

PLATTSMOUTH CITY COUNCIL

May 19, 2014

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 Mayoral Proclamations

7 **CONSENT AGENDA**

A Consider approval of the May 5, 2014 City Council Meeting Minutes

B Consider approval of claims

8 **UNFINISHED BUSINESS**

A Consider approval of Change Order No. 1 submitted by Tab Construction Co. for the 2014 Street Repair and Overlay Project in the amount of (-)\$20,055.05 for a total project cost of \$389,848.93 and authorize the Mayor to execute Change Order No. 1

B Public Hearing: Receive public comment on a designation of Blighted and Substandard for approximately 49.6 acres of land situated in the southeast portion of Plattsmouth

C Consider for approval RESOLUTION NO. 14-013: 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

9 **NEW BUSINESS**

A Public Hearing: Hear public comment on the acquisition by purchase, pursuant to a Settlement Agreement and Real Estate Purchase Agreement for the following described real estate located near the City of Plattsmouth: Lot 2 except that part platted as Castaway Villas, and Lot 3, Morehead Island Riverfront Development of accretion lands to Section 18, Township 12 North Range 14 East of the 6th PM, Cass County, Nebraska; Lots 1, 2, 3, 4, 5, 6, 7, 9, 10 and outlot 1, Castaway Estates, a subdivision in section 17 and 18, T12N, R14 East of the 6th P.M., Cass County, Nebraska; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, Castaway Cottages, a subdivision in Cass County,

Nebraska; Lot 1, Castaway Villas, a subdivision in Cass County, Nebraska; and Lot 1, Castaway Cottages, a subdivision in Cass County, Nebraska

together with any other adjacent gaps or gores owned by the owners of such above-described real estate adjacent to the land as may be revealed by a Survey, improvements thereon, and easements of servient estates appurtenant thereto, to promote attraction of and indirect financial assistance to qualified businesses in furtherance of the economic development of Plattsmouth, pursuant to the Local Option Municipal Economic Development Act and the Economic Development Plan for the City of Plattsmouth, Nebraska.

- B Public Hearing: Hear public comment on the issuance of economic development fund bonds. The City proposes to issue bonds in the principal amount of up to \$2,195,000, to provide direct or indirect financial assistance to qualifying businesses, including one or more grants for use in constructing and acquiring real estate for use as tourism related recreational facilities, including a park for recreational vehicles, pursuant to the Local Option Municipal Economic Development Act and the Economic Development Plan for the City of Plattsmouth, Nebraska.
- C Public Hearing: Hear public comment on an amendment of the Economic Development Plan for the City of Plattsmouth, Nebraska. Said amendment included modifications to the Plan provisions related to the source of funding for the economic development program, pursuant to the removal of the limitation on the duration of the sales tax revenues used for economic development, as approved by the voters on November 10, 2009, and allowed for the provision of loans to qualifying businesses.
- D Consider adoption of Ordinance No. 1876: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO RATIFY ORDINANCE NO. 1822 AS THE SAME RELATES TO AN AMENDMENT TO CHAPTER 2, ARTICLE 12, ECONOMIC DEVELOPMENT; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.
- E Consider adoption of Resolution No. 14-014: A RESOLUTION OF THE CITY OF PLATTSMOUTH, NEBRASKA, AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT FUND BONDS (SALES TAX PAYMENT SOURCE—FEDERALLY TAXABLE INTEREST) OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWO MILLION ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$2,195,000) FOR THE PURPOSE OF FUNDING THE CITY OF PLATTSMOUTH ECONOMIC DEVELOPMENT PROGRAM AS ESTABLISHED BY ORDINANCE OF THE CITY, AND IN PARTICULAR FOR THE PURPOSE OF PAYING THE COSTS OF ACQUISITION AND IMPROVEMENT OF REAL ESTATE IN FURTHERANCE OF SUCH PROGRAM; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE THE FINAL INTEREST RATES,

MATURITY SCHEDULE, REDEMPTION PROVISIONS, PRICING TERMS AND OTHER TERMS OF SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE PLEDGING OF SALES TAX COLLECTIONS RECEIVED FOR SAID PROGRAM INTO THE ECONOMIC DEVELOPMENT FUND OF THE CITY OF PLATTSMOUTH FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID BONDS; AND AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER.

- F Consider adoption of Resolution No. 14-015: A RESOLUTION TO APPROVE A SETTLEMENT AGREEMENT AND REAL ESTATE PURCHASE AGREEMENT TO RESOLVE THE LITIGATION ENTITLED CASTAWAY POINTE, LLC V. CITY OF PLATTSMOUTH, CV No. 12-211, AND TO APPROVE THE ACQUISITION OF REAL ESTATE FOR ECONOMIC DEVELOPMENT PURPOSES.
- G Consider adoption of Resolution No. 14-016: A RESOLUTION TO APPROVE A SUPPLEMENTAL SETTLEMENT AGREEMENT WITH PATRICIA JOHNSON TO RESOLVE THE LITIGATION ENTITLED CASTAWAY POINTE, LLC V. CITY OF PLATTSMOUTH, CV No. 12-211.
- H Consider adoption of Resolution No. 14-017: A RESOLUTION TO APPROVE A SUPPLEMENTAL SETTLEMENT AGREEMENT WITH MARK MOREHEAD TO RESOLVE THE LITIGATION ENTITLED CASTAWAY POINTE, LLC V. CITY OF PLATTSMOUTH, CV No. 12-211.
- I Consider adoption of Resolution No. 14-018: A RESOLUTION TO APPROVE A MUTUAL RELEASE AS THE SAME RELATES TO ALL CLAIMS ASSOCIATED WITH THE RIVER FRONT DEVELOPMENT BY CASTAWAY POINTE, LLC.
- J Consider acceptance of a FY 2014 Certified Local Government grant award from the Nebraska State Historical Society in the amount of \$8,000.00 to send designated representatives to the National Alliance of Preservation Commission conference Forum, July 16-20, 2014 in Philadelphia, PA, and to the National Trust for Historic Preservation annual conference November 11-14, 2014 in Savannah, GA
- K Consider for approval acceptance of the Nebraska Department of Economic Development grant award from the Civic and Convention Center Financing Fund in the amount of \$10,000.00, and authorize the Mayor to execute the grant agreement

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