

PLATTSMOUTH CITY COUNCIL
January 21, 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

A Recognition of Civic Service of Charles Warga Jr. on the Planning Commission

- 1 Affirmation of Planning Commission Resolution Number P2013-001

7 **CONSENT AGENDA**

A Consider approval of January 7, 2013 City Council Meeting Minutes

B Consider recommendation of approval of a Special Designated License filed by Nebraska Corn Grower's Association for an Annual Customer Appreciation Dinner being held at the Church of the Holy Spirit, 520 South 18th Street, Plattsmouth on February 12, 2013 from 5:00 p.m. to 12:00 a.m.

C Consider recommendation of approval of a Special Designated License filed by Church of the Holy Spirit for a Fund Raiser being held at the St. John the Baptist School Gymnasium, 520 South 18th Street, Plattsmouth on February 15, 2013; February 22, 2013; March 1, 2013; March 8, 2013; March 15, 2013; and March 22, 2013 from 5:00 p.m. to 7:30 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 Fund Raiser being held at the Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on March 9, 2013 from 3:00 p.m. to midnight

E 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 the Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on April 20, 2013 from 12:00 p.m. to 1:00 a.m.

F Consider accepting the resignation of Robert Cook from the Plattsmouth Cemetery Board effective January 16, 2013

G Consider approval of claims

8 **UNFINISHED BUSINESS**

A Consider approval 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 second 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

- C Consider granting further Cessation and Interruption of Operations for SSRJ, Inc. dba Plattsmouth Keno through February 4, 2013

9 **NEW BUSINESS**

- A Consider recommendation to the Nebraska Liquor Control Commission regarding the Application for Reconstruction to Liquor License submitted by SSRJ Inc. d/b/a Plattsmouth Keno
- B PUBLIC HEARING: Hear public comment regarding a Blighted and Substandard Designation for the following real estate in Plattsmouth, Nebraska, described as: **SITE A:** Plattsmouth Outlots DB194 P938 SW4 SW4 12-12-13 (including all of adjacent vacated Rubin Drive); Plattsmouth Outlots fraction of Sublot 2 of Lot 65 DB195 P712 and Tax Lot 128 12-12-1; Plattsmouth Outlots Tax Lot 128; Plattsmouth Outlots PTDB121P320 SW4 SW4 12-12-13; Plattsmouth Outlots Sublot 1 of Lot 75 and .28a Lot 75 NW4 NW4 13-12-13; Plattsmouth Outlots Pt Lot 75 DB96P367 except PT DB105 P402 NW4NW4 13-12-13; All of Story's Addition; All of Ritchie Place; All of Julies Subdivision; All of Johnson's Subdivision; All of Winterset Addition; All of Bestmann Addition; All of Westside Commercial Subdivision; Outlots Lot 53 SE4 NW4 13-12-13; Outlots Tax Lot 83 except Sublot 1 of Lot 83 NW4 SW4 13-12-13; Outlots Lot 74 West of Railroad NE4 SW4 13-12-13; Plattsmouth Outlots Lot 84 NW4 SW4 13-12-13; Plattsmouth Outlots fraction part Lot 22 and Sublot 2 S2 SW4 13-12-13; PJ's 2nd Subdivision Lot F; PJ's 2nd Subdivision Lot E except Highway; PJ's 2nd Subdivision Lot D; Oak Terrace Lot 6 except Highway; Oak Terrace Lot 5 except Highway; Oak Terrace Lot 4 except Highway; Oak Terrace W50' Lot 2 and fraction Lot 3 except Highway; Oak Terrace Lot 1 and 2 except W50' Lot 2 and Highway; Park Plaza Subdivision Lot 1; Park Plaza Subdivision Lot 2; 24-12-13 Highway and shops; 24-12-13 Tax Lot 73 SW4 NW4; 24-12-13 Tax Lot 74 SW4 NW4: **SITE B:** Young and Hayes Addition Lot 4 and ½ vacated street except S50' Block 12; Wedner Subdivision Lot A; Young and Hayes Addition S

part Lots 1,2 and ½ vacated street and alley Block 12; Young and Hayes Addition Lots 1,2 and ½ vacated street and ½ alley Block 11; Wedner Subdivision Lot B; Young and Hayes Addition Lots 3,4 Block 11; Original Town Lot 9 and W1/2 Lot 10 Block 110; Original Town E1/2 Lot 10 and all Lots 11,12 Block 110; Young and Hayes Addition Lots 1,2 Block 20; Original Town Lots 2-4 Block 111; Original Town Lot 1 Block 111; Original Town Lot 6 and 6.5' vacated alley Block 8; Original Town Lot 5 SW of Avenue and 6.5' vacated alley Block 8; Original Town Lots 3,4 and 6.5' vacated alley Block 8; Original Town N parts Lots 1,2 Block 8; Original Town Lots 7-12 Block 8; Original Town all of Lots 5,6 and Lots 7,8 except S 80' Block 22 and Block 23 except S 80' Lots 7-12; Original Town Lot 7 except Avenue and Lot 8 S of Avenue Block 9; Original Town Lots 7,8 Block 21 and Lots 1-4 and 9-12 and vacated streets Block 22; Original Town Lots 9-11 S of Avenue Block 21; Four Us Subdivision replat 1 Lot 4; Four Us Subdivision Lot 3; OC Enterprises Subdivision Lot 2; Four Us Subdivision Lot 1; Four Us Subdivision replat 1 Lot 2; Original Town Lot 8 N of Avenue and all lots 9-12 Block 9; Original Town Lot 4R Block 21; Original Town Lot 3R Block 21; Original Town Lots 1,2 Block 21; Original Town Lots 10-12 N of Washington Ave Block 21; Original Town all Block 26; Original Town all Block 37; Original Town all Block 20; Original Town all Block 27; Original Town all Block 36; Original Town S ½ Block 19; Original Town all Block 28; Original Town all Block 35; Original Town all Block 29; Original Town all Block 34; Original Town all Block 30; Original Town all Block 33; Original Town all Block 31; Original Town all Block 32; Plattsmouth Lumber Subdivision Lot 2: **SITE C:** Outlots Lot 28 except 330' SW4 SE4 13-12-13; Outlots Lot 60 SW4SE4 13-12-13; Outlots Lot 33 SW4SE4 13-12-13; Oakmont Estates 3rd Subdivision Lot 1; Oakmont Estates 2nd Subdivision Lot 5; Oakmont Estates 3rd Subdivision Lot 4; Oakmont Estates 3rd Subdivision Lot 3; Oakmont Estates 3rd Subdivision Lot 2; John Fitzgerald's Addition S83' Lot 5 and N29' Lot 6 and ½ vacated street Block 3; John Fitzgerald's Addition N49' of S93' Lot 6 and ½ vacated Park Avenue Block 3; John Fitzgerald's Addition S44' Lot 6 and ½ vacated Park Avenue Block 3; John Fitzgerald's Addition N ½ Lot 7 and ½ vacated Park Avenue Block 3; John Fitzgerald's Addition W 131.22' S ½ Lot 7 W 131.22' Lot 8 and adjacent vacated Holdrege Street Block 3; Burris' Subdivision Lots 1-5; Burris' Subdivision Lots 6-8; Outlots Lot 30 NE4 NE4 24-12-13; Outlots Sublot 1 of Lot 30 NE4 NE4 24-12-13; Outlots Lot 56, 57 NE4 NE4 24-12-13; Outlots Lot 58 NE4 NE4 24-12-13; Valley View Addition N 140' Lot 9 Block 5; Valley View Addition S 62' of N 202' Lot 9 Block 5; Kahler's Subdivision Lot 2; Kahler's Subdivision Lot 1; 24-12-13 Storm Water Retention Structure SW4 NE4; Outlots Lot 15 SW4 NE4 24-12-13; D&W Subdivision Lot 2; D&W Subdivision Lot 1; D&W Subdivision Lot 3; Outlots Lot 24 and S 86' Sublot 2 of 26 SW4NE4 24-12-13; Barkus Subdivision replat Lot 1; Barkus Subdivision replat Lot 2; Outlots Sublot 2 of 7 SW4 NE4 and Sublot 1 of 8 NW4 SE4 24-12-13; Outlots Sublot 2 of 8 NW4 SE4 24-12-13; Curtis Heights Lot 1 NW4 SE4 24-12-13; Curtis Heights Lot 2A NW4 SE4 24-12-13; Curtis Heights Lot 2B NW4 SE4 24-12-13

- C Consider for approval RESOLUTION NO. 13-008: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA RELATED TO THE DESIGNATION OF AN AREA OF THE CITY AS BLIGHTED AND SUBSTANDARD

- D Consider approval of payment of Invoice Number 11837 submitted by Kerns Excavating Company in the amount of \$975.00 for snow removal
 - E Consider approval of a Right Of Way Agreement with Unite Private Network regarding its placement of conduit, wires and cables for fiber optic services
 - F Consider a closed session to protect the public interest in regard to the possible purchase of real estate for the construction of a shop for the Water Treatment Plant
- 10 City Administrator Communication
 - 11 Mayor and City Council Communication
 - 12 Adjourn