

PLATTSMOUTH CITY COUNCIL

July 5, 2011

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 Roll Call
- 4 Pledge of Allegiance
- 5 Citizens Delegation
- 6 Mayor Proclamations
- 7 **CONSENT AGENDA**
 - A Consider approval of June 20, 2011 City Council Meeting Minutes
 - B Consider approval of the appointment of the following proposed new member to the Plattsmouth Emergency Medical Services Department: Jocelyn L. Pedersen, Brandon Norris, Thomas Bryant, David Cox and Bobby Taylor
 - C Consider recommendation for approval of a Special Designated License filed by the Knights of the Roundtable for August 20, 2011 for a Reception at 502 South 18th Street, Plattsmouth NE from 12:00 p.m. to 12:00 a.m.
 - D Consider approval of claims
- 8 **UNFINISHED BUSINESS**
 - A Consider Ordinance No. 1828- AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ANNEXING CERTAIN LANDS ADJACENT TO THE CITY OF PLATTSMOUTH, NEBRASKA AND DEFINING THE BOUNDARIES THEREOF, LEGALLY DESCRIBED AS A tract of land, being a part of the Westside Commercial Subdivision, located in the SW ¼ of the NW ¼ of Section 13-T12N-R13E of the 6th P.M., Cass County, Nebraska, more fully described as follows: Referring to the W ¼ Corner of said Section 13, (also the SW Corner of Westside Commercial Subdivision); thence N00°10'00"E, (assumed bearing), along the West line of the SW ¼ of the NW ¼, a distance of 1294.95', thence N89°46'16"E, a distance of 298.97' to the TRUE POINT OF BEGINNING; thence continuing N89°46'16"E, a distance of 298.96' to a point on the Westerly right of way line of State Highway No. 75; thence S00°11'52"W, along said right of way line, a distance of 448.70' to a point of curve; thence following the arc of a 22,833.32' radius curve to the right, a distance of 796.02' (the long chord bears S 01°11'47"W, a distance of 795.98'), to a point on the

existing Corporate Limit Line; thence S89°43'20"W, leaving said right of way line, a distance of 296.22' to a point on a curve; thence following the arc of a 22,833.32' to the left, (non-tangent to the last described course), a distance of 796.21', (the long chord bears N00°59'56"E, a distance of 796.17'), to a point of tangent; thence N00°11'52"E, a distance of 448.70' to the POINT OF BEGINNING and containing 8.52 Acres, more or less. Consideration of second reading

9 **NEW BUSINESS**

- A City Administrator-Public Works Director Missouri River Flooding Update
- B Consider Resolution No. 11-019: Official declaration of intent under Internal Revenue Code Regulation to provide for the incurring of indebtedness which may include reimbursement of expenditures made by the City in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood-related expenditures for which the City may lawfully issue tax-exempt bonds. The preliminary estimate of debt contemplated to be issued for such projects is currently \$10,000,000.00
- C Pam Caba - President of the Plattsmouth Chamber of Commerce - presentation on Chamber activities and use of City monies
- D Consider making the paved alley directly to the east of The Barracks from Main Street north to Avenue A one way southbound and direct the City Attorney to prepare a Resolution for council consideration
- E Consider approval of a conditional grant agreement with D-Squared, LLC and Vireo Resources, LLC, for a grant of land to D-Squared, LLC, to wit: the North 547.25 Feet of Sublot 1 of Lot 1, Fourmile Industrial Park, City of Plattsmouth, Cass County, Nebraska, for the purpose of constructing a building to be leased to Vireo Resources, LLC, for the expansion of its operations and the creation of additional jobs
- F Consider Ordinance No. 1829: AN ORDINANCE DIRECTING THE CONVEYANCE OF REAL ESTATE TO D-SQUARED, LLC, TO WIT: THE NORTH 547.25 FEET OF SUBLOT 1 OF LOT 1, FOURMILE INDUSTRIAL SITE, CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; 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 THE PUBLICATION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.
- G Consider Resolution No. 11-020: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO PROVIDE FOR NOTICE OF SALE AND CONVEYANCE OF REAL ESTATE, TO WIT:

THE NORTH 547.25 FEET OF SUBLot 1 OF Lot 1, FOUR MILE INDUSTRIAL PARK, A SUBDIVISION OF THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA.

- H Consider Graham Construction Application and Certificate for Pay App No. 12, Main Street Corridor Improvement Project in the amount of \$508,338.39 (Schedule A (CSO) \$250,448.63 and Schedule B (Streetscape) \$257,889.76), authorize payment and direct the Mayor to execute Pay App No. 12

- I Consider approval of a waiver of conflict of interest for Roger K. Johnson, City Attorney for the City of Plattsmouth (City) and attorney for Sanitary and Improvement District No. 5, Cass County, Nebraska (SID 5), to act as counsel for both parties in the preparation of an interlocal cooperation agreement to provide for the City's potential purchase of potable water from SID 5, via its water distribution system, on an emergency basis if it becomes necessary as a result of flood damage to the City's water plant, and authorize the Mayor to sign a consent and waiver

- J Consider approval of a waiver of conflict of interest for JEO Consulting Group, Inc. and HDR, Inc. to act as engineers for the City of Plattsmouth, Sanitary and Improvement District No. 5, Cass County, Nebraska, Beaver Lake Homeowners Association and Cass County Rural Water District No. 1 regarding the engineering of cross connections for potable water supply to the City in the event that the flood results in a shut down of the City's water plant, and authorize the Mayor to sign a consent and waiver

10 **STREETS AND ALLEYS**

11 City Administrator Communication

12 Mayor and City Council Communication

13 Adjourn