

PLATTSMOUTH CITY COUNCIL

August 21, 2023  
7:00 p.m.

- 1 Meeting Called to Order by Mayor R. Paul Lambert
- 2 Announce Location of Open Meetings Act and Documents to be Discussed at the Meeting
- 3 Pledge of Allegiance to the Flag of the United States of America
- 4 Roll Call
- 5 Citizens Delegation
- 6 Mayoral Proclamation
- 7 **CONSENT AGENDA**
  - A Consider approval of the August 7, 2023 City Council Meeting Minutes
  - B Consider setting the next regular City Council meeting for Tuesday September 5, 2023 due to the Labor Day Holiday
  - C Receive Treasurer's Report
  - D Consider approval of claims
- 8 **UNFINISHED BUSINESS**
  - A Consider Application for Payment No. 3 from Hawkins Construction Co. for the New Wastewater Treatment Plant Contract No. 2 (2019 Flood Recovery Project PW#88688- Relocated Wastewater Treatment Plant) in the amount of \$2,635,029.90 and authorize the Mayor to execute Application for Payment No. 3
  - B Consider approval of Change Order No. 2 for Kerns Excavating Co. Inc. for the Ave A and 8th Street South Sanitary Sewer Project for a contract time extension and authorize the Mayor to execute Change Order No. 2
  - C Consider third and final reading of ORDINANCE NO. 2006: **AN ORDINANCE TO AMEND SECTION 7-2 OF THE AUGUST 2006 LAND DEVELOPMENT ORDINANCE, FOR THE CITY OF PLATTSMOUTH, NEBRASKA, RELATED TO SETBACK ADJUSTMENTS, TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

- D Consider RESOLUTION NO. 23-004: **A RESOLUTION TO APPROVE THE PRELIMINARY PLAT OF LOTS 1-22, CLUB VIEW ACRES, A MAJOR SUBDIVISION, LOCATED IN SECTION 11, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6<sup>th</sup> P.M., CASS COUNTY, NEBRASKA, AND GENERALLY LOCATED WEST OF THE INTERSECTION OF CLUB VIEW DRIVE AND HIGHWAY 75**
- E Consider approval of a professional services agreement with Eagle Engineering Group, LLC for \$15,765 to design a water main repair project at 5th and Ave B and authorize Mayor to execute the agreement.

## 9 NEW BUSINESS

- A Public Hearing: Hear and consider public comments on the acquisition of the following easements, each to be acquired pursuant to the terms of a purchase agreement with the property owner and in connection with the City's 2019 Flood Recovery - New Relocated Wastewater Treatment Plant & Conveyance Project PW#88688:
1. A permanent sidewalk easement and a temporary construction easement located on Lot 4, Stiles Addition, Cass County, Nebraska.
  2. A temporary construction easement located on Outlot 19 being situate in the SE 1/4, of the SW1/4 of Section 18, T12N, R14E, of the 6<sup>th</sup> P.M., Cass County, Nebraska.
  3. A permanent sidewalk easement and a temporary construction easement located on Lot 4R, Skylark Subdivision, Cass County, Nebraska.
  4. A permanent sidewalk easement and a temporary construction easement located on Lots 1 and 2 O'Neill's Addition, Cass County, Nebraska.
  5. A permanent sidewalk easement and a temporary construction easement located on Lot 1A, Lyckberg's 3<sup>rd</sup> Subdivision, Cass County, Nebraska.
  6. A permanent utility easement and a temporary construction easement located on Lot 140 being situate in the NE1/4, NW1/4, Section 19, T12N, R14E of the 6<sup>th</sup> PM, Cass County, Nebraska.
  7. A temporary construction easement located on Lot 7, Porter Place, Cass County, Nebraska.
- B Consider approval of the following agreements for the acquisition of certain easements, each agreement having been negotiated and prepared by Midwest Right of Way Services, Inc. as directed by the City pursuant to the terms of the Right of Way Acquisition Services Agreement between the City and Midwest and in connection with the City's 2019 Flood Recovery - New Relocated Wastewater Treatment Plant & Conveyance Project PW#88688, and authorize the Mayor to execute the agreements and such other documents as may be necessary to close each of the real estate purchase transactions described therein:

1. Purchase Agreement between the City of Plattsmouth and Larry Taylor for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lot 4, Stiles Addition, Cass County, Nebraska.
  2. Purchase Agreement between the City of Plattsmouth and Daniel and Patricia Cunningham for the acquisition a temporary construction easement located on Outlot 19 being situate in the SE 1/4, of the SW1/4 of Section 18, T12N, R14E, of the 6<sup>th</sup> P.M., City of Plattsmouth, Cass County, Nebraska.
  3. Purchase Agreement between the City of Plattsmouth and Crystal Mattson and Alexander Bax, for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lot 4R, Skylark Subdivision, Cass County, Nebraska.
  4. Purchase Agreement between the City of Plattsmouth and Dana Newburn for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lots 1 and 2 O'Neill's Addition, Cass County, Nebraska.
  5. Purchase Agreement between the City of Plattsmouth and Jack and Elvira Lyckberg for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lot 1A, Lyckberg's 3<sup>rd</sup> Subdivision, Cass County, Nebraska.
  6. Purchase Agreement between the City of Plattsmouth and Harry Kennedy and Carolyn Crouse-Kennedy for the acquisition of a permanent utility easement and a temporary construction easement located on Lot 140 being situate in the NE1/4, NW1/4, Section 19, T12N, R14E of the 6<sup>th</sup> PM, Cass County, Nebraska.
  7. Purchase Agreement between the City of Plattsmouth and Bernard Von Tersch for the acquisition of a temporary construction easement located on Lot 7, Porter Place, Cass County, Nebraska.
- C Receive memo on condemned property at 218 7<sup>th</sup> Ave, Plattsmouth, NE legally described as the Plattsmouth – OT Thompson's Add W47' Lots 8 & 9 Blk 5, City of Plattsmouth, Cass County Nebraska and authorize City Attorney to file civil action for abatement
- D Receive memo on condemned property at 342 1<sup>st</sup> Ave, Plattsmouth, NE legally described as the Plattsmouth – OT S49 ½ Lot 8 Blk 33, City of Plattsmouth, Cass County Nebraska and authorize City Attorney to file civil action for abatement
- E Receive memo on condemned property at 415 S 5<sup>th</sup> St, Plattsmouth, NE legally described as the Plattsmouth – OT N ½ Lot 7 Blk 62, City of Plattsmouth, Cass County Nebraska and authorize City Attorney to file civil action for abatement
- F Consider RESOLUTION NO. 23-008: AUTHORIZE THE MAYOR TO SIGN THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2023

- G Consider a License and Management Agreement (Cruisin' Main) by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and Plattsmouth Chamber of Commerce, a Nebraska nonprofit corporation for an annual festival scheduled to be held September 15, 2023
- H Consider a License and Management Agreement (Harvest Festival) by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and Plattsmouth Harvest Festival Club, a Nebraska nonprofit corporation for an annual festival scheduled to be held September 7, 2023 through September 10, 2023
- I Consider authorizing the City to hire JCI of Lincoln, NE to do emergency repairs on the south intermediate clarifier of the Wastewater Treatment Plant and authorize the Mayor to execute documents pertaining to the same
- J Consider approval of a Sidewalk Café Permit submitted by Tiffany Grimm DBA Herban Coffee & Blooms LLC 527 Main St, Plattsmouth, NE and authorize the City to issue the Permit
- K Consider recommendation of approval of Special Designated License application submitted by Church of the Holy Spirit for a School Fundraiser being held at St. John the Baptist School Gymnasium, 508 S. 18<sup>th</sup> St, Oct 07, 2023, from 5:00 p.m. to 12:00 a.m.

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