

PLATTSMOUTH CITY COUNCIL

May 6, 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 May 25, 2013 as National Missing Children's Day

7 **CONSENT AGENDA**

A Consider approval of the April 15, 2013 City Council Meeting Minutes

B Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises d/b/a DC's Waterhole for a Reception being held at the Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on July 27, 2013 from 12:00 p.m. to 12:00 a.m.

C Consider the request of Roger Johnson, City Attorney to be excused from the June 3, 2013 Plattsmouth City Council Meeting

D Consider approval of claims

8 **UNFINISHED BUSINESS**

A Consider approval of Pay Application No. 1 submitted by Neuvirth Construction Inc. for Well No. 8 Site Improvements in the amount of \$151,202.25 and authorize the Mayor to execute Pay Application No. 1

B Consider second reading of ORDINANCE NO. 1858: **AN ORDINANCE TO AMEND THE CITY OF PLATTSMOUTH LAND DEVELOPMENT ORDINANCE BY CHANGING CERTAIN BOUNDARIES FROM GENERAL COMMERCIAL DISTRICT (GC) TO URBAN RESIDENTIAL HIGH DENSITY DISTRICT (R-3) SUBJECT TO PLANNED UNIT DEVELOPMENT 1 OVERLAY (PUD-1); TO AMEND THE CITY'S OFFICIAL ZONING MAP; TO REPEAL ALL ORDINANCES OF THE CITY IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE**

DATE

- C Consider second reading of ORDINANCE NO. 1859: **AN ORDINANCE TO AMEND THE CITY OF PLATTSMOUTH LAND DEVELOPMENT ORDINANCE BY CHANGING CERTAIN BOUNDARIES FROM GENERAL COMMERCIAL DISTRICT (GC) TO URBAN RESIDENTIAL HIGH DENSITY DISTRICT (R-3) SUBJECT TO PLANNED UNIT DEVELOPMENT 2 OVERLAY (PUD-2); TO AMEND THE CITY'S OFFICIAL ZONING MAP; TO REPEAL ALL ORDINANCES OF THE CITY IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

9 **NEW BUSINESS**

- A Consider ORDINANCE NO. 1860: **AN ORDINANCE ENACTING CHAPTER 3, ARTICLE I, SECTION 3-136 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 RELATED TO THE FAILURE TO APPEAR IN COURT IN RESPONSE TO A CITATION ISSUED FOR THE VIOLATION OF A CITY ORDINANCE; TO AMEND CHAPTER 3, ARTICLE 7, SECTION 3-701 RELATED TO PENALTIES FOR OFFENSES; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**
- B Consider RESOLUTION NO. 13-021: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR A SPECIAL EVENT SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA REV. STATUTE § 39-1359**
- C PUBLIC HEARING: Hear public comments regarding the annexation of land to the City of Plattsmouth, Nebraska, described as follows:

(A) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 56' 03"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 75, THENCE N 05° 10' 08"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 30.11 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N 05° 10' 08"E ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 632.94 FEET; THENCE S 89° 53' 59"E A DISTANCE OF 458.29 FEET; THENCE S 05° 08' 48"W A DISTANCE OF 631.58 FEET, THENCE S 89° 56' 03"W A DISTNCE OF 458.65 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.62 ACRES, MORE OR LESS.

(B) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17" E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16" W A DISTANCE OF 50.00 FEET, THENCE S 89° 56' 17" W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2490.36 SQUARE FEET, MORE OR LESS,

AND

LOT 54 OSAGE RANCH SUBDIVISION, CASS COUNTY, NEBRASKA EXCEPT THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17" E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16" W A DISTANCE OF 50.00 FEET, THENCE S 89° 56' 17" W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.15 ACRES MORE OR LESS

- D Consider first reading of ORDINANCE NO. 1861: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ANNEX TO THE CITY OF PLATTSMOUTH, NEBRASKA CERTAIN REAL ESTATE DESCRIBED HEREIN AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF PLATTSMOUTH, NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT; AND TO PROVIDE AN EFFECTIVE DATE**
- E Consider RESOLUTION NO. 13-022: **SIGNING OF THE FEDERAL FUNDS PURCHASE PROGRAM SUPPLEMENTAL AGREEMENT NO. 1 TO THE FEDERAL-AID TRANSPORTATION FUND PURCHASE-SALE AGREEMENT BETWEEN THE CITY OF PLATTSMOUTH AND THE NEBRASKA DEPARTMENT OF ROADS**
- F Consider RESOLUTION NO. 13-023: **SIGNING OF THE STATE OF NEBRASKA DEPARTMENT OF ROADS SUPPLEMENTAL AGREEMENT NO. 1 – BM1242 FOR PROJECT NO. URB-6404(1) CONTROL NO. 22313, 4TH AVENUE-16TH STREET TO HILLCREST DRIVE**

- G Consider approval of payment of Invoice Number 11933 submitted by Kerns Excavating Company in the amount of \$1,190.00 for a block wall at the water tower baseball field
- H Consider Mayor Bowman's recommendation of the reappointment of Steve Rishel to a 5 year term on the LB840 Economic Development Citizen Advisory Review Committee
- I Consider Mayor Bowman's recommendation of the appointment of Brad Ksiazek to fill a vacancy on the Plattsmouth Bridge Commission with a term that will expire 2017
- J Jeff DeLine, Dana F. Cole & Company, LLP, certified public accountants-presentation of/and discussion regarding the City of Plattsmouth Financial Statement for fiscal year October 1, 2011 through September 30, 2012
- K Consider a closed session to protect the public interest in regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement

- 10 City Administrator Communication
- 11 Mayor and City Council Communication
- 12 Adjourn