

**PLATTSMOUTH PLANNING COMMISSION
SPECIAL MEETING
September 29, 2010**

The Plattsmouth Planning Commission met for a special meeting Wednesday, September 29, 2010 at Plattsmouth City Hall. Chairman Marc Nichols called the meeting to order at 7:33 p.m. and announced the location of the Open Meeting Act and of documents pertaining to the planning agenda. Answering roll call were Charles Warga, Dewayne Prince, Billy Hale, John Hurst, Pat Dugan, Sharon Kief, Jeff Kindig, Karen Weaver. Rich McKinley arrived at 7:35 p.m. Also present were Mayor Paul Lambert, City Administrator Erv Portis, City Attorney Roger Johnson, and City Inspector Kevin Larson.

MOTION BY WEAVER, SECONDED BY KIEF, TO APPROVE THE MINUTES OF THE SEPTEMBER 16, 2010 REGULAR MEETING. A voice vote was unanimous, MOTION CARRIED.

Nichols advised he had received an ex-parte contact telephone voice mail with a party involved with the next two items related to the request for a blight and substandard determination and asked if anyone else had such contact. Hale said he had such contact by telephone, Dugan had contact by email, Hurst had contact by telephone, Kief had contact by telephone, Warga had contact at his place of business, Prince had contact by telephone. Prince also stated for the record that he owned property in the area to be considered for Substandard and Blighted designation.

Nichols explained the hearing process and read from the agenda, "A public hearing regarding a designation of substandard and blighted for property legally described as..."

Larson read the legal description of the property;

Lots 1- 10, Westside Commercial Addition
Lots A, B, & C, Winterset Addition
Lots 1 & 2, Johnson's Addition
Lots 1 - 5, Julie's Addition
Lots 1 -4, Lot 5r, Lot 7r, Lots 8 - 26, Block 1, Richey Place
Lots 1 & 2, Lots 7 - 12 And Lots 17 - 26, Block 2, Richey Place
E10' Lot 9 & All Lot 10, Blk 2, Story's Addition
E1/2 Lot 8 & W46' Of Lot 9 Blk 2, Story's Addition
Lots 11 & 12 Blk 2, Story's Addition
E1/2 Lot 8 & W46' Of Lot 9 Blk 2, Story's Addition
Lots 1 & 2 & 1/2 Vac Alley Blk 2, Richey Place
Lots 11 & 12 Block 2, Story's Addition
E1/2 Lot 8 & W46' Of Lot 9 Blk 2 Story's Addition
E10' Lot 9 & All Lot 10 Blk 2, Story's Addition
Lot 7 & W 1/2 Lot 8 Blk 2, Story's Addition
Lot 1 - 6, Block 1, Story's Addition

N15' Of Lots 17-23 & W25' Lot 24 & S1/2 Adj Alley N 10' Lot 25 & 26 & S1/2 Adj Alley & E19' Lot 24 Blk 3, Richey Place
Outlots Pt L75 Db96 P367 Exc Pt Db105 P402 Nw1/4 Of The Nw1/4 Section 13 Township 12 Range 13
Outlots S11 Of L75 & .28a L75 Nw1/4 Nw1/4 Section 13 Township 12 Range 13
Outlots Pt Db121 P320 Sw1/4 Sw1/4 Section 13 Township 12 Range 13
Sublot L4 Of 36 Replat Nw1/4 Nw1/4 Exc Hwy Section 13 Township 12 Range 13
Lot 1, Bestmann Addition
Pt Lot 2, Bestmann Addition
Lot 3b, Bestmann Addition
Pt Lot 3a, Bestmann Addition
Lots 5-6 & E181.38' Of S47' Lot 4 Exc Hwy, Bestmann Addition
Add Lot 3b, Bestmann Addition
Lot 7 Replat, Bestmann Addition
Lot 8 Replat, Bestmann Addition

Nichols opened the public hearing at 7:44 p.m.

Mike Bacon of Gothenburg, attorney for the requesting party, spoke to a substandard and blighted study before the commission.

Jeff Ray of Fremont, the author of the substandard and blighted study before the commission, explained the study.

No one else spoke to the issue, and the hearing was closed at 7:52 p.m.

Nichols read from the agenda, "Consider a recommendation to the Plattsmouth City Council regarding a designation of substandard and blighted for property legally described as..."

Larson read the legal description of the property;

Lots 1- 10, Westside Commercial Addition
Lots A, B, & C, Winterset Addition
Lots 1 & 2, Johnson's Addition
Lots 1 - 5, Julie's Addition
Lots 1 -4, Lot 5r, Lot 7r, Lots 8 - 26, Block 1, Richey Place
Lots 1 & 2, Lots 7 - 12 And Lots 17 - 26, Block 2, Richey Place
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E1/2 Lot 8 & W46' Of Lot 9 Blk 2, Story's Addition
Lots 11 & 12 Blk 2, Story's Addition
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Lots 1 & 2 & 1/2 Vac Alley Blk 2, Richey Place
Lots 11 & 12 Block 2, Story's Addition
E1/2 Lot 8 & W46' Of Lot 9 Blk 2 Story's Addition
E10' Lot 9 & All Lot 10 Blk 2, Story's Addition

Lot 7 & W 1/2 Lot 8 Blk 2, Story's Addition
Lot 1 - 6, Block 1, Story's Addition
N15' Of Lots 17-23 & W25' Lot 24 & S1/2 Adj Alley N 10' Lot 25 & 26 & S1/2 Adj
Alley & E19' Lot 24 Blk 3, Richey Place
Outlots Pt L75 Db96 P367 Exc Pt Db105 P402 Nw1/4 Of The Nw1/4 Section 13
Township 12 Range 13
Outlots S11 Of L75 & .28a L75 Nw1/4 Nw1/4 Section 13 Township 12 Range 13
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Sublot L4 Of 36 Replat Nw1/4 Nw1/4 Exc Hwy Section 13 Township 12 Range 13
Lot 1, Bestmann Addition
Pt Lot 2, Bestmann Addition
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Add Lot 3b, Bestmann Addition
Lot 7 Replat, Bestmann Addition
Lot 8 Replat, Bestmann Addition

Nichols asked McKinley if he had ex-parte contact regarding the issue and McKinley said he had ex-parte contact by telephone.

Larson read a memorandum from City Administrator Portis.

Following discussion:

MOTION BY PRINCE, SECONDED BY WARGA, TO LAY THE MATTER OVER FOR RECEIPT OF THE INFORMATION UNDERLYING THE REPORT, AND UPDATED MAPS.

A roll call vote showed: VOTING YES, WARGA, PRINCE, HALE, HURST, DUGAN, KIEF, NICHOLS; VOTING NO, MCKINLEY, WEAVER; ABSENT AND NOT VOTING, NONE; MOTION CARRIED.

MOTION BY HUSRT, SECONDED BY HALE, TO ADJOURN. A voice vote was unanimous, MOTION CARRIED.

Meeting adjourned at 9:05 p.m.

Charles Warga
Secretary

Minutes recorded and typed by Kevin Larson