

PLATTSMOUTH CITY COUNCIL  
September 2, 2014

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:12 o'clock p.m. on September 2, 2014 at City Hall in Plattsmouth Nebraska. Mayor Bowman was absent. Council Members present: John R. Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Roger Johnson.

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

Colton Spearman introduced himself - he is the new Big Apple Radio Station employee. Their hours in Plattsmouth are Monday through Friday 6:00 a.m. to 1:00-2:00 p.m. and their station is 107.7 AM

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA:

Motion by Brookhouser, seconded by Tilson to approve the Consent Agenda as presented.

- A Consider approval of the August 18, 2014 City Council Meeting Minutes
- B Consider ratifying the Cruizin Main alternate date of October 10, 2014 for the street closing request and Special Designated License (October 11, 2014 was put on the Application for Special Designated License which was approved at the August 18, 2014 Council meeting)
- C Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises d/b/a DC's Waterhole for a Beer Garden during Cruizin Main (car show) being held on Main Street-Richey to 7<sup>th</sup> Street and the side streets as indicated on the diagram attached to the application, Plattsmouth on October 3, 2014 (alternate date of October 10, 2014) from 2:00 p.m. to 11:00 p.m.

- D Consider recommendation of approval of a Special Designated License filed by Veterans of Foreign Wars Post 2543 for a Beer Garden during Cruizin Main (car show) being held on Main Street-Richey to 7<sup>th</sup> Street and the side streets as indicated on the diagram attached to the application, Plattsmouth on October 3, 2014 (alternate date of October 10, 2014) from 2:00 p.m. to 11:00 p.m.
- E Consider recommendation of approval of a Special Designated License filed by Eric Burns Inc. dba Main Street Bar & Grill for a Beer Garden during Cruizin Main (car show) being held on Main Street-Richey to 7<sup>th</sup> Street and the side streets as indicated on the diagram attached to the application, Plattsmouth on October 3, 2014 (alternate date of October 10, 2014) from 2:00 p.m. to 11:00 p.m.
- F Consider recommendation of approval of a Special Designated License filed by Grass is Always Greener dba Cigar Factory for a Beer Garden during Cruizin Main (car show) being held on Main Street-Richey to 7<sup>th</sup> Street and the side streets as indicated on the diagram attached to the application, Plattsmouth on October 3, 2014 (alternate date of October 10, 2014) from 2:00 p.m. to 11:00 p.m.
- G Consider approval of claims

Claims Register Report  
as of 9/2/2014

Vendor Name Amount

Pay Date: 8/22/14  
 Com Ctr 11904.42  
 EMS 6938.27  
 General 15577.61  
 Library 6983.55  
 Park and Cemetery 3192  
 Police 33906.77  
 Senior 2105.21  
 Street 11298.46  
 Water and Sewer 12544.8

104451.09

Vendor Name

AMERICAN FAMILY LIFE 629.38  
 AMERITAS LIFE INSURANCE CORP 155.02  
 AMERITAS LIFE INSURANCE CORP (pension) 12192.07  
 BLUE CROSS BLUE SHIELD 46451.64  
 COLLECTION SERVICES CENTER 186  
 DELTA DENTAL PLAN 2366.4  
 FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 25371.97  
MUTUAL OF OMAHA 724.16  
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3366.3  
PLATTSMOUTH STATE BANK 1074.62

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 20.09  
KATHRYN SHARP 125  
KONICA MINOLTA BUSINESS SOLUTIONS 14.2  
MIDWEST SOUND & LIGHTING INC 168.3  
OLMSTED & PERRY ENGINEERING 385.7  
PAYFLEX SYSTEMS USA INC 40.06  
PITNEY BOWES INC 108  
RDG PLANNING & DESIGN 4400  
SOUTHEAST NE DEV DISTRICT 4500  
UNIVERSITY OF NEBRASKA OMAHA 1235.16  
WELCH LAW FIRM LLC 1719.6

Department : 02 - HUMANE/CODE ENFORCEMENT

PLATTSMOUTH ANIMAL HOSPITAL PC 175

Department : 03 - EMS

BLACK HILLS ENERGY 16.88  
CHARLES WILKINS 36.09  
EGAN SUPPLY CO 157.96  
LARUE DISTRIBUTING INC 138.2  
MATHESON TRI-GAS INC 121.05  
PAYFLEX SYSTEMS USA INC 6.66  
VIDACARE CORP 3311.38

Department : 04 - POLICE

COMPUTERS TO GO 295  
JACK'S UNIFORMS & EQUIPMENT 224.98  
JEFF HENRY CHEVROLET 65.9  
KAHLER CONSTRUCTION 1359  
KONICA MINOLTA BUSINESS SOLUTIONS 10.71  
MIDWEST MINOR MEDICAL 50  
MJN INC 300  
OMAHA WORLD HERALD 96.2  
PAYFLEX SYSTEMS USA INC 19.98  
THOMAS & MEANS LAW FIRM LLP 435  
ULTRAMAX 976

Department : 05 - STREET

BLACK HILLS ENERGY 48.39  
BOMGAARS SUPPLY 96.24  
CLASS C SOLUTIONS 154.23  
EGAN SUPPLY CO 55.34

FASTENAL COMPANY 10.77  
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 91.96  
LINDER TIRE & AUTO INC 48  
OLMSTED & PERRY ENGINEERING 6500  
PAYFLEX SYSTEMS USA INC 13.32  
WINDSTREAM 110.69

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 478.43  
BLACK HILLS ENERGY 20.81  
EASTERN LIBRARY SYSTEM 50  
FIRST BANKCARD 941.76  
MT LIBRARY SERVICES 148.5

Department : 07 - PARK & REC  
BLACK HILLS ENERGY 20.09  
BOMGAARS SUPPLY 102.26  
EGAN SUPPLY CO 355.07  
JOHN DEERE CREDIT 51.21  
QUALITY FENCE COMPANY 3180  
RANDALL J SCOTT 1400

Department : 08 - CEMETERY  
EGAN SUPPLY CO 26.71  
NEBRASKA PUBLIC POWER DISTRICT 24.45  
PAYFLEX SYSTEMS USA INC 6.66

Department : 10 - FIRE  
BLACK HILLS ENERGY 16.88  
FORT DEARBORN LIFE INSURANCE CO. 158.24  
LARUE DISTRIBUTING INC 138.2

Department : 11 - SENIOR CITIZEN CTR  
BLACK HILLS ENERGY 55.88  
FOUR STAR LAUNDRY 130.38  
WINDSTREAM 102.46

Department : 12 - DEBT SERVICE  
PLATTSMOUTH STATE BANK 1935807.94

Department : 16 - ECONOMIC DEVELOPMENT  
OLMSTED & PERRY ENGINEERING 337.5  
SENDD 258.41

Department : 17 - COMMUNITY CENTER  
BLACK HILLS ENERGY 502.96  
BOMGAARS SUPPLY 103.59  
BSN SPORTS INC 362.7

DEBRA S FLAHERTY 266  
EGAN SUPPLY CO 883.47  
FOUR STAR LAUNDRY 138.75  
GREENLIFE GARDENS 6850  
MECHANICAL SALES INC 490  
PAYFLEX SYSTEMS USA INC 6.66  
WINDSTREAM 307.4

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 1450.74  
BOMGAARS SUPPLY 6.94

Department : 20 - WATER  
BLACK HILLS ENERGY 44.28  
BOMGAARS SUPPLY 189.66  
GRAINGER 26.85  
HD SUPPLY WATERWORKS LTD 1606.5  
HIGGINS HARDWARE 42.13  
MUNICIPAL AUTOMATION & CONTROL 116.53  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 345  
NEBRASKA PUBLIC POWER DISTRICT 11107  
OLMSTED & PERRY ENGINEERING 2025  
PAYFLEX SYSTEMS USA INC 6.66  
TRANSWOOD LOGISTICS INC 867.83  
TYLER TECHNOLOGIES 90

Department : 30 - SEWER  
AAA SEWER & DRAIN CLEANING CO 350  
BLACK HILLS ENERGY 249.1  
BOMGAARS SUPPLY 279.13  
MUNICIPAL AUTOMATION & CONTROL 813.35  
NEBRASKA PUBLIC POWER DISTRICT 3279.56  
TYLER TECHNOLOGIES 90

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT  
OLMSTED & PERRY ENGINEERING 37.5

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1880: 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: A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW 1/4) OF THE NORTHWEST 1/4 (NW1/4) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N89°56'03" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW 1/4 A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT -OF-WAY LINE OF STATE HIGHWAY 34/75; THENCE N51°0'08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°0'08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S50°8'48"W ALONG THE WEST RIGHT-OF-WAY LINE OF 2<sup>ND</sup> AVENUE A DISTANCE OF 381.81 FEET; THENCE N89°54'09"W A DISTANCE OF 458.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL BEING SUBLOT 1 OF TAXLOT 73 CONTAINING 4.00 ACRES, MORE OR LESS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese, seconded by Wiemer to approve third and final reading of ORDINANCE NO. 1880 by title only: **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: A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW 1/4) OF THE NORTHWEST 1/4 (NW1/4) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N89°56'03" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW 1/4 A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT -OF-WAY LINE OF STATE HIGHWAY 34/75; THENCE N51°0'08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°0'08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S50°8'48"W ALONG THE WEST RIGHT-OF-WAY LINE OF 2<sup>ND</sup> AVENUE A DISTANCE OF 381.81 FEET; THENCE N89°54'09"W A DISTANCE OF 458.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL BEING SUBLOT 1 OF TAXLOT 73 CONTAINING 4.00 ACRES, MORE OR LESS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE.**

ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1880 in to the record by title only.

#### ITEM 7 B

Council member Riese introduced an ordinance numbered and title as follows: **ORDINANCE NO. 1881: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ENACT CHAPTER 4, ARTICLE 1, SECTION 4-144 OF THE PLATTSMOUTH MUNICIPAL ORDINANCES 2011, PROHIBITING NOISES MADE BY MECHANICAL DEVICES OPERATED BY COMPRESSED AIR AND USED TO ASSIST BRAKING ON ANY SEMITRACTOR; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Brookhouser that the second reading of ORDINANCE NO. 1881 be approved by title only. Following discussion, ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1881 in to the record by title only.

#### ITEM 7 C

Motion by Brookhouser, seconded by Porter to approve and authorize payment of Pay Application No. 1 submitted by Pioneer Excavating for the New Public Works Utility Building concrete floor located at 444 13<sup>th</sup> Avenue in the amount of \$20,611.00 and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 7 D

Motion by Wiemer, seconded by Dugan to approve and authorize payment of Pay Application No. 2 submitted by ISC Dynamics for the New Public Works Utility Building Project located at 444 13<sup>th</sup> Avenue in the amount of \$76,950.00 and authorize the Mayor to execute Pay Application No. 2. Following discussion, ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 7 E

Motion by Dugan, seconded by Wiemer to approve and authorize payment of Pay Application No. 3 submitted by TAB Construction Co. for the 2014 Street Repair and Overlay Project in the amount of \$157,124.61 and authorize the Mayor to execute Pay Application No. 3. Following discussion, ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

## ITEM 8-NEW BUSINESS

### ITEM 8 A

Pursuant to publication Council President Terry Kerns opened a public hearing at 7:25 p.m. with regard to the acquisition by exchange of the following described real estate: Commercial Lot 9, Morehead Island Riverfront Development, a subdivision in Cass County, Nebraska. No one spoke in favor or opposition. The Council President closed the public hearing at 7:26 p.m.

### ITEM 8 B

Council Member Dugan introduced an Ordinance numbered and titled as follows: ORDINANCE NO. 1887: AN ORDINANCE DIRECTING THE CONVEYANCE OF REAL ESTATE, LOT 1, CASTAWAY VILLAS, A SUBDIVISION IN CASS COUNTY, NEBRASKA, TO MOREHEAD ISLAND, LLC; ESTABLISHING THE MANNER AND TERMS OF SUCH CONVEYANCE; PROVIDING FOR PUBLICATION OF NOTICE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE.

Motion by Dugan, seconded by Brookhouser to approve first reading of ORDINANCE NO. 1887 by title only. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1887 in to the record by title only.

### ITEM 8 C

Council President Terry Kerns stated that Item 8 C (Consider RESOLUTION NO. 14-040: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO PROVIDE FOR NOTICE OF SALE AND CONVEYANCE OF REAL ESTATE DESCRIBED AS LOT 1, CASTAWAY VILLAS, A SUBDIVISION IN CASS COUNTY, NEBRASKA) would be laid over for consideration at a future meeting. NO DISCUSSION OR ACTION TAKEN.

### ITEM 8 D

Pursuant to publication Council President Terry Kerns opened a public hearing at 7:31 p.m. with regard to the redevelopment plan entitled “**Redevelopment Plan Next Generation Properties of Nebraska, LLC, U.S. Highway 75 Redevelopment Area 2014**” which has been prepared for redevelopment of the following described real estate:

**Sublot One (1) of Tax Lot Seventy-Three (73), an Administrative Subdivison of all of Tax Lot Seventy-Three (73), located in the Southwest Quarter of the Northwest Quarter of Section Twenty-Four (24), Township Twelve (12) North, Range Thirteen (13) East o the 6<sup>th</sup> PM, Cass County Nebraska (the “Project Area).**

Said plan provides for the Project Area to be redeveloped by the development of commercial property. Grant assistance from the City’s Community Development Agency, financed by the



issuance of tax increment revenue bonds of the City's Community Development Agency, is proposed to be applied to pay a portion of the costs of such project, including public improvements and grants in aid of construction. At such time and place, all interested parties will have an opportunity to be heard and express their views with respect to the proposed redevelopment plan. No one spoke in favor or opposition. Council President closed the public hearing at 7:32 p.m.

#### ITEM 8 E

Council member Riese introduced a Resolution numbered and titled as follows: RESOLUTION NO. 14-038: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN NEXT GENERATION PROPERTIES OF NEBASKA, LLC U.S. HIGHWAY 75 REDEVELOPMENT AREA 2014".

Motion by Riese, seconded by Dugan to adopt RESOLUTION NO. 14-038:

#### **RESOLUTION NO. 14-038**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN NEXT GENERATION PROPERTIES OF NEBASKA, LLC U.S. HIGHWAY 75 REDEVELOPMENT AREA 2014".

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

Section 1. The Mayor and Council of the City of Plattsmouth, Nebraska, hereby find and determine that the Mayor and Council have by a resolution passed and approved on May 19, 2014, declared certain real estate 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 Council further find and determine that the redevelopment plan entitled "REDEVELOPMENT PLAN NEXT GENERATION PROPERTIES OF NEBASKA, LLC U.S. HIGHWAY 75 REDEVELOPMENT AREA 2014" (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 has approved the Plan in the final form submitted without any recommendation for change.

Section 3. The Mayor and 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"; herein also referred to 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 Council further find and determine that a cost-benefit analysis has been conducted as set forth in that certain report entitled "REDEVELOPMENT PLAN NEXT GENERATION PROPERTIES OF NEBASKA, LLC U.S. HIGHWAY 75 REDEVELOPMENT AREA 2014 COST-BENEFIT ANALYSIS" which has been supplemented by additional information provided by the City Administrator (such report, as supplemented, the "Cost Benefit Analysis"), relating to the Plan, which Cost Benefit Analysis has been approved by the Community Development Agency of the City of Plattsmouth.

Section 5. The Mayor and 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 Council further find and determine that a public hearing was held, after notice of such public hearing was provided as required by Section 18-2115, R.R.S. Neb. 2012, 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 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 (2) that (a) the redevelopment project in the Plan (the "Project") would not be economically feasible without the use of tax-increment financing, (b) the Project would not occur in the Project Area without the use of tax-increment financing, and (c) 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 Council hereby approve the Plan, provided that the Plan shall not be implemented until the annexation of all properties within the Project Area has become effective.

PASSED AND APPROVED this 2<sup>ND</sup> day of September 2014.

/s/Mayor

(SEAL)

/s/City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-038 in to the record by title only. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Council member Wiemer introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-037: NDOR Project No. URB-6404(1)-City of Plattsmouth as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-Aid project; City of Plattsmouth and Alfred Benesch & Company enter in to a Professional Construction Engineering Services Agreement to provide construction engineering services for a Federal-aid project; and authorize the Mayor to sign the contract(s).

Motion by Wiemer, seconded by Derby to adopt RESOLUTION NO. 14-037:

**RESOLUTION**  
**SIGNING OF A PROFESSIONAL CONSTRUCTION SERVICES AGREEMENT**

City of Plattsmouth  
Resolution No. 14-037

**Whereas:** City of Plattsmouth is developing a transportation project for which it intends to obtain Federal funds;

**Whereas:** City of Plattsmouth as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

**Whereas:** City of Plattsmouth and Alfred Benesch & Company wish to enter into a Professional Construction Engineering Services Agreement to provide construction engineering services for the Federal-aid project.

**Be It Resolved:** by the City Council of the City of Plattsmouth, Nebraska that:

Michael Bowman, Mayor of the City of Plattsmouth, is hereby authorized to sign the attached construction engineering services agreement between the City of Plattsmouth, Nebraska and Alfred Benesch and Company.

NDOR Project Number: URB-6404(1)

NDOR Control Number: 22313

NDOR Project Description: 4<sup>th</sup> Ave., 16<sup>th</sup> - Hillcrest

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_, Nebraska.  
(Month)

The City Council of the City of Plattsmouth, Nebraska

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board/Council Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_ Absent  
Resolution adopted, signed and billed as adopted

Attest:

\_\_\_\_\_  
Signature City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-037 in to the record by title only.  
ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 G

Motion by Brookhouser, seconded by Porter to approve the Street Closing or Event Permit Application submitted by Plattsmouth Volunteer Firefighters Association for October 9, 2014 North 5<sup>th</sup> Street from the alley to Avenue A, for National Fire Prevention Week-Annual Spaghetti Feed from 1:00 p.m. to 10:00 p.m. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 H

Council Member/President Kerns stated that he would be abstaining from any discussion or action on this item as he is the President and majority shareholder of Kerns Excavating. Motion by Brookhouser, seconded by Porter to authorize payment of a Statement submitted by Kerns Excavating in the amount of \$220.00 for services and labor to pump the Lift Station by HyVee, Westside Drive, Plattsmouth. ROLL CALL: Yes-Porter, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

#### ITEM 8 I

Council member Wiemer introduced an ordinance numbered and titled as follows:  
**ORDINANCE NO. 1888: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH THE EMOLUMENTS AND REIMBURSEMENT OF EXPENSES FOR THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH; TO REPEAL ALL ORDINANCES IN CONFLICT AS OF THE EFFECTIVE DATE; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Wiemer, seconded by Porter to approve first reading of ORDINANCE NO. 1888 by title only. Following discussion, ROLL CALL: Yes-Wiemer, Porter, Kerns, Brookhouser and Tilson. No-Riese, Dugan and Derby. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1888 in to the record by title only.

#### ITEM 8 J

City Administrator Ervin Portis presented the City of Plattsmouth proposed budget for Fiscal Year October 1, 2014 through September 30, 2014.

#### ITEM 8 K

Pursuant to publication Council President Terry Kerns opened a public hearing at 8:17 p.m. with regard to taxpayers relating to setting the final tax request at a different amount than the prior

year tax request (Fiscal Year October 1, 2014 through September 30, 2015). No one spoke in favor or opposition. Council President closed the public hearing at 8:18 p.m.

ITEM 8 L

Council member Brookhouser introduced a resolution numbered and titled as follows:  
**RESOLUTION NO. 14-039: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE THE PLATTSMOUTH AIRPORT AUTHORITY TO BUDGET FOR THE AIRPORT GENERAL FUND \$40,280.00 AND FOR THE AIRPORT BOND FUND \$52,712.74, WITH LEVIES OF .014596 AND .019101 RESPECTIVELY.**

Motion by Brookhouser, seconded by Tilson to adopt RESOLUTION NO. 14-039:

RESOLUTION NO. 14-039

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE THE PLATTSMOUTH AIRPORT AUTHORITY TO BUDGET FOR THE AIRPORT GENERAL FUND \$40,280.00 AND FOR THE AIRPORT BOND FUND \$52,712.74, WITH LEVIES OF .014596 AND .019101 RESPECTIVELY.

WHEREAS the Plattsmouth Airport Authority submitted its proposed budget to the Mayor and City Council on or before August 1, 2014.

WHEREAS the Plattsmouth Airport Authority has requested authorization to budget for its general fund \$40,280.00 and for its bond fund \$52,712.74, with levies of .014596 and .019101 respectively.

WHEREAS the Authority has Bond payments in the amount of \$49,729.00 which is included in its request for authorization which is allowed by law and is outside the lid and levy limits.

NOW, THEREFORE, BE IT RESOLVED that the Plattsmouth Airport Authority is authorized to budget for its general fund \$40,280.00 and for its bond fund \$52,712.74, with levies of .014596 and .019101 respectively.

PASSED AND APPROVED this \_\_\_\_ day of September 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-039 in to the record by title only. Following discussion, ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson,

Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 M

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1886: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015 ; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.** Motion by Riese, seconded by Brookhouser to approve first reading of ORDINANCE NO. 1886 by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1886 in to the record by title only.

ITEM 8 N

Council member Dugan introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1883: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Following discussion, Motion by Dugan, seconded by Riese to approve first reading of ORDINANCE NO. 1883 by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1883 in to the record by title only.

ITEM 8 O

Council member Wiemer introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1884: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2014; TO REPEAL ORDINANCE NO. 1875 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Wiemer, seconded by Porter to approve first reading of ORDINANCE NO. 1884 by title only. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1884 in to the record by title only.

ITEM 11

8:40 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED, on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk