

PLATTSMOUTH CITY COUNCIL

July 6, 2015

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:04 o'clock p.m. on July 6, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry Kerns. Also present: City Administrator Ervin Portis, City Inspector Kevin Larson and City Treasurer Roger Davis.

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 4-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 5-MAYORAL PROCLAMATIONS

Mayor Lambert stated that he presented a proclamation recognizing the 81st Anniversary of the Plattsmouth Garden Club.

ITEM 6

Motion by Riese, seconded by Brookhouser to receive, with considerable regret, the resignation of City Attorney Roger K. Johnson, effective July 6, 2015 (date of City Council acceptance). ROLL CALL: Yes-Derby, Wiemer, Dugan, Brookhouser, Porter, Tilson and Riese. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 7

Motion by Wiemer, seconded by Porter to approve the appointment of Welch Law Firm as the City Attorney for the City of Plattsmouth per the terms of the July 2, 2015 Memorandum of Engagement commencing July 15, 2015. Larry Welch Jr., Welch Law Firm was introduced. Mr. Welch introduced Stephen Q. Preston, an attorney with Welch Law Firm who will be assigned as the primary to handle the City of Plattsmouth business. ROLL CALL: Yes-Tilson, Riese, Brookhouser, Dugan, Wiemer, Porter and Derby. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 8-CONSENT AGENDA:

Motion by Brookhouser, seconded by Tilson to approve the Consent Agenda as presented:

- A Consider approval of the June 15, 2015 City Council Meeting Minutes

- B Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Reception being held at Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on August 15, 2015 from 2:00 p.m. to 12:00 a.m.
- C Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Chamber Sponsored Event-Taste of Plattsmouth being held at Plattsmouth Entertainment Plaza, 4th Street from Main Street to Alley behind Plaza, Plattsmouth on July 31, 2015 from 3:00 p.m. to 11:00 p.m.
- D Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Beer Garden being held at Plattsmouth Entertainment Plaza, 4th Street from Main Street to the Alley behind the Plaza, Plattsmouth on September 11, 2015 and September 12, 2015 from noon to 12:30 a.m.
- E Consider approval of claims

Claims Register Report as of 7/6/2015

Vendor Name Amount

Pay Date: 6/26/15
 Com Ctr 18535.37
 EMS 7815.86
 General 15912.79
 Library 6909.9
 Park and Cemetery 4891.55
 Police 33688.78
 Senior 2135.77
 Street 10357.81
 Water and Sewer 12577.08

112824.91

Vendor Name

AMERICAN FAMILY LIFE 773.42
 AMERITAS LIFE INSURANCE CORP 155.02
 AMERITAS LIFE INSURANCE CORP (pension) 13225.54
 BLUE CROSS BLUE SHIELD 51119.04
 CENTRAL UNITED LIFE INSURANCE 265.44
 COLLECTION SERVICES CENTER 372
 DELTA DENTAL PLAN 2469.2
 FRATERNAL ORDER OF POLICE 180
 INTERNAL REVENUE SERVICE 27270.65
 MUTUAL OF OMAHA 736.19
 NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3539.6
 NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10904.08
 PLATTSMOUTH STATE BANK 568.07

Department : 01 - GENERAL ADMINISTRATION

BAIRD HOLM LLP 429
BLACK HILLS ENERGY 54.46
CASS COUNTY REGISTER OF DEEDS 16
CHARTER BUSINESS 130
DANA F COLE & COMPANY LLC 9538.95
GLORIA WOLF 50
HOLIDAY INN OF KEARNEY 83
IRINA A HARRINGTON 75
JONES NATIONAL BANK & TRUST 47704.79
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 13.2
OLMSTED & PERRY ENGINEERING 479.48
OMAHA WORLD HERALD 96.2
PITNEY BOWES INC 180
ROGER DAVIS 231.8
THE FRAZIER COMPANY 586
VERIZON WIRELESS 83.25
WASTE CONNECTIONS OF NEBRASKA INC 50.69

Department : 02 - HUMANE/CODE ENFORCEMENT

PRO CHRYSLER DODGE JEEP RAM 197.21
QUALITY SIGNS 125
URGENT PET CARE 112.82
VERIZON WIRELESS 40.01

Department : 03 - EMS

BLACK HILLS ENERGY 38.01
ECHO GROUP INC 108.9
FORT DEARBORN LIFE INSURANCE CO 58.48
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 21.27
IDEAL PURE WATER 16.37
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 55.09
LIFE-ASSIST INC 419.9
LINDER TIRE & AUTO INC 40
MATHESON TRI-GAS INC 258.71
MICHAEL WOOD 1677.76
MULLENAX AUTO SUPPLY 58.25
SHELL FLEET PLUS 37.13
STERICYCLE INC 1689.03
VERIZON WIRELESS 254.14
WASTE CONNECTIONS OF NEBRASKA INC 15.91

Department : 04 - POLICE

BOMGAARS SUPPLY 36.99
CASS COUNTY REGISTER OF DEEDS 186
CASS COUNTY SHERIFF 3509
DASH MEDICAL GLOVES INC 60.9
FIRST BANKCARD 185.39

HENRY COLLISION CENTER 1099.68
JACK'S UNIFORMS & EQUIPMENT 303.09
JEFF HENRY CHEVROLET 701.17
KAHLER CONSTRUCTION 4350
KONICA MINOLTA BUSINESS SOLUTIONS 16.14
LYNN PEAVEY COMPANY 58.75
MJN INC 300
MULLENAX AUTO SUPPLY 8.49
QUALITY SIGNS 82.5
SHELL FLEET PLUS 1665.87
STEVE RATHMAN 93.11
VERIZON WIRELESS 171.8
WARGA BROADCASTING LLC 300

Department : 05 - STREET

ASPHALT & CONCRETE MATERIALS FLINN PAVING INC 767.01
BLACK HILLS ENERGY 59.71
BOMGAARS SUPPLY 242.76
FASTENAL COMPANY 9.79
JOHN DEERE CREDIT 135.54
LYMAN RICHEY CORPORATION 1572.35
LYMAN RICHEY SAND & GRAVEL CO 318.21
MARTIN MARIETTA AGGREGATES 767.36
MENARDS 77.46
OLMSTED & PERRY ENGINEERING 14750.28
SAFETY-KLEEN CORPORATION 222.1
SHELL FLEET PLUS 562.15
SID TOOL CO INC 196.42
SOUTHEAST NE DEVELOPMENT DISTRICT 1289.92
VERIZON WIRELESS 166.5
WASTE CONNECTIONS OF NEBRASKA INC 127.91
WOODHOUSE FORD SOUTH INC 429.12

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1212.78
BIBLIOTHECA INC 306
BLACK HILLS ENERGY 20.76
BOMGAARS SUPPLY 14.96
CENTER POINT LARGE PRINT 216.9
CHARTER BUSINESS 12
DEMCO 173.67
EGAN SUPPLY CO 215.53
FIRST BANKCARD 848.49
GALE/CENGAGE LEARNING 100.98
OKEEFE ELEVATOR CO INC 173.22
QUALITY BOOKS INC 14.04
WASTE CONNECTIONS OF NEBRASKA INC 15.9
WINDSTREAM 60.44

Department : 07 - PARK & REC

AGRIVISION EQUIPMENT GROUP LLC 166.65
ALEGENT CREIGHTON HEALTH 140
BLACK HILLS ENERGY 20.76
BOMGAARS SUPPLY 23.9
CHARTER BUSINESS 30.56
EGAN SUPPLY CO 213.28
ODEYS INC 498
OREILLY AUTOMOTIVE INC 6.49
SHELL FLEET PLUS 183.53
TILSON AUTOMOTIVE 720.97
VERIZON WIRELESS 31.48
WASTE CONNECTIONS OF NEBRASKA INC 342.39

Department : 08 - CEMETERY
NEBRASKA PUBLIC POWER DISTRICT 31
SHELL FLEET PLUS 78.66
VERIZON WIRELESS 31.48
WINDSTREAM 91.41

Department : 10 - FIRE
BLACK HILLS ENERGY 38.01
FIRE GUARD INC 402.41
FIRST BANKCARD 380
FORT DEARBORN LIFE INSURANCE CO 154.8
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 21.3
IDEAL PURE WATER 16.38
JEREMY BAILIFF 206.63
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 55.09
ROBERT HECKMAN 322.15
WASTE CONNECTIONS OF NEBRASKA INC 15.9
WOODHOUSE FORD SOUTH INC 100.91

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 71.49
BOMGAARS SUPPLY 3.19
FIRST BANKCARD 19.88

Department : 16 - ECONOMIC DEVELOPMENT
BLACK HILLS ENERGY 643.38
SEND D 230.84

Department : 17 - COMMUNITY CENTER
ECHO GROUP INC 106.28
EGAN SUPPLY CO 1040.74
FIFTH THIRD BANK 98.12
FIRST BANKCARD 366.7
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 1107.75
HYVEE 50
JERRY SLAFTER 75

KS STATEBANK 1048
OLMSTED & PERRY ENGINEERING 1334.44
PLATTSMOUTH MAIN STREET ASSOCIATION 5500
STEPHEN C WARGA 115
VERIZON WIRELESS 51.77
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC
AQUA CHEM INC 1620.5
BLACK HILLS ENERGY 2909.7
CHARTER BUSINESS 31.84
COCA COLA REFRESHMENTS USA INC 1427.28
FIRST BANKCARD 70.86
JERRY SLAFTER 60
SAVAGE PLUMBING INC 95
WASTE CONNECTIONS OF NEBRASKA INC 115

Department : 20 - WATER
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 5080
BLACK HILLS ENERGY 22.14
BOMGAARS SUPPLY 201.77
DANA F COLE & COMPANY LLC 3840
DPC INDUSTRIES INC 293.75
HACH COMPANY 290.58
HD SUPPLY WATERWORKS LTD 2170.02
KNIGHT TRUCKING LLC 638.52
LANGFELDT OVERHEAD DOOR 383
MISSISSIPPI LIME COMPANY 7641
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 949.44
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 373
NEBRASKA PUBLIC POWER DISTRICT 6955.11
SHELL FLEET PLUS 450.31
THE FRAZIER COMPANY 600.9
TYLER TECHNOLOGIES 90
VERIZON WIRELESS 94.44

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 400
VERIZON WIRELESS 54.7

Department : 30 - SEWER
BLACK HILLS ENERGY 240.2
BOMGAARS SUPPLY 87.28
DANA F COLE & COMPANY LLC 2560
GELCO SUPPLY INC 436.58
GRAINGER 268.1
HD SUPPLY FACILITIES MAINTENANCE LTD 67.36
MENARDS 16.63
MID-IOWA SOLID WASTE EQUIPMENT 883.75
MUNICIPAL AUTOMATION & CONTROL 430.2

NEBRASKA PUBLIC POWER DISTRICT 3553.05
SHELL FLEET PLUS 430.24
TYLER TECHNOLOGIES 90
VERIZON WIRELESS 51.77
WASTE CONNECTIONS OF NEBRASKA INC 46.56
WATER ENVIRONMENT FEDERATION 70

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

ITEM 9-UNFINISHED BUSINESS

ITEM 9 A

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No. 2 submitted by Oldcastle Materials Midwest Co. in the amount of \$48,384.83 for the CDBG Water and Sewer Street Improvements -Project Contract No. 2 and was available for questions. Motion by Brookhouser, seconded by Dugan to approve Contractor's Application for Payment No. 2 submitted by Oldcastle Materials Midwest Co. in the amount of \$48,384.83 for the CDBG Water and Sewer Street Improvements -Project Contract No. 2 and authorize the Mayor to execute Pay Application No. 2. Following discussion, ROLL CALL: Yes-Porter, Tilson, Dugan, Derby, Wiemer, Riese and Brookhouser. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 B

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No. 3 submitted by Kerns Excavating Co. Inc. in the amount of \$32,072.46 for the CDBG Water and Sewer Street Improvements – Project Contract No. 1. Motion by Riese, seconded by Wiemer to approve Contractor's Application for Payment No. 3 submitted by Kerns Excavating Co. Inc. in the amount of \$32,072.46 for the CDBG Water and Sewer Street Improvements – Project Contract No. 1 and authorize the Mayor to execute Pay Application No. 3. Following discussion, ROLL CALL: Yes-Dugan, Riese, Wiemer, Tilson, Derby, Porter and Brookhouser. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 C

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. handed out a memorandum outlining the phasing and cost and reviewed the Livingston Road Improvements Phase 2 project and was available for questions. Motion by Brookhouser, seconded by Wiemer to authorize the publication of notice and solicitation for sealed bids for construction of a Livingston Road Improvements Phase 2. ROLL CALL: Yes-Riese, Porter, Brookhouser, Derby, Wiemer, Dugan and Tilson. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10-NEW BUSINESS

ITEM 10 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:26 p.m. with regard to a final plat of a major subdivision application for "Meadow Heights Estates Replat 3, Lots 1 Thru

60, Inclusive, and Outlots "A" and "B" final plat, by Melvin Sudbeck Homes Inc. on property located between 11th and 13th Avenues, and east of South 4th Street, formerly known as: "Meadow Heights Estates Replat 2 Lots 1 through 60 and Outlots A&B" legally described as, "Lots 14 thru 25, inclusive, together with Lots 36 thru 53, inclusive, together with the lot shown as "Park" in Meadow Heights Estates, a subdivision in Cass County, Nebraska, together with Sublot 2 of the "Replat of Outlot "A" of said Meadow Heights Estates, together with the south 25.00 feet of Lot 30 and all of Lots 31 thru 35, inclusive, of the "Replat of Lot 9 and Lots 26 through 35" of said Meadow Heights Estates, together with adjacent Ridgecrest Drive, Ridgecrest Circle and Meadow Drive". Melvin Sudbeck spoke in favor. With no one else speaking, at 7:27 p.m. Mayor Lambert closed the public hearing.

ITEM 10 B

Council member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 15-016: RESOLUTION TO APPROVE A FINAL PLAT OF A MAJOR SUBDIVISION LOCATED BETWEEN 11TH AND 13TH AVENUES, AND EAST OF SOUTH 4TH STREET, LEGALLY DESCRIBED AS, "LOTS 14 THRU 25, INCLUSIVE, TOGETHER WITH LOTS 36 THRU 53, INCLUSIVE, TOGETHER WITH THE LOT SHOWN AS "PARK" IN MEADOW HEIGHTS ESTATES, A SUBDIVISION IN CASS COUNTY, NEBRASKA, TOGETHER WITH SUBLOT 2 OF THE "REPLAT OF OUTLOT "A" OF SAID MEADOW HEIGHTS ESTATES, TOGETHER WITH THE SOUTH 25.00 FEET OF LOT 30 AND ALL OF LOTS 31 THRU 35, INCLUSIVE, OF THE "REPLAT OF LOT 9 AND LOTS 26 THROUGH 35" OF SAID MEADOW HEIGHTS ESTATES, TOGETHER WITH ADJACENT RIDGECREST DRIVE, RIDGECREST CIRCLE AND MEADOW DRIVE" BEING THE SAME PLATTING, AND NOW BEING REFERRED TO AND KNOWN AS "MEADOW HEIGHTS ESTATES REPLAT 3, LOTS 1 THRU 60, INCLUSIVE, AND OUTLOTS "A" AND "B" FINAL PLAT.**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 15-016 by title only.

RESOLUTION NO. 15-016

RESOLUTION TO APPROVE A FINAL PLAT OF A MAJOR SUBDIVISION LOCATED BETWEEN 11TH AND 13TH AVENUES, AND EAST OF SOUTH 4TH STREET, LEGALLY DESCRIBED AS, "LOTS 14 THRU 25, INCLUSIVE, TOGETHER WITH LOTS 36 THRU 53, INCLUSIVE, TOGETHER WITH THE LOT SHOWN AS "PARK" IN MEADOW HEIGHTS ESTATES, A SUBDIVISION IN CASS COUNTY, NEBRASKA, TOGETHER WITH SUBLOT 2 OF THE "REPLAT OF OUTLOT "A" OF SAID MEADOW HEIGHTS ESTATES, TOGETHER WITH THE SOUTH 25.00 FEET OF LOT 30 AND ALL OF LOTS 31 THRU 35, INCLUSIVE, OF THE "REPLAT OF LOT 9 AND LOTS 26 THROUGH 35" OF SAID MEADOW HEIGHTS ESTATES, TOGETHER WITH ADJACENT RIDGECREST DRIVE, RIDGECREST CIRCLE AND MEADOW DRIVE" BEING THE SAME PLATTING, AND NOW BEING REFERRED TO AND KNOWN AS "MEADOW HEIGHTS ESTATES REPLAT 3, LOTS 1 THRU 60, INCLUSIVE, AND OUTLOTS "A" AND "B" FINAL PLAT.

WHEREAS, application has been made for the approval of a final plat of a major subdivision located between 11th and 13th Avenues, and east of South 4th Street, Plattsmouth, legally described as Meadow Heights Estates Replat 3, Lots 1 Through 60, Inclusive, and Outlots "A" and "B" Final Plat, by Melvin Sudbeck Homes Inc.; and

WHEREAS, the Planning Commission has recommended approval of said final plat with the recommendation that certain revisions be made to the same; and

WHEREAS, the changes to said final plat as recommended by the Planning Commission have been made.

NOW, THEREFORE, BE IT RESOLVED that the Final Plat for “Meadow Heights Estates Replat 3, Lots 1 Thru 60, Inclusive and Outlots “A” and “B” Final Plat, by Melvin Sudbeck Homes Inc. on property located between 11th and 13th Avenues, and east of South 4th Street, formerly known as: “Meadow Heights Estates Replat 2 Lots 1 Thru 60 and Outlots “A” and “B” legally described as, “Lots 14 thru 25, inclusive, together with Lots 36 thru 53 inclusive, together with the lot show as “Park” in Meadow Heights Estates, a subdivision in Cass County, Nebraska, together with Sublot 2 of the “Replat of Outlot A” of said Meadow Heights Estates, together with the south 25.00 feet of Lot 30 and all of Lots 31 thru 35, inclusive, of the “Replat of Lot 9 and Lots 26 thru 35” of said Meadow Heights Estates, together with adjacent Ridgecrest Drive, Ridgecrest Circle and Meadow Drive” is approved conditioned upon entering into all agreements deemed necessary by the City as the same relate to the proposed development of the property.

PASSED AND APPROVED this 6TH day of July 2015.

R. Paul Lambert, Mayor

ATTEST:

Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 15-016 in to the record by title only. ROLL CALL: Yes-Brookhouser, Riese, Wiemer, Derby, Dugan, Tilson and Porter. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED. Mayor Lambert declared RESOLUTION NO. 15-016 adopted.

ITEM 10 C

Discussion was had by the Mayor and Council concerning a proposed clarifying addendum to redevelopment plan originally entitled “Redevelopment Plan for Meadow Heights Estates Replat 2 Redevelopment Area 2014” (the “Plan”) approved by the Mayor and Council by Resolution No. 14-049 on October 6, 2014, and which relates to the construction of a four phase residential development consisting of sixty family residential lots with an estimated assessed valuation of \$12,600,000.00 after full build out.

The Mayor reviewed the need for the clarifying addendum to the Plan due to a scrivener's error in the proposed legal description of the then pending replat of the redevelopment area. The boundaries and original legal description of the redevelopment area included within the Plan have not changed; however, the legal description for the new replat have been changed slightly due to the scrivener's error.

Specifically, the redevelopment area was originally assumed to be within “Meadow Heights Estates Replat 2”; but the actual replat will be called “Meadow Heights Estates Replat 3”.

Discussion followed that this clarifying addendum was not a substantial modification to the Plan because the boundaries and original legal description of the redevelopment area had not changed and the correction was simply for clarification purposes going forward.

Council Member Wiemer introduced a resolution numbered and titled as follows:
RESOLUTION NO. 15-017: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A CLARIFYING ADDENDUM TO THE REDEVELOPMENT PLAN ORIGINALLY ENTITLED "REDEVELOPMENT PLAN FOR MEADOW HEIGHTS ESTATES REPLAT 2 REDEVELOPMENT AREA 2014".

Motion by Wiemer, seconded by Brookhouser to adopt RESOLUTION NO. 15-017 by title only:

RESOLUTION NO. 15-017

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A CLARIFYING ADDENDUM TO THE REDEVELOPMENT PLAN ORIGINALLY ENTITLED "REDEVELOPMENT PLAN FOR MEADOW HEIGHTS ESTATES REPLAT 2 REDEVELOPMENT AREA 2014".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. The Mayor and Council of the City of Plattsmouth, Nebraska, hereby find and determine:

(a) that pursuant to the provisions of the Community Development Law (Neb. Rev. Stat. §§ 18-2101 to 18-2144), the Mayor and City Council have previously approved a redevelopment plan entitled "Redevelopment Plan for Meadow Heights Estates Replat 2 Redevelopment Area 2014", approved on October 6, 2014 (the "Plan");

(b) that the boundaries and original legal description of the redevelopment area included within the Plan have not changed;

(c) that the legal description for the pending replat of the redevelopment have been changed slightly due to the scrivener's error;

(d) that all references in the Plan to "Replat 2" should be changed to "Replat 3"; and further that the name of the Plan shall be changed to "Redevelopment Plan for Meadow Heights Estates Replat 3 Redevelopment Area 2014";

(e) that to provide for a correction to a scrivener's error described above, a First Modification to the Redevelopment Plan for Meadow Heights Estates (the "First Modification") has been proposed to the Mayor and Council to provide for such modifications to the Plan; and

(f) that because of the nature of the error being an unintentional scrivener's error, the modifications proposed in this Resolution are hereby determined not to be substantial (within the meaning of the Community Development Law) and therefore the First Modification may be approved by the Mayor and Council without further proceedings, findings and/or approvals.

Section 2. The Mayor and Council of the City of Plattsmouth, Nebraska, hereby approve and adopt the First Modification, attached to this Resolution as Exhibit A.

PASSED AND APPROVED this 6th day of July, 2015.

Mayor

(SEAL)

City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 15-017 in to the record by title only. ROLL CALL: Yes-Derby, Dugan, Tilson, Porter, Wiemer, Riese and Brookhouser. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED. Mayor Lambert declared RESOLUTION NO. 15-017 adopted.

ITEM 10 D

Motion by Brookhouser, seconded by Porter to approve the Meadow Heights Estates Subdivision Agreement and authorize the Mayor to execute the Agreement. Following discussion, ROLL CALL: Yes-Porter, Brookhouser, Riese, Tilson, Wiemer, Dugan and Derby. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 E

7:31 p.m. Motion by Brookhouser, seconded by Porter to temporarily adjourn as the Plattsmouth City Council. ROLL CALL: Yes-Riese, Dugan, Wiemer, Porter, Brookhouser, Derby and Tilson. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 F

7:45 p.m. Motion by Brookhouser, seconded by Tilson to reconvene as the Plattsmouth City Council. ROLL CALL: Yes-Dugan, Riese, Brookhouser, Tilson, Porter, Wiemer and Derby. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 G

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-015: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1305 17TH AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130001163 IN THE AMOUNT OF \$783.44.

Motion by Brookhouser, seconded by Tilson to adopt RESOLUTION NO. 15-015 by title only:

RESOLUTION NO. 15-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1305 17TH AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130001163 IN THE AMOUNT OF \$783.44.

WHEREAS, the owner of 1305 17th Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$783.44; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 1305 17th Avenue, Plattsmouth, NE 68048; Parcel #130001163 PLATTSMOUTH – OUTLOTS LOT NE ¼ SE ¼ 24-12-13 (1)~specially benefitted the same in the amount of \$783.44 and that said amount is hereby levied against said property which shall be due in a single payment not later than August 25, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before August 25, 2015, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 6th day of July 2015.

R. Paul Lambert, Mayor

ATTEST:

Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 15-015 in to the record by title only. ROLL CALL: Yes-Derby, Dugan, Tilson, Porter, Brookhouser, Riese and Wiemer. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 H

Motion by Riese, seconded by Brookhouser to approve the purchase of one 2015 10 foot flex-wing rotary mower. ROLL CALL: Yes-Porter, Derby, Brookhouser, Wiemer, Tilson, Dugan and Riese. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 I

City Administrator Ervin Portis reviewed the Memorandum of Understanding and Agreement by and between the City of Plattsmouth and the Greater Omaha Economic Development Partnership to authorize certain consultant investigation and reports related to Fourmile Industrial Park. Lisa Scheve, Executive Director of the Cass County Nebraska Economic Development-Greater Omaha Economic Development Partnership also spoke. Motion by Riese, seconded by Dugan to approve a Memorandum of Understanding and Agreement by and between the City of Plattsmouth and the Greater Omaha Economic Development Partnership to authorize certain consultant investigation and reports related to the City's Fourmile Industrial Park, and authorize the Mayor to execute the MOU and Agreement. ROLL CALL: Yes-Brookhouser, Porter, Derby, Wiemer, Dugan and Riese. No-Tilson. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 J

Motion by Brookhouser, seconded by Riese to approve the following personnel as new volunteer members of the Plattsmouth Emergency Medical Services Department: David Robb and Andrea Dellovechio. ROLL CALL: Yes-Wierner, Dugan, Riese, Porter, Derby, Tilson and Brookhouser. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 K

Motion by Riese, seconded by Porter to approve the Plattsmouth Emergency Medical Services Department roster. ROLL CALL: Yes-Porter, Derby, Wierner, Brookhouser, Riese, Tilson and Dugan. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 10 L

Mayor Lambert indicated the need for the council to go in to a Closed Session to protect the public interest with regard to real estate negotiations and for the purpose of contract negotiations.

7:54 p.m. Motion by Porter, seconded by Dugan to convene to Closed Session to protect the public interest with regard to real estate negotiations and for the purpose of contract negotiations. ROLL CALL: Yes-Derby, Dugan, Tilson, Porter, Brookhouser, Riese and Wierner. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to real estate negotiations and for the purpose of contract negotiations.

8:14 p.m. Motion by Porter, seconded by Tilson to reconvene to regular session. ROLL CALL: Yes-Brookhouser, Tilson, Dugan, Derby, Porter, Riese and Wierner. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 13

8:22 p.m. Motion by Porter, seconded by Tilson to adjourn. ROLL CALL: Yes-Porter, Brookhouser, Tilson, Riese, Dugan, Wierner and Derby. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk