

PLATTSMOUTH CITY COUNCIL

April 3, 2017

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 April 3, 2017 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Cheryl Grimshaw, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer and City Attorney Larry Welch Jr.

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

Harlan Seyfer presented a handout that he previously presented at a conference and also reviewed his accomplishments and the presentations he has done on the history of Plattsmouth

ITEM 5-MAYORAL PROCLAMATIONS

There were no Proclamations.

ITEM 6-CONSENT AGENDA

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

- A Consider approval of the March 20, 2017 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 4/3/17

Dept Name / Vendor Name Amount

Pay Date: 3/31/17 \$104307.14
Com Ctr 8942
EMS 8954.91
General 14007.16
Library 7488.63

Parks and Cemetery 2520.8
Police 34945.87
Senior 2325.06
Street 12104.72
Water and Sewer 13017.99
Various
Vendor Name
AMERICAN FAMILY LIFE 752.62
AMERITAS 13626.25
AMERITAS LIFE INSURANCE CORP 155.02
BLUE CROSS BLUE SHIELD 61994.81
CENTRAL UNITED LIFE INSURANCE 265.44
COLLECTION SERVICES CENTER 280.8
EYE MED VISION CARE 769.84
INTERNAL REVENUE SERVICE 25975.68
MUTUAL OF OMAHA 803.46
NEBRASKA DEPARTMENT OF REVENUE 3523.5
PLATTSMOUTH STATE BANK 814.67

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 561.34
BOMGAARS SUPPLY 8.77
CHARTER BUSINESS 47.7
EGAN SUPPLY CO 14.89
FIRST BANKCARD 964.21
GREGS BODY SHOP 621.9
KONICA MINOLTA BUSINESS SOLUTIONS 13.37
KONICA MINOLTA PREMIER FINANCE 249
OFFICE DEPOT INC 21.38
SOFTCHOICE CORPORATION 79.87
THE PITNEY BOWES BANK INC 1005
WELCH LAW FIRM LLC 6021

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 30.03
JEFF HENRY CHEVROLET 75.6
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 39.99

Department : 03 - EMS

FIRST BANKCARD 454.94
FORT DEARBORN LIFE INSURANCE CO 86
KONICA MINOLTA PREMIER FINANCE 38.5
MATHESON TRI-GAS INC 60.44
WALKERS INC 13.87

Department : 04 - POLICE

ARROWHEAD SCIENTIFIC INC 351.36
BOMGAARS SUPPLY 19.74

FIRST BANKCARD 316.14
GENES SERVICE & SPORTS CTR 12.31
INTERNATIONAL ASSOC OF CHIEFS OF POLICE 150
KAHLER CONSTRUCTION 550
KONICA MINOLTA BUSINESS SOLUTIONS 13.36
KONICA MINOLTA PREMIER FINANCE 154
LORA EDGELL 238.79

Department : 05 - STREET
ASP ENTERPRISES INC 380
BLACK HILLS ENERGY 313.58
BLUETARP FINANCIAL INC 22.99
BOMGAARS SUPPLY 83.57
FASTENAL COMPANY 10.41
MARTIN MARIETTA AGGREGATES 1771.34
MENARDS 58.98
OFFICE DEPOT INC 56.29
RHYLANDER WELDING & MFG INC 295

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1078.17
BLACK HILLS ENERGY 121.9
CHARTER BUSINESS 26
DEMCO 120.06
FIRST BANKCARD 883.45
KONICA MINOLTA PREMIER FINANCE 154
OKEEFE ELEVATOR CO INC 180.14
WINDSTREAM 119.86

Department : 07 - PARKS
BLACK HILLS ENERGY 125.59
BOMGAARS SUPPLY 77.01
MENARDS 37.97
STEPHEN C WARGA 36
STETSON BUILDING PRODUCTS INC 409.06

Department : 08 - CEMETERY
BOMGAARS SUPPLY 23.9
WINDSTREAM 109.78

Department : 10 - FIRE
FORT DEARBORN LIFE INSURANCE CO 165.12
KONICA MINOLTA PREMIER FINANCE 38.5
WALKERS INC 13.88
WATEROUS COMPANY 60.96

Department : 11 - SENIOR CITIZEN CTR
BARONI ENTERPRISES 404.18

BLACK HILLS ENERGY 195.25
CAROL GRAY 40.66
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 16 - ECONOMIC DEVELOPMENT
PLATTSMOUTH MAIN STREET ASSOCIATION 5500

Department : 17 - COMMUNITY CENTER
BLACK HILLS ENERGY 1757.2
DXP ENTERPRISES INC 12.73
FIRST BANKCARD 482.92
KONICA MINOLTA PREMIER FINANCE 154
KS STATEBANK 1048
MECHANICAL SALES INC 2492
OFFICE DEPOT INC 55.67
OKEEFE ELEVATOR CO INC 180.14
PLATTSMOUTH EDUCATION FOUNDATION 100
STRATUS BUILDING SOLUTION OF ARIZONA 1870
VOSS ELECTRIC CO 49.7
WALKERS INC 57.6

Department : 18 - AQUATIC
BLACK HILLS ENERGY 22.04
FIRST BANKCARD 512.4
PLATTSMOUTH EDUCATION FOUNDATION 100

Department : 20 - WATER
AMERICAN UNDERGROUND SUPPLY LLC 183.81
BLACK HILLS ENERGY 238.98
BOMGAARS SUPPLY 128.76
CUMMINS CENTRAL INC 573.7
DPC INDUSTRIES INC 244
HD SUPPLY WATERWORKS LTD 2486.48
MISSISSIPPI LIME COMPANY 3853.3
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 106
NEBRASKA PUBLIC POWER DISTRICT 5409.7
OLMSTED & PERRY ENGINEERING 476.13
SHERWIN WILLIAMS 150.11
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2007

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 400

Department : 30 - SEWER
AMERICAN UNDERGROUND SUPPLY LLC 74.69
BLACK HILLS ENERGY 1204.51
BOMGAARS SUPPLY 308.53

NEBRASKA PUBLIC POWER DISTRICT 2312.66
OLMSTED & PERRY ENGINEERING 4773.12
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2007

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:11 p.m. to receive public comments regarding a redevelopment plan entitled “**Redevelopment Plan Plattsmouth Missouri Riverfront Commercial Campground Redevelopment Area 2016**” which has been prepared for redevelopment of the following described real estate: **Lots 2-23, Castaway Cottages, A Subdivision in Cass County, Nebraska; Lot 1, Castaway Cottages, A Subdivision in Cass County, Nebraska; Lots 1-7 Inclusive and Lots 9 and 10 and Outlot 1, Castaway Estates, A Subdivision in Section 17 and 18, Township 12 North, Range 14 East of the 6th P.M., Cass County, Nebraska; Lot 3 and that part of Lot 2 Morehead Island Riverfront Development Subdivision Not Platted into Castaway Villas, Cass County, Nebraska; and Commercial Lot 9, Morehead Island Development, a subdivision in Cass County, Nebraska (the “Project Area).** With no one coming forward to speak, Mayor Lambert again stated the purpose for the public hearing and invited the public to speak. 7:12 p.m. Mayor Lambert closed the public hearing.

ITEM 7 B

Council member Kerns introduced a resolution numbered and titled as follows: **RESOLUTION NO. 17-003: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING A REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN PLATTSMOUTH MISSOURI RIVERFRONT COMMERCIAL CAMPGROUND REDEVELOPMENT AREA 2016”.**

Motion by Kerns, seconded by Brookhouser to adopt RESOLUTION NO. 17-003:

RESOLUTION NO. 17-003

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING A REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN PLATTSMOUTH MISSOURI RIVERFRONT COMMERCIAL CAMPGROUND REDEVELOPMENT AREA 2016”.

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

Section 1. The Mayor and City Council of the City of Plattsmouth, Nebraska, hereby find and determine that the Mayor and Council have by Resolution No. 16-007, passed and approved on July 5, 2016, declared certain real estate within and adjacent to the City to be blighted and substandard after review by the City’s Planning Commission and published notice of hearing and public hearing as required by law (such area, as so determined, the “Blighted and Substandard Area”).

Section 2. The Mayor and City Council further find and determine that the redevelopment plan entitled “REDEVELOPMENT PLAN PLATTSMOUTH MISSOURI RIVERFRONT COMMERCIAL CAMPGROUND REDEVELOPMENT AREA 2016” (the “Plan”) relating to a certain portion of the Blighted and Substandard Area has been submitted to the Planning Commission of the City of Plattsmouth, Nebraska (the “Planning Commission”), for review and recommendations and that the Planning Commission recommended approval of the Plan subject to a revision of the Plan Exhibit 2 to more accurately represent the proposed redevelopment and that Exhibit 2 has been amended as recommended.

Section 3. The Mayor and City Council further find and determine that the Community Development Agency of the City of Plattsmouth considered whether the proposed land uses and building requirements in the redevelopment project area (defined and referred to in the Plan as the “Project Area”) are designed with the general purpose of accomplishing, in conformance with the City’s general plan, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight.

Section 4. the Mayor and City Council further find and determine that a cost-benefit analysis has been prepared pursuant to the guidelines set forth in Section 18-2113, R.R.S., Neb 2012, and is hereby approved and adopted as the cost benefit analysis of the Agency with respect to the Plan. Such cost benefit analysis reflects positive impacts of the Project as described in the Plan.

Section 5. The Mayor and City Council further find and determine that the Community Development Agency has recommended that the Mayor and City Council adopt the Plan. In connection with such recommendation, the Agency reported to the Mayor and City Council that the proposed method and estimated cost of the acquisition and preparation for redevelopment of the Project Area and the estimated proceeds or revenue from the Project Area’s disposal to redevelopers, if any; and a statement of the proposed method of financing the redevelopment project is set forth in the Plan and that further it has been stated to the Mayor and City Council that there will be no families displaced from the Project Area.

Section 6. The Mayor and City Council further find and determine that a public hearing was held on April 3, 2017, after notice of such public hearing was published in the Plattsmouth Journal on March 16 and 23, 2017; and that notice of the April 3, 2017 public hearing was mailed on March 13, 2017 by certified mail, return receipt request to all entities as required by Section 18-2115, R.R.S. Neb 2007, whereby all persons desiring to be heard as to whether the Plan should be approved have been heard.

Section 7. Based upon the recommendation of the Community Development Agency and analysis and review of the Plan, the Mayor and City Council hereby find (1) that the Plan is feasible and in conformity with the general plan for the development of the City as a whole and the Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law and 92) that (2) the redevelopment project in the Plan (the “Project”) would not be economically feasible without the use of tax-increment financing, and (3) that the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the Project.

Section 8. The Mayor and City Council hereby approve the Plan.

PASSED AND APPROVED THIS 3RD day of April, 2017

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 17-003 in to the record by title only. ROLL CALL: Yes-Dugan, Brookhouser, Porter, Wiemer, Kerns, Riese, Derby and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 C

Pursuant to publication, Mayor Lambert opened a public hearing at 7:14 p.m. to receive public comment regarding a proposed amendment to the City of Plattsmouth Land Development Ordinance: AN ORDINANCE TO AMEND PORTIONS OF THE TEXT OF THE ZONING ORDINANCE OF THE CITY OF PLATTSMOUTH FOUND AT CHAPTER 11 OF THE PLATTSMOUTH MUNICIPAL CODE TO CREATE RECREATIONAL VEHICLE CAMPGROUNDS AS A COMMERCIAL USE TYPE CONDITIONALLY PERMITTED WITHIN A GENERAL COMMERCIAL DISTRICT AND ESTABLISH REGULATIONS APPLICABLE THERETO. With no one coming forward to speak, Mayor Lambert again stated the purpose of the public hearing and invited the public to speak. Mayor Lambert closed the public hearing at 7:15 p.m.

ITEM 7 D

Pursuant to publication, Mayor Lambert opened a public hearing at 7:16 p.m. to receive public comment regarding the rezoning of land: **AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE ZONING JURISDICTION OF THE CITY OF PLATTSMOUTH, NEBRASKA, FROM GENERAL COMMERCIAL DISTRICT (GC) SUBJECT TO PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD), AND URBAN RESIDENTIAL MEDIUM-DENSITY DISTRICT (R-2) SUBJECT TO PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD), AND URBAN RESIDENTIAL HIGH-DENSITY DISTRICT (R-3) SUBJECT TO PLANNED UNIT DEVELOPMENT 2 OVERLAY DISTRICT (PUD-2), AGRICULTURAL DISTRICT (AG) SUBJECT TO PLANNED UNIT DEVELOPMENT 2 OVERLAY DISTRICT (PUD-2), AND AGRICULTURAL DISTRICT (AG) TO GENERAL COMMERCIAL DISTRICT (GC) SUBJECT TO PLANNED UNIT DEVELOPMENT 1 OVERLAY DISTRICT (PUD-1) AND FLOOD PLAIN/FLOODWAY OVERLAY DISTRICT (FP/FW); TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH;**

Property legally described as:

COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE

OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A BEARING OF N63°01'07"E, A DISTANCE OF 90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS.

With no one coming forward to speak, Mayor Lambert again stated the purpose for the public hearing. Mayor Lambert closed the public hearing at 7:18 p.m.

ITEM 7 E

Pursuant to publication, Mayor Lambert opened a public hearing at 7:18 p.m. to receive public comment regarding a special use permit for a Recreational Vehicle Campground on property located south and east of East Main Street and west of the Missouri River, legally described as:

COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A BEARING OF N63°01'07"E, A DISTANCE OF

90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS

With no one coming forward to speak, Mayor Lambert again stated the purpose of the public hearing and invited the public to speak. Mayor Lambert closed the public hearing at 7:19 p.m.

ITEM 7 F

Pursuant to publication, Mayor Lambert opened a public hearing at 7:20 p.m. to receive public comment regarding a preliminary plat of land located south and east of East Main Street and west of the Missouri River, legally described as:

COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A BEARING OF N63°01'07"E, A DISTANCE OF 90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE

MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS

With no one coming forward to speak, Mayor Lambert again stated the purpose of the public hearing and invited the public to speak. Mayor Lambert closed the public hearing at 7:21 p.m.

ITEM 7 G

Pursuant to publication, Mayor Lambert opened a public hearing at 7:21 p.m. to receive public comment regarding a final plat of land located south and east of East Main Street and west of the Missouri River, legally described as:

COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY

VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A BEARING OF N63°01'07"E, A DISTANCE OF 90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS

With no one coming forward to speak, Mayor Lambert again stated the purpose of the public hearing and invited the public to speak. Mayor Lambert closed the public hearing at 7:22 p.m.

ITEM 7 H

Council member Kerns introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1920: AN ORDINANCE TO AMEND PORTIONS OF THE TEXT OF THE ZONING ORDINANCE OF THE CITY OF PLATTSMOUTH FOUND AT CHAPTER 11 OF THE PLATTSMOUTH MUNICIPAL CODE TO CREATE RECREATIONAL VEHICLE CAMPGROUNDS AS A COMMERCIAL USE TYPE CONDITIONALLY PERMITTED WITHIN A GENERAL COMMERCIAL DISTRICT AND ESTABLISH REGULATIONS APPLICABLE THERETO. Motion by Kerns, seconded by Derby that the statutory rule requiring reading an ordinance on three different days by suspended and that Ordinance No. 1920 be adopted on first reading by title only. ROLL CALL: Yes-Wiemer, Grimshaw, Kerns, Derby, Riese, Brookhouser, Porter and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator Ervin Portis read ORDINANCE NO. 1920 in to the record by title only. Riese moved for final passage of ORDINANCE NO. 1920, which motion was seconded by Wiemer. ROLL CALL: Yes-Brookhouser, Dugan, Derby, Porter, Wiemer, Grimshaw, Kerns and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator Ervin Portis read ORDINANCE NO. 1920 in to the record by title only.

ITEM 7 I

Council member Grimshaw introduced a resolution numbered and titled as follows: RESOLUTION NO. 17-004: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PLATTSMOUTH AND ONE SCHMORE, L.L.C., FOR CERTAIN REAL PROPERTY LEGALLY DESCRIBED AS COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVERFRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA.**

Motion by Grimshaw, seconded by Riese to adopt RESOLUTION NO. 17-004:

RESOLUTION NO. 17-004

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PLATTSMOUTH AND ONE SCHMORE, L.L.C., FOR CERTAIN REAL PROPERTY LEGALLY DESCRIBED AS COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVERFRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA.

WHEREAS, the City owns the property legally described as COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A BEARING OF N63°01'07"E, A DISTANCE OF 90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A

SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS (herein, "the Property").

WHEREAS, One Schmore, L.L.C. desires to purchase the Property subject to the right to develop the property in the manner set forth in the development agreement attached to this resolution and incorporated by this reference (herein "the Development Agreement").

WHEREAS, the Development Agreement requires, among other things, that the City grant certain approvals to One Schmore, L.L.C. as set forth in its applications in connection with the development, to wit:

1. Approve the Preliminary and Final Site Plan for the Development (reference Chapter 11, Article 12, Section 12-4 of the Plattsmouth Municipal Code).
2. Approve the Zoning Change Request for the Property to General Commercial District with Planned Unit – 1 Overlay District (reference Chapter 11, Article 12, Section 12-5, and Chapter 11, Article 5, Section 5-4, of the Plattsmouth Municipal Code).
3. Approve the Subdivision Request (reference Chapter 10, Article 2, Section 2, Section 2.4 of the Plattsmouth Municipal Code).
4. Approve the Special Use Permit Request (reference Chapter 11, Article 12, Section 12-4 of the Plattsmouth Municipal Code).
5. Approve the Economic Development Grant (reference Chapter 2, Article 12 of the Plattsmouth Municipal Code).

All such approvals shall be collectively referred to herein as the "Development Approvals."

WHEREAS, in connection with the Subdivision Request, Zoning Change Request, and Special Use Permit Request, the City published notice on February 2, 2017 and the Planning Commission opened public hearings as required by Code;

WHEREAS, the Planning Commission did not close the February 16, 2017 public hearings and continued them to its March 16, 2017 meeting;

WHEREAS, after receiving input, the Planning Commission voted to recommend approval of the Subdivision Request, Zoning Change Request, and Special Use Permit Request;

WHEREAS, after publishing notice on March 23, 2017, the City Council held public hearings on April 3, 2017 on the Subdivision Request, Zoning Change Request, and Special Use Permit Request as required by code;

WHEREAS, after conducting public hearings where applicable, the City is willing to grant the Development Approvals subject to One Schmore, L.L.C.'s purchase of the Property and subject to its adherence to the Development Agreement;

NOW, THEREFORE, BE IT RESOLVED that the City Council grants the Development Approvals in accordance with the terms set forth in the application for each such Development Approval subject to One Schmore, L.L.C.'s purchase of this Property and subject to One Schmore, L.L.C.'s adherence to the Development Agreement;

BE IT FURTHER RESOLVED that the City Council approves the terms of the Development Agreement and authorizes the Mayor to execute the Development Agreement on behalf of the City upon closing of the purchase and sale of the Property.

PASSED AND APPROVED this 3rd day of April 2017.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 17-004 in to the record by title only. ROLL CALL: Yes-Porter, Brookhouser, Riese, Wiemer, Kerns, Grimshaw, Dugan and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 J

Council member Riese introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1921: AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE ZONING JURISDICTION OF THE CITY OF PLATTSMOUTH, NEBRASKA, FROM GENERAL COMMERCIAL DISTRICT (GC) SUBJECT TO PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD), AND URBAN RESIDENTIAL MEDIUM-DENSITY DISTRICT (R-2) SUBJECT TO PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD), AND URBAN RESIDENTIAL HIGH-DENSITY DISTRICT (R-3) SUBJECT TO PLANNED UNIT DEVELOPMENT 2 OVERLAY DISTRICT (PUD-2), AND AGRICULTURAL DISTRICT (AG) SUBJECT TO PLANNED UNIT DEVELOPMENT 2 OVERLAY DISTRICT (PUD-2) TO GENERAL COMMERCIAL DISTRICT (GC) SUBJECT TO PLANNED UNIT DEVELOPMENT 1 OVERLAY DISTRICT (PUD-1) AND FLOOD PLAIN/FLOODWAY OVERLAY DISTRICT (FP/FW); TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO CONDITION APPROVAL UPON COMPLIANCE WITH THE DEVELOPMENT AGREEMENT; TO EXPAND BASE DISTRICT REGULATIONS FOR THIS OVERLAY DISTRICT TO INCLUDE PROVISIONS OF THE DEVELOPMENT AGREEMENT AND RESTRICTIVE COVENANTS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. Motion by Riese, seconded by Wiemer to approve first

reading of ORDINANCE NO. 1921 by title only. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Porter, Kerns, Brookhouser and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator read ORDINANCE NO. 1921 in to the record by title only.

ITEM 7 K

Council member Kerns introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1922: AN ORDINANCE DIRECTING THE SALE AND CONVEYANCE OF REAL ESTATE TO ONE SCHMORE, LLC, TO WIT:

COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, LOTS 1-67, OUTLOTS 1-3, BEING A PLATTING OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT LOT 3, LOT 9, AND THAT PART OF LOT 2 NOT PLATTED INTO CASTAWAY VILLAS, CASTAWAY ESTATES LOTS 1-7, 9, 10, AND OUTLOT 1, CASTAWAY COTTAGES LOT 1-23 AND CASTAWAY LANE, PART OF TAX LOT 189 LOCATED IN SECTION 18 T12N R 14E, OF THE 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE AS EXTENDED NORTH OF SECTION 18 T12N R14E OF THE 6TH P.M. WHICH IS 1828.00 FEET NORTH ALONG SAID LINE FROM THE SOUTHEAST CORNER OF SAID SECTION A BEARING OF N0°40'59"E, A DISTANCE OF 617.02 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 CASTAWAY COTTAGES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF N51°58'46"W, A DISTANCE OF 208.96 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N38°33'35"W, A DISTANCE OF 270.97 FEET ALONG SAID SOUTH LINE; THENCE A BEARING OF N28°25'59"W, A DISTANCE OF 577.38 FEET ALONG SAID SOUTH LINE AND EXTENDING TO THE SOUTH RIGHT OF WAY LINE OF E. MAIN ST.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) CALLS; A BEARING OF N78°36'10"E, A DISTANCE OF 133.77 FEET; A BEARING OF N11°23'40"W, A DISTANCE OF 10.48 FEET; A BEARING OF N79°01'53"E, A DISTANCE OF 591.02 FEET TO THE NORTHWEST CORNER OF LOT 1 CASTAWAY VILLAS A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE CONTINUING ALONG THE LOT LINES OF LOT 1 CASTAWAY VILLAS FOR THE NEXT SIX (6) CALLS; A BEARING OF S10°50'11"E, A DISTANCE OF 45.04 FEET; A BEARING OF N79°06'49"E, A DISTANCE OF 28.79 FEET; A BEARING OF S52°38'00"E, A DISTANCE OF 160.67 FEET; A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A LENGTH OF 37.75 FEET, A CHORD BEARING OF N40°38'32"E, AND A CHORD DISTANCE OF 37.73 FEET; A BEARING OF N43°55'09"E, A DISTANCE OF 27.34 FEET; A BEARING OF N46°04'18"W, A DISTANCE OF 153.95 FEET; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 200.51 FEET TO THE NORTHWEST CORNER OF LOT 8 CASTAWAY ESTATES A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S45°55'04"E, A DISTANCE OF 250.28 TO THE SOUTHWEST CORNER OF SAID LOT; THENCE A

BEARING OF N63°01'07"E, A DISTANCE OF 90.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N45°56'22"W, A DISTANCE OF 279.48 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE DESCRIBED POINT IS ON SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N44°05'56"E, A DISTANCE OF 261.04 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE A BEARING OF N21°51'06"E, A DISTANCE OF 397.45 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 10 OF MOREHEAD ISLAND RIVER FRONT DEVELOPMENT A SUBDIVISION PLATTED AND SURVEYED IN CASS COUNTY, NEBRASKA; THENCE A BEARING OF S68°26'40"E, A DISTANCE OF 200.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE A BEARING OF N21°16'18"E, A DISTANCE OF 75.04 FEET TO THE NORTH EAST CORNER OF SAID LOT; THENCE A BEARING OF S68°26'47"E, A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF OUTLOT 1 OF CASTAWAY ESTATES TO THE WEST BANK OF THE MISSOURI RIVER; THENCE CONTINUING ALONG SAID WEST BANK OF THE MISSOURI RIVER FOR THE NEXT FOUR (4) CALLS; A BEARING OF S21°10'11"W, A DISTANCE OF 887.74 FEET; A BEARING OF S7°41'10"W, A DISTANCE OF 525.05 FEET; A BEARING OF S3°24'50"W, A DISTANCE OF 608.92 FEET; A BEARING OF S4°32'42"E, A DISTANCE OF 756.19 FEET TO THE SOUTH LINE OF TAX LOT 189 OF SAID SECTION; THENCE A BEARING OF N61°43'13"W, A DISTANCE OF 712.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 37.44 ACRES (16,430,892.92 SQUARE FEET), MORE OR LESS.

ESTABLISHING THE MANNER AND TERMS OF SUCH CONVEYANCE; PROVIDING FOR PUBLICATION OF NOTICE OF SALE AND OF REMONSTRANCE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Motion by Kerns, seconded by Grimshaw that the statutory rule requiring reading an ordinance on three different days be suspended and that ORDINANCE NO. 1922 be adopted on first reading by title only. ROLL CALL: Yes-Grimshaw, Porter, Wiemer, Brookhouser, Derby, Riese, Dugan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator Ervin Portis read ORDINANCE NO. 1922 into the record by title only. Thereafter, Wiemer moved for final passage of ORDINANCE NO. 1922, which motion was seconded by Dugan. ROLL CALL: Yes-Kerns, Derby, Brookhouser, Porter, Dugan, Wiemer, Riese and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator Ervin Portis read ORDINANCE NO. 1922 in to the record by title only.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Steve Perry, P.E.-Olmsted & Perry Consulting Engineers Inc. reviewed the Scope of Work for the Waste Water Treatment Plant Repair Project. Priority No. 1 and Priority No. 2 were

reviewed along with discussion with regard to cost. Motion by Brookhouser, seconded by Dugan to approve the Scope of Work-Priority No. 1 ONLY for the Waste Water Treatment Plan Repair Project. ROLL CALL: Yes-Grimshaw, Dugan, Derby, Kerns, Porter, Brookhouser, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Motion by Riese, seconded by Derby to authorize publication of Notice and Solicitation of sealed bids for the Waste Water Treatment Plan Repair Project-Priority No. 1 ONLY. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Wiemer, seconded by Dugan to authorize the purchase of equipment to be installed as part of the Waste Water Treatment Plant Repair Project-Priority No. 1 ONLY. ROLL CALL: Yes-Wiemer, Brookhouser, Riese, Derby, Kerns, Porter, Grimshaw and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

City Administrator Ervin Portis reviewed the Plattsmouth Emergency Medical Services billing process and stated that there are billings that are left unpaid. Options for collecting the balances was discussed. Portis stated that the City of Plattsmouth has a contract with a Collection Agency for the Water and Sewer Department and EMS could be added to this contract. NO ACTION TAKEN.

ITEM 11

8:04 p.m. Motion by Porter, seconded by Kerns to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk