dba Plattsmouth Keno on Thursday, December 6, 2012 to review the progress and the situation with the insurance company so he recommended granting Cessation and Interruption of Operations through December 17, 2012. Motion by Porter, seconded by Dugan to grant Cessation and Interruption of Operations for SSRJ, Inc. dba Plattsmouth Keno through December 17, 2012. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Chris Koenig, HDR-Project Manager for the Sewer Separation Phase 2 project was available to answer any questions. Motion by Kerns, seconded by Riese to approve Change Order No. 6

(FINAL) submitted by Roloff Construction, Inc. for the Sewer Separation Phase 2 project with an increase of \$49,392.03 for an adjusted contract price of \$1,544,515.54 and authorize the Mayor to execute Change Order No. 6 (FINAL). After discussion, ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 8 C

Motion by Riese, seconded by Tesarek to approve Pay Application No. 6 submitted by Roloff Construction Inc. for Sewer Separation Phase 2 in the amount of \$203,671.20 and authorize the Mayor to execute Pay Application No. 6. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 8 D

Motion by Dugan, seconded by Derby to approve the acceptance of the Combined Sewer Separation Phase 2 project and improvements. After discussion, ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Tesarek and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 8 E

Motion by Brookhouser, seconded by Kerns to approve Pay Application No. 7 (FINAL) submitted by Roloff Construction Inc. for Sewer Separation Phase 2 in the amount of \$5,000.00 and authorize the Mayor to execute Pay Application No. 7 (FINAL). After discussion, Brookhouser amended her motion to read: Approve Pay Application No. 7 (FINAL) submitted by Roloff Construction Inc. for Sewer Separation Phase 2 in the amount of \$5,000.00 and authorize the Mayor to execute Pay Application No. 7 (FINAL) contingent on receipt of lien waivers and record drawings. Brookhouser's amended motion was again seconded by Kerns. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 9

7:15 p.m. Motion by Tesarek, seconded by Dugan to adjourn. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

Roger Johnson, City Attorney administered the Oath of Office to the newly elected City Council Members: Terry Kerns, Steve Riese and Wanda Wiemer. (Council Member Terry D. Tilson was reelected but was absent from the meeting)

7:20 p.m. Answering Roll Call to the reconvening City Council Meeting: John Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Pat Dugan, Wanda Wiemer and Doug Derby.

Mayor Bowman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act and a copy of all documents being discussed at the meeting were available for inspection and indicated the location of such copies in the room where the meeting was being held.

#### ITEM 4-CONSENT AGENDA

Motion by Riese, seconded by Dugan to approve the consent agenda as listed.

- A Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises d/b/a DC's Waterhole for a Chili Cookoff being held at 308 South 18<sup>th</sup> Street, Plattsmouth, Nebraska on January 18, 2013 from 3:00 p.m. to 11:00 p.m.

ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 5-NEW BUSINESS

##### ITEM A

Mayor Bowman opened the floor for nominations for Plattsmouth City Council President:

Council Member Derby nominated Pat Dugan; Council Member Kerns nominated Doug Derby; and Council Member Brookhouser nominated Steve Riese. With no other nominations, Motion by Riese, seconded by Porter to close the nominations. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Vote # 1: Dugan – 3 votes; Derby – 2 votes; and Riese – 2 votes. With no one receiving a majority vote of the council as a whole, a second vote was required. Council Member Riese declined his nomination for City Council President.

Vote #2: Dugan – 4 votes; and Derby – 3 votes. With no one receiving a majority vote of the council as a whole, a third vote was required. Council Member Derby declined his nomination for City Council President. With the declination of Council Member Derby for City Council President, Mayor Bowman declared Council Member Dugan the Plattsmouth City Council President.

##### ITEM B

Council Member Kerns stated that he would be abstaining from any discussion or action on this item as he is President and Majority Shareholder of Kerns Excavating Company.

Motion by Porter, seconded by Brookhouser to approve payment of an invoice submitted by Kerns Excavating Company for the water main on 1<sup>st</sup> Avenue-3<sup>rd</sup> Street to 4<sup>th</sup> Street including pot holing existing service in the amount of \$3,620.00. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter and Brookhouser. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.



ITEM C

Council Member Riese introduced a Resolution numbered and titled: RESOLUTION NO. 12-046: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA EXPRESSING ITS INTENTION TO CONSIDER THE ANNEXATION OF CERTAIN REAL ESTATE DESCRIBED HEREIN AND APPROVING A PLAN FOR THE EXTENSION OF SERVICES THERETO

Motion by Riese, seconded by Dugan to adopt Resolution No. 12-046:

**RESOLUTION NO. 12-046**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA EXPRESSING ITS INTENTION TO CONSIDER THE ANNEXATION OF CERTAIN REAL ESTATE DESCRIBED HEREIN AND APPROVING A PLAN FOR THE EXTENSION OF SERVICES THERETO.

WHEREAS, *Neb. Rev. Stat.* § 16-117 authorizes cities of the first class to annex contiguous and adjacent lands following the adoption of a resolution stating its intent to so annex, together with a plan for extending City services to the area to be annexed.

WHEREAS, the City Council has determined that it should consider the annexation of certain lands which are contiguous and adjacent to the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska that the City desires to consider the annexation of the following described real estate which is also depicted on Exhibits A and B respectively:

EXHIBIT "A" DESCRIPTION

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 6<sup>TH</sup> 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.

EXHIBIT "B" DESCRIPTION

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 6<sup>TH</sup> 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.

BE IT FURTHER RESOLVED that the attached plan for the extension of city services to the proposed area, marked as Exhibit C, is approved, and which plan is available for public inspection in the office of the City Clerk at City Hall, 136 N. 5<sup>TH</sup> Street, Plattsmouth, Nebraska, during normal business hours.

BE IT FURTHER RESOLVED that this matter is referred to the Plattsmouth Planning Commission for recommendation, which Commission shall hold a public hearing on December 20, 2012 at 7:30 p.m. at City Hall, 136 N. 5<sup>TH</sup> Street, Plattsmouth, Nebraska.

BE IT FURTHER RESOLVED that the Mayor and City Council will hold a public hearing on the proposed annexation to receive testimony from any interested person on January 7, 2013 at 7:00 p.m. at City Hall, 136 N. 5<sup>TH</sup> Street, Plattsmouth, Nebraska.

BE IT FURTHER RESOLVED that the attached maps delineate the tracts of land proposed for annexation.

BE IT FURTHER RESOLVED that a copy of this resolution shall be mailed by first class mail following its passage to the school board of any school district in the tract of land or lands proposed for annexation.

BE IT FURTHER RESOLVED that a copy of this resolution and the attached maps be published in the Plattsmouth Journal at least once not less than ten days before the date of the public hearing before the Mayor and City Council as referenced above.

PASSED AND APPROVED this 3<sup>RD</sup> day of December 2012.

/s/Michael C. Bowman, Mayor

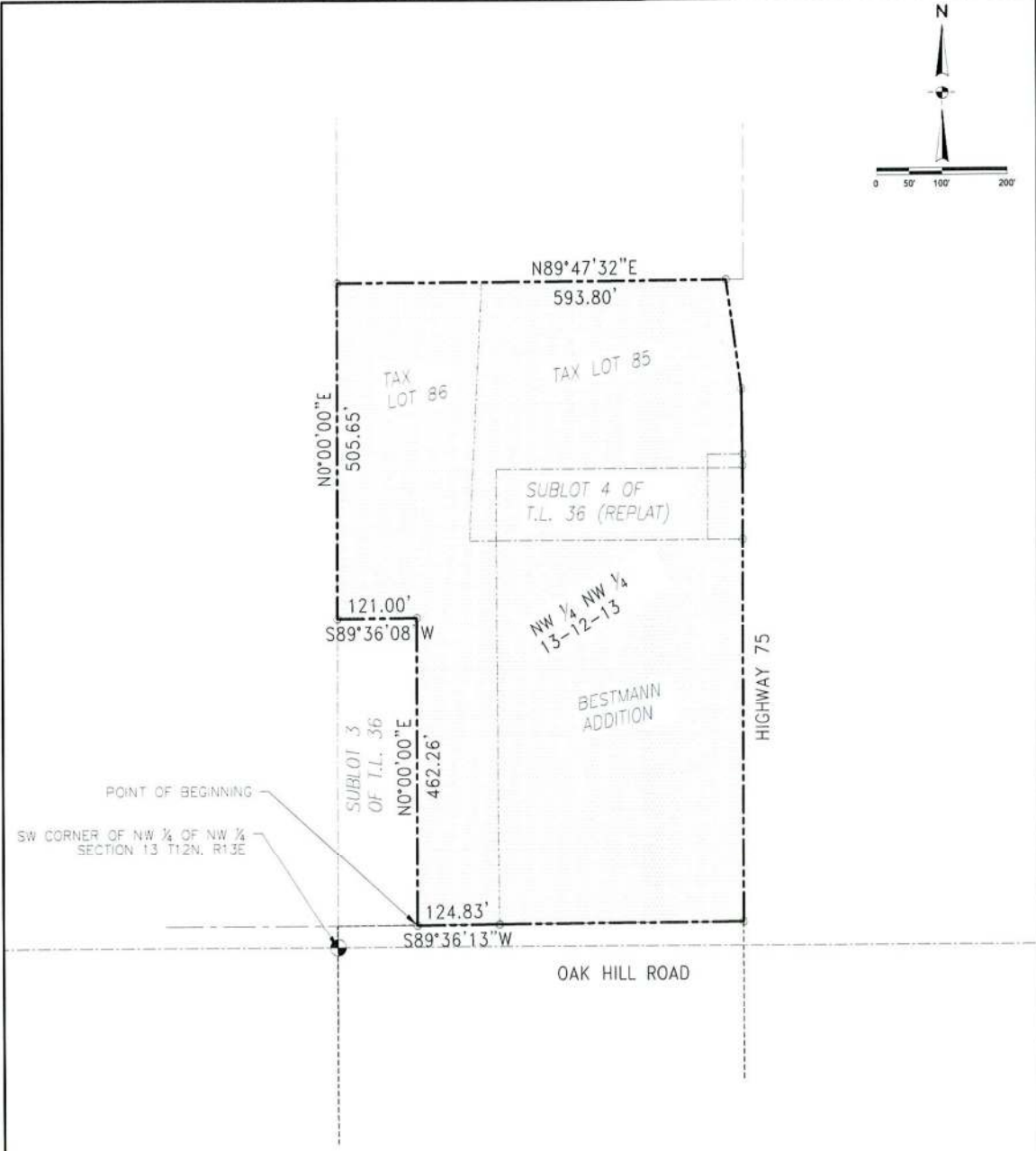
ATTEST:

/s/Sandra J. Meyer, City Clerk

EXHIBIT "A" DESCRIPTION

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ANNEXATION PLAT  
 CITY OF PLATTSMOUTH  
 CASS COUNTY, NEBRASKA  
 EXHIBIT A

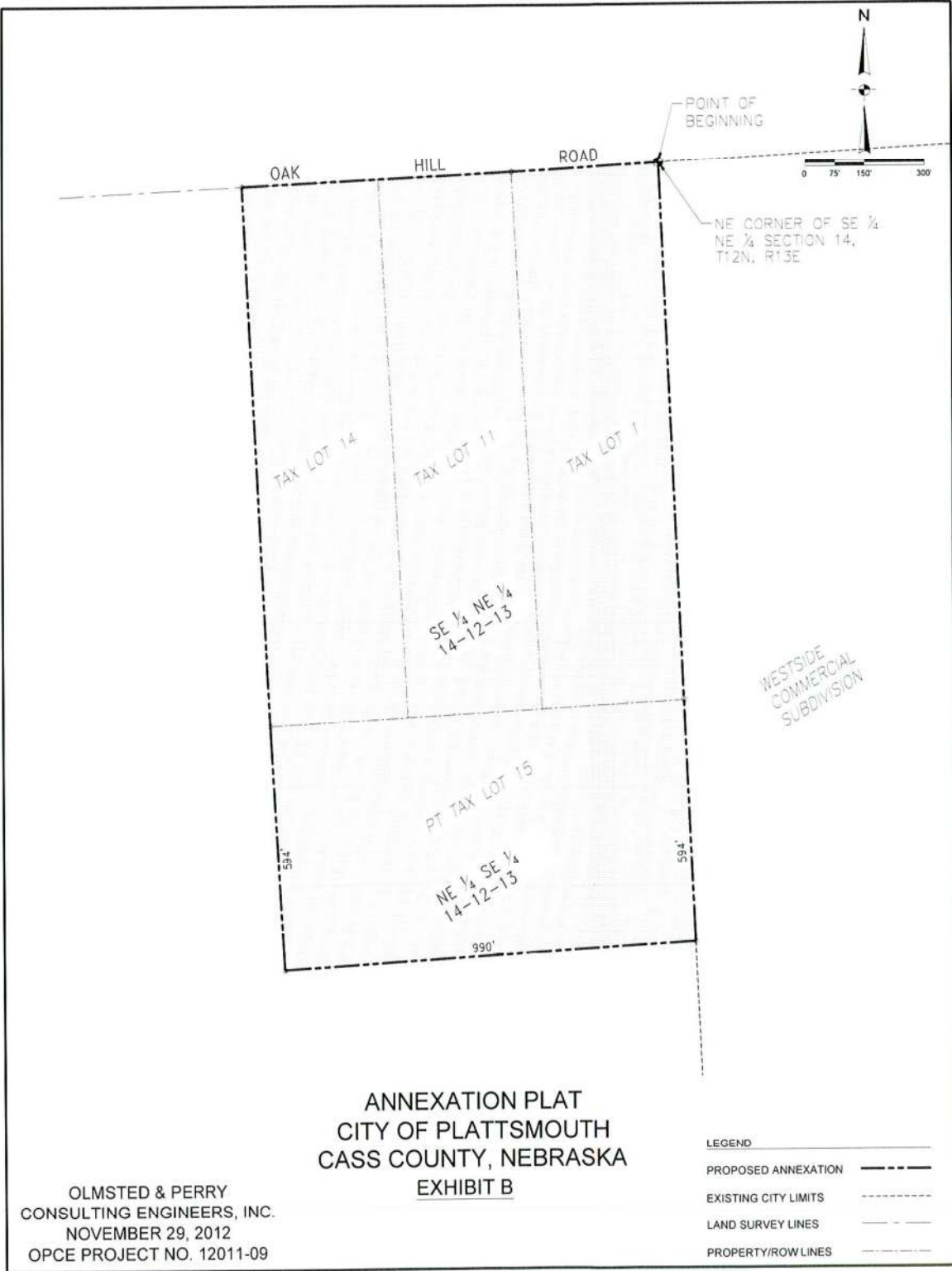
OLMSTED & PERRY  
 CONSULTING ENGINEERS, INC.  
 NOVEMBER 29, 2012  
 OPCE PROJECT NO. 12011-09

LEGEND	
PROPOSED ANNEXATION	-----
EXISTING CITY LIMITS	-----
LAND SURVEY LINES	-----
PROPERTY/ROW LINES	-----

EXHIBIT "B" DESCRIPTION

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 6<sup>TH</sup> 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 PARALELL 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.



**BESTMANN ADDITION and OAKHILL CEMETERY ANNEXATION  
DECEMBER 2012**

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**THE COMPREHENSIVE PLAN**

The Comprehensive Development Plan for the City of Plattsburgh, addresses annexation in Chapter 8, pages 119-121. Bestmann Addition is identified in the Plan as Section 1e, about which is written:

Section 1e is located along the Highway 75 corridor north and south of Avenue B. Existing city services and commercial development of the area warrant immediate consideration for annexation.

**ANNEXATION PLAN**

The annexation plan must contain the following, and it must contain sufficient detail to provide a reasonable person with a full and complete understanding of the proposal to extend services:

- A. A map, drawn to scale, which clearly delineates the land for annexation, including the City's current boundaries, the proposed boundaries after annexation, and the general land-use pattern.

An annexation plat (map) drawn to scale is attached to this document. Properties to be annexed are Bestmann Addition and Oakhill Cemetery.

- B. The estimated cost of extending City services to the annexed area.

**Police**—no additional police services will be necessary. Plattsburgh Police will begin providing police services when the annexation ordinance becomes effective.

**Fire**—no additional fire services will be necessary. Fire service is already provided. Rural Fire Protection District area will be annexed through the annexation ordinance.

**Emergency Medical Services**—EMS services are already provided to the area via interlocal agreement with the Rural Fire Protection District. No additional costs will be necessary.

**Library**—no additional library services will be necessary. Annexation will bring one residential property into the City. Residents will become eligible for all library services that are free to city residents.

**Water**—water services were extended as part of the U.S. Highway 75 improvement project. Plattsburgh compensated Cass County Rural Water District 1 for water service area that included Bestmann Addition and approximately 21.42 acres immediately north of the Bestmann Addition. Water users will pay standard City rates, rather than 1.5 times City rates for users outside the City limits.

**Sanitary Sewer**—was installed to Bestmann Addition properties as part of the U.S. Highway 75 improvement project. Sewer service lines have been connected to the commercial properties. Sanitary sewer flows to the improved lift station on the south side of



Oakhill road. The one residential property to be annexed will be connected to sanitary sewer when systems are extended to the 21.42 acres to the north.

**Electricity**—electric services are provided by NPPD per the Professional Retail Operations Agreement by and between Plattsmouth and NPPD.

**Streets**—Once the U.S. Highway 75 project is complete, Bestmann Drive will become a public road maintained by the City of Plattsmouth. Snow removal and street maintenance and repairs will be a City responsibility. The City is currently responsible for snow plowing on Oakhill Road. Additional time to clear snow from Bestmann Drive will be minimal.

C. The method by which the City will finance the extension of services.

Improvements were made in 2012 prior to annexation. There will be no additional costs or reasons to finance.

D. The manner by which the services already provided will be maintained.

Water and sanitary sewer services are now in place to the Bestmann commercial properties and will be maintained by City of Plattsmouth Public Works water and sewer staff. Bestmann Drive will be maintained by City of Plattsmouth Public Works staff.

E. A timetable for extending the City's services.

Water and sewer are in place and currently operating. All other services will become available upon effective date of the annexation ordinance.

## **PLANNING COMMISSION PUBLIC HEARING**

Thursday, December 20, 2012.

7:30 p.m.

City Hall, 136 North 5<sup>th</sup> Street, Plattsmouth.

City Attorney Roger Johnson read Resolution No. 12-046 in to the record.

ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### **ITEM 8 D**

Motion by Riese, seconded by Porter to approve the issuance of a one year Mobile Home License to Chad Menke-Three Parks LLC, Hi-Vue Mobile Home Park, 1023 North 9<sup>th</sup> Street, Plattsmouth. After discussion, ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Dugan, seconded by Derby to approve the issuance of a one year Mobile Home License to Chad Menke-Three Parks LLC, Hill City Mobile Home Park, 504 North 22<sup>nd</sup> Street, Plattsmouth. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Wiemer, seconded by Dugan to approve the issuance of a one year Mobile Home License to Todd & Shelley Bragg-Southside Mobile Home Park, 1904 Lincoln Avenue, Plattsmouth. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 G

Motion by Brookhouser, seconded by Porter to approve the issuance of a one year Mobile Home License to Mickey & Ann Gordon-Gordon's Court, 1105 Avenue D, Plattsmouth. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 H

Motion by Dugan, seconded by Derby to approve the issuance of a one year Mobile Home License to Jeff Henry-Henry Property Management, The Pines, 1715 South 15<sup>th</sup> Street, Plattsmouth. After discussion, ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 I

Motion by Brookhouser, seconded by Porter to approve the issuance of a one year Mobile Home License to Tim & Tammy Podraza, Podraza Properties Inc., Morning Star Mobile Home Community, 1018 Avenue H, Plattsmouth. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 J

Motion by Riese, seconded by Wiemer to approve the issuance of a one year Mobile Home License to Robert & Phyllis Bauerkemper-Robert's Mobile Home Court Inc., 2425 South 15<sup>th</sup> Street, Plattsmouth. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 K

Motion by Porter, seconded by Riese to approve the issuance of a one year Mobile Home License to Bob Bauerkemper Jr.-Robert's Mobile Home Court Inc., 2425 South 15<sup>th</sup> Street, Plattsmouth.

ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 L

Motion by Riese, seconded by Dugan to approve the appointment of Luke Hinz as a new member of the Plattsmouth Volunteer Fire Department. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 M

Motion by Dugan, seconded by Riese to approve the appointment of Adam Denio as a new member of the Plattsmouth Volunteer Fire Department. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 N

Motion by Riese, seconded by Brookhouser to approve the Plattsmouth Volunteer Fire Department roster. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8

7:46 p.m. Motion by Wiemer, seconded by Porter to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk