

Planning Commission
Monday, February 10, 2025 6:00 PM
Columbus Community Building/Community Room
2500 14 Street
Columbus, NE 68601

The Mayor and City Council reserve the right to go into closed session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at City Hall, 2500 14 Street, Columbus, Nebraska. For more information, call 402-562-4224 or visit our website at www.columbusne.us.

{{Name: Agenda Item Name}}

1. Statement of Compliance with Open Meetings Act and roll call.

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Source: Laws 2004, LB 821, § 34.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

Source: Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

Annotations

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders, and (iii) the Judicial Resources Commission or subcommittees or subgroups of the commission;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

Source: Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2; Laws 2021, LB83, § 11; Laws 2022, LB922, § 12.

Annotations

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- Although the Open Meetings Act does not define "subcommittee," a subcommittee is generally defined as a group within a committee to which the committee may refer business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- The Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until the moment the public is invited to comment on a proposed policy. By excluding nonquorum subgroups from the definition of a public body, the Legislature

has balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).

- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close

passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

Source: Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

Annotations

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92

(1983).

- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; emergency meeting without notice; appearance before public body; applicability of section.

(1) Until January 1, 2025:

(a) Except as provided in subsection (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website.

(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee or the governing body of a rural or suburban fire protection district, such notice shall be published by:

(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website; or

(B) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to timely publish the notice, the public body shall (A) post such notice on its website, if available, and (B) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours.

Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) Beginning January 1, 2025:

(a) Except as provided in subsection (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (2)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committees, such notice shall be given by:

(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(B)(I) Posting to the newspaper's website, if available, and (II) posting to a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(ii) In the case of the governing body of a city of the second class or village, any advisory committee of such governing body, or the governing body of a rural or suburban fire protection district, such notice shall be given by:

(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper;

(B)(I) Posting to the newspaper's website, if available, and (II) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(C) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted by the public body in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (2)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public

body shall (A) post such notice on its website, if available, (B) submit a post on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers, and (C) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(3)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (3)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority; and

(xiii) A natural resources district.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsections (1) and (2) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be

provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision, subsection (1) of section 70-1014, subsection (2) of section 70-1014.02, or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of (A) an organization created under the Interlocal Cooperation Act that sells electricity or natural gas, (B) an organization created under the Municipal Cooperative Financing Act, (C) a governing body of a risk management pool and any advisory committee of such governing body, or (D) any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act, such organization, governing body, or committee may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing.

(4) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(5) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(6) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (5) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(7) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(8)(a) Notwithstanding subsections (3) and (6) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsections (1) and (2) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at

the meeting and record the meeting. Subsection (5) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413.

(9) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (3)(a) of this section may hold a meeting by virtual conferencing if:

(a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions (3)(b)(i) and (ii) of this section.

(10) This section does not apply to a meeting of the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of municipalities if such meeting is subject to section 70-1034.

Source: Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5; Laws 2020, LB148, § 3; Laws 2021, LB83, § 12; Laws 2022, LB742, § 1; Laws 2022, LB908, § 1; Laws 2022, LB922, § 13; Laws 2024, LB287, § 74; Laws 2024, LB399, § 4; Laws 2024, LB1370, § 8.

Note: The Revisor of Statutes has pursuant to section 49-769 correlated LB287, section 74, with LB399, section 4, and LB1370, section 8, to reflect all amendments.

Note: Changes made by LB287 became operative April 17, 2024. Changes made by LB399 became effective July 19, 2024. Changes made by LB1370 became operative July 19, 2024.

Cross References

- **Emergency Management Act**, see section 81-829.36.
- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.
- **Municipal Cooperative Financing Act**, see section 18-2401.
- **Opioid Prevention and Treatment Act**, see section 71-2485.

Annotations

- Under subsection (1) of this section, the Legislature has imposed only two conditions on

the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. Except for closed sessions called pursuant to section 84-1410, a public body shall allow members of the public an opportunity to speak at each meeting.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and

(f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting.

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Source: Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1; Laws 2021, LB83, § 13; Laws 2024, LB43, § 21.

Operative Date: July 19, 2024

Annotations

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

Source: Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1; Laws 2021, LB83, § 14; Laws 2022, LB742, § 2.

Annotations

- Under prior law, if a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before

taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).

- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Source: Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

Annotations

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

2. Minutes of January 13, 2025 meeting.

PLANNING COMMISSION
January 13, 2025

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on January 13, 2025, at 6:02 p.m. in the Columbus Community Building, Community Room, 2500 14 Street, Columbus, Nebraska. Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on January 2, 2025, with a copy of the proof of publication being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice and in the notice to the mayor, members of the city council, and members of the Planning Commission. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **Statement of Compliance with Open Meetings Act and roll call.** Chair Goc announced that a copy of the Open Meetings Act is available at this meeting. Present were members Steve Anderson, Robbin Cutsor, Bob Elsasser, Melissa Goc, Fernando Lopez Jr., and Josh Mueller. Member Colleen Bray, Tom Lange, and Tom Pillen were absent. City staff members included City Attorney Gene Schumacher, City Engineer Rick Bogus, Chief Building and Code Official Andy Woehrer, Project Engineer Braden Labenz, Planning and Economic Development Coordinator Jean Van Iperen, Engineering Administrative Specialist Renee Whiting, and Senior Office Associate Vanessa Adame. Also present was Mayor James Bulkley.
2. **Minutes of December 10, 2024, meeting.** The minutes were approved as presented with a motion by Elsasser and a second by Mueller. Anderson, Cutsor, Elsasser, Goc, Lopez, and Mueller voted “Aye” and none voted “Nay”. Bray, Lange, Pillen were absent.
3. **Public hearing – Application from K Herman Development, LLC to rezone property at 4075 33rd Avenue (located east of 33rd Avenue between 40th and 42nd Street) from “R1” (Single-Family Residential District) to “B-2” (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan.** John Zwingman, Advanced Consulting Engineering Services on behalf of the applicant, explained that the developer intends to build six apartment complexes for approximately 120 units, storage units, and a stormwater retention area. Dawson Brunswick, president of the Chamber of Commerce, spoke in support of the development, stating that the development would support the housing shortage in Columbus and help fill job openings. Sue Rieckman, 3204 40th St.; Cristal & Scott Menke, 3968 30th Ave.; Judy Zadina & Terrance Belsan, 3985 Lost Creek Dr.; and Keith Evans, 3981 Lost Creek Dr.; adjacent property owners to the proposed development, all expressed concerns regarding the current traffic and safety issues in their neighborhood, on 33rd Ave. They added that additional traffic from this development would increase congestion and significantly impact children's safety. Zwingman clarified that the plan includes adding two exits instead of one, and both will exit to arterial streets rather than residential streets, which would help divert the traffic. He stated that the plans for

this development are not finalized and that the conceptual drawing and rendering draft will be included in the initial planning stage. Bogus clarified that last year, the council approved traffic analysis and signal improvements which included intersections at Lost Creek Parkway at 48th Ave, 33rd Ave, and Wilderness Rd. As part of this project, some roads will have added turn lanes and turn signals which will be added this summer. While this will not completely eliminate traffic congestion during peak school hours, previous studies have been conducted regarding traffic in the area. The public hearing closed with a motion by Anderson and a second by Mueller. Anderson, Cutsor, Elsasser, Goc, Lopez, and Mueller voted "Aye" and none voted "Nay". Bray, Lange, Pillen were absent. A recommendation was made by Lopez and a second by Mueller to approve the rezoning application and amend the Future Land Use as the proposed zoning is good fit and is in conformance with the Columbus Land Development Ordinance. Anderson, Cutsor, Lopez, and Mueller voted "Aye" and Elsasser and Goc voted "Nay". Bray, Lange, Pillen were absent.

4. **Public hearing – Application from K Herman Development, LLC for special use permit to allow Convenience Storage in a "B-2" (General Commercial District) zone located east of 33rd Avenue between 40th and 42nd Street.** John Zwingman, Advanced Consulting Engineering Services on behalf of the applicant, stated the proposed storage units would be located on the east side of the development. In response to Judy Zadina, 3985 Lost Creek Dr., Zwingman explained the road and driveways that are planned for the storage units and that the developer would be responsible for maintaining the retention pond. In response to Scott Menke, 3968 30th Ave., Zwingman clarified that the homeowners will not be assessed if improvements are made to the retention pond. The public hearing closed with a motion by Elsasser and a second by Lopez. Anderson, Cutsor, Elsasser, Goc, Lopez, and Mueller voted "Aye" and none voted "Nay". Bray, Lange, Pillen were absent. A recommendation was made by Elsasser and a second by Lopez to approve the special use permit application from K Herman Development LLC. Anderson, Cutsor, Elsasser, Goc, Lopez, and Mueller voted "Aye" and none voted "Nay". Bray, Lange, Pillen were absent.
5. **Building report for December 2024.** The building report was presented.
6. **Adjournment.** The meeting adjourned at 6:33 p.m.

OFFICE OF THE COMMUNITY DEVELOPMENT

: Vanessa Adame

3. Public hearing - Redevelopment Plan for the Crekitt LLC Redevelopment Project approximately located at 1856 33 Avenue.

NOTICE OF HEARING

Notice is hereby given that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 10, 2025, at 6 P.M., in the Columbus Community Building, Community Room, 2500 14th St., Columbus, NE 68601, to consider and possibly take action on a redevelopment plan entitled: "Redevelopment Plan for the Crekitt LLC Redevelopment Project," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within a portion of a blighted and substandard community redevelopment area of the City, approximately located at 1856 33rd Avenue, in Columbus, Nebraska. A map of the proposed area to be redeveloped and the cost-benefit analysis for the redevelopment project set forth in the redevelopment plan is available for review at the office of the City Clerk at 2500 14th St., Suite 3, Columbus, NE 68601, telephone number 402-562-4224. At said time and place, all interested parties may appear and be heard.

City of Columbus, Nebraska
Shuraya Choat, City Clerk

Publish: 1:23:25; 1:30:25

Affidavit of Publication



City Hall
2500 14th St.
Columbus, NE 68601
402-562-4232
columbusne.us

memorandum

DATE: February 5, 2025
TO: Tara Vasicek, City Administrator
FROM: Jean Van Iperen, Planning & Economic Development Coordinator
RE: Redevelopment Plan for Crekitt, LLC Redevelopment Project

RECOMMENDATION:

Approval of the Redevelopment Plan for the Crekitt, LLC Redevelopment Project

DISCUSSION:

The redevelopment plan proposes a project at 1856 33rd Ave, situated northwest of the intersection of 33rd Avenue and 18th Street. This project involves the renovation and repurposing of the vacant building for new commercial use. The primary tenant will be a ServiceMaster franchise, with an additional smaller space available for another commercial tenant.

To ready the area for its intended use, necessary upgrades and improvements will be made to internal paving, sewer, water, storm sewer, electrical service, public sidewalks, and related infrastructure. Additionally, the project will include asbestos abatement, interior demolition, landscaping, and interior renovations.

The total estimated costs of the Redevelopment Project is \$1,082,000. The full list of estimated TIF eligible expenses is detailed in Exhibit E. The projected principal amount of this TIF bond will be \$197,000.

The redeveloper, City and legal counsel have ensured the plan is in conformance with the City's comprehensive plan.

It has been determined the cost-benefit analysis prepared in conjunction with the Plan and attached as Exhibit E sets forth the factors required under section 18-2174 of the Nebraska Revised Statutes and supports the City's adoption and approval of the Plan.

As the plan states, the impacts and opportunities related to the Redevelopment Project conform to the objectives and guidance stated in the Comprehensive Plan, and outweigh arguments against the project.

ALTERNATIVE: Do not approve

Signature:

By: *Jean Van Iperen*

Approved By: _____

[Handwritten Signature]

**REDEVELOPMENT PLAN FOR
THE CREKITT, LLC REDEVELOPMENT PROJECT**

PREPARED JANUARY, 2025

**BY THE COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF COLUMBUS, NEBRASKA**

A. Introduction

This Redevelopment Plan for the Crekitt, LLC Redevelopment Project (this “Redevelopment Plan”), prepared by the Community Development Agency of the City of Columbus, Nebraska (the “Agency”), is a guide for redevelopment activities to remove and eliminate blighted and substandard conditions within the City of Columbus, Nebraska (“City”). The Mayor and City Council of the City, recognizing that blighted and substandard conditions are a threat to the continued stability and vitality of the City, designated certain areas of the City to be blighted and substandard and in need of redevelopment pursuant to the requirements of the Nebraska Community Development Law, sections 18-2101 et. seq., as amended (the "Act").

Prior to the preparation of this Redevelopment Plan, and in compliance with the Act, the Mayor and City Council designated a portion of the City as a blighted and substandard community redevelopment area, such area being commonly referred to as the Redevelopment Area 2 and/or the Highway 81 North Commercial Area (referred to herein as the “Redevelopment Area”). This Redevelopment Plan sets forth a proposed redevelopment project located within the Redevelopment Area to optimize the tax increment financing ("TIF") resources available to offset certain costs deemed eligible for reimbursement by TIF under the Act, and to remove existing and avoid future blighted and substandard conditions, all as further described herein. This Redevelopment Plan contemplates the renovation of an existing vacant and dilapidated building for a repurposed commercial use, together with such public improvements associated therewith, within the Redevelopment Area (such public and private improvements are collectively referred to herein as the "Redevelopment Project").

B. Project Site; Existing Conditions

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the area to be developed as part of the Redevelopment Project (the "Project Site"). The Project Site is located to the northwest of the intersection of 33rd Avenue and 18th Street, in the City. The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment.

C. Conformance with the Comprehensive Plan

It is essential to the City’s comprehensive plan for development (the “Comprehensive Plan”) that dilapidated, inadequate, or deteriorating portions of the City conform to the current and future needs of the City as it continues to grow and expand. Exhibit "B", attached hereto and incorporated herein, shows a portion of the future use map (showing the Project Site and surrounding areas) included within the City's Comprehensive Plan. The map sets forth a

“General Commercial” designation for future use of the Project Site, which is compatible with the anticipated uses associated with the Redevelopment Project.

The Comprehensive Plan further sets forth the following objectives:

- Encourage development that involves adaptive reuse of existing buildings.
- Encourage the development and enhancement of improvements along the City’s primary arterials, including Highway 81.
- Maximize the use of planning and financial tools to mitigate the cost of development to the community while providing incentives for well-planned development that achieves stated City principles and goals.
- Encourage public private partnerships where the City and the private sector can collaborate on enhancements to the built environment.
- Strongly encourage and incentivize infill development of underutilized property.

The Redevelopment Project will assist in carrying out such objectives set forth in the Comprehensive Plan. Accordingly, the Redevelopment Project is in conformance with and furthers the objectives under the City’s Comprehensive Plan.

D. Redevelopment Project Overview

The Redevelopment Project consists of the redevelopment and renovation of the vacant building located at 1856 33rd Avenue, for new commercial use(s). According to Redeveloper’s TIF application submitted to the City, the primary tenant will be a Service Master Franchise, and there will be an additional ~2,000 square feet of space made available to another commercial tenant. No public acquisition of the Project Site is anticipated. Additionally, no families or businesses will be displaced as a result of the Redevelopment Project. Exhibit "C", attached hereto and incorporated herein, sets forth the proposed site plan for the Redevelopment Project.

E. Existing Conditions

1. Existing Land Use

The Project Site currently consists of a vacant and dilapidated commercial building.

2. Existing Zoning

The Project Site is currently zoned as “General Commercial”.

3. Existing Public Improvements

Public access to the Project Site currently exists from 33rd Avenue. The Project Site maintains internal paving, sewer, water, storm sewer, electrical service, public walks, and related infrastructure. However, some of the existing infrastructure is in disrepair and will require improvements/upgrades.

F. Proposed Redevelopment

1. Public Improvements

The Redevelopment Project will require some infrastructure improvements and other public improvements. These improvements will include, but are not limited to:

a. Public Access; Traffic Flow, Street Layouts and Street Grades

Public access to the Project Site currently exists via 33rd Avenue. The Redevelopment Project will not require street improvements and is not anticipated to have an impact on vehicular traffic. The Redevelopment Project will, however, include the replacement of the adjacent sidewalk, which is in a state of disrepair, to facilitate better pedestrian/bike access. All public infrastructure constructed by Redeveloper will be subject to review and approval by the City's engineer or other designee of the City.

b. Construction of Water and Sewer Improvements.

The Project Site is serviced by existing water and sewer systems. However, upgrades to the water system are anticipated.

c. Other incidental improvements

Redeveloper further anticipates upgrades to the electrical infrastructure serving the Project Site. A comprehensive breakdown of the anticipated public improvements (and costs related to the public improvements) for the Redevelopment Project are listed in Exhibit "E", attached hereto and incorporated herein.

d. Additional public facilities or utilities

Other than the improvements detailed above and/or set forth in Exhibit "E", Redeveloper and the City anticipate that the existing public facilities and utilities can adequately meet the demands of the Redevelopment Project.

e. Property Acquisition, Demolition and Disposal

Redeveloper owns the Project Site. No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Redevelopment Project. The Redevelopment Project will require internal demolition of the existing building, but no structural demolition will occur.

f. Population Density

The Redevelopment Project is commercial in nature and will not increase population density in the area.

g. Land Coverage

The Redevelopment Project consists of renovating the existing building on the Project Site and will not impact or alter land coverage ratios.

h. Parking

It is anticipated that the existing parking lot will satisfy the parking requirements for the anticipated uses under the City's zoning ordinance.

i. Zoning, Building Code and Ordinance

The Project Site is currently zoned as "General Commercial". Accordingly, no zoning change is anticipated as part of the Redevelopment Project. Notwithstanding, to the extent applicable, Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

2. Private Improvements

Private improvements for the Redevelopment Project Area consist of the redevelopment and renovation of the vacant and dilapidated building located at 1856 33rd Avenue, for new commercial use(s), in addition to the related facilities and improvements ancillary thereto.

According to Redeveloper’s TIF application submitted to the City, the primary tenant will be a Service Master Franchise, and there will be an additional ~2,000 square feet of space made available to another commercial tenant. Redeveloper or other builders taking conveyance from Redeveloper will construct the private improvements. Paragraph H of this Redevelopment Plan details the anticipated construction schedule for the private improvements.

G. Project Costs

The total estimated cost of the Redevelopment Project is \$1,082,000. A breakdown of the estimated Redevelopment Project costs are attached and incorporated herein as Exhibit "D". Such figures are only estimates based upon 2025 pricing, and are subject to change without further amendment of this Redevelopment Plan.

H. Implementation

Redeveloper anticipates that construction of the Redevelopment Project will commence upon final approval of this Redevelopment Plan, and will be completed by December 31, 2025. Notwithstanding the foregoing, Redeveloper’s timely completion of the Redevelopment Project is subject to extraneous factors, which may necessitate that Redeveloper completes the Redevelopment Project later than the projected date. As such, the anticipated start and completion dates are preliminary and subject to change based upon market conditions, availability of materials, workforce availability and other extraneous factors.

I. Financing

The City and the Agency contemplate the use of TIF for the Redevelopment Project. Section 18-2147 of the Act authorizes the use of TIF. It provides that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the effective date as identified in the redevelopment contract, or amendment thereof, or in the resolution(s) of the authority authorizing the issuance of bonds pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond/note resolution, in the redevelopment project in excess of the Base Tax Amount, if any, (referred to herein as “TIF Revenues”)

shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Redevelopment Project, the actual base tax year and Base Tax Amount for the Redevelopment Project will be set forth in the redevelopment contract and/or the resolution authorizing the TIF Indebtedness (defined below). The Agency and Redeveloper anticipate the issuance of one TIF bond or note for the Redevelopment Project. All TIF Revenues generated by the Redevelopment Project shall only be divided and allocated over the applicable 15-year increment period or until full payment of the TIF Indebtedness, whichever occurs first.

1. Necessity of TIF

Redeveloper has represented and warranted to the City that it would not be economically feasible to develop the Redevelopment Project without TIF. In support thereof, Redeveloper stated the following in its TIF application:

“TIF is necessary for the redevelopment of the existing building. There is a significant amount of asbestos abatement and interior demolition that is necessary to renovate and repurpose the building. This cost makes the project not feasible without assistance. The re-use of the existing building would not be feasible without TIF, and Redeveloper would have to look for other sites for this project without TIF.

The City and Agency agree with the representations of Redeveloper, which are supported by the Project Site’s longstanding dilapidated and vacant condition. Accordingly, it is the finding of this Redevelopment Plan that the Redevelopment Project, as proposed herein, is not economically viable without the assistance of TIF and Redeveloper would not construct the same without TIF.

2. Sources and Uses of Financing

Based upon the projections provided in Exhibit "E", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of one TIF bond or note (the "TIF Indebtedness") in the principal amount of \$197,000. The TIF Indebtedness shall bear interest at a rate not to exceed 4.70% per annum. The final principal and interest amount comprising the

TIF Indebtedness shall be determined by the Agency and set forth in the redevelopment contract or resolution authorizing the issuance of the TIF Indebtedness.

The total estimated cost of the Redevelopment Project is \$1,082,000. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by owner equity. The above figures are only projections and are subject to change.

J. Cost-Benefit Analysis

A cost-benefit analysis for the Redevelopment Project is attached as Exhibit "F" and incorporated herein.

Exhibits:

- Exhibit A: Project Site and Existing Land Use
- Exhibit B: Future Land Use Map
- Exhibit C: Site Plan and Future Land Use
- Exhibit D: Estimated Construction Cost of the Redevelopment Project
- Exhibit E: Sources and Uses of TIF
- Exhibit F: Cost-Benefit Analysis

EXHIBIT "A"

Project Site and Existing Land Use

Legal Description:

Lots 8-12 and 26' of the abutting 33rd Avenue, Block 1, Gerrard's Addition, Columbus, Platte County, Nebraska.

* In the event Redeveloper subdivides or replats the Project Site, the legal description(s) of such subdivided or replatted parcel(s) comprising the Project Site, upon final approval of the City with respect thereto, shall replace and supersede the above legal description.

Depiction and Current Condition (outlined in red):

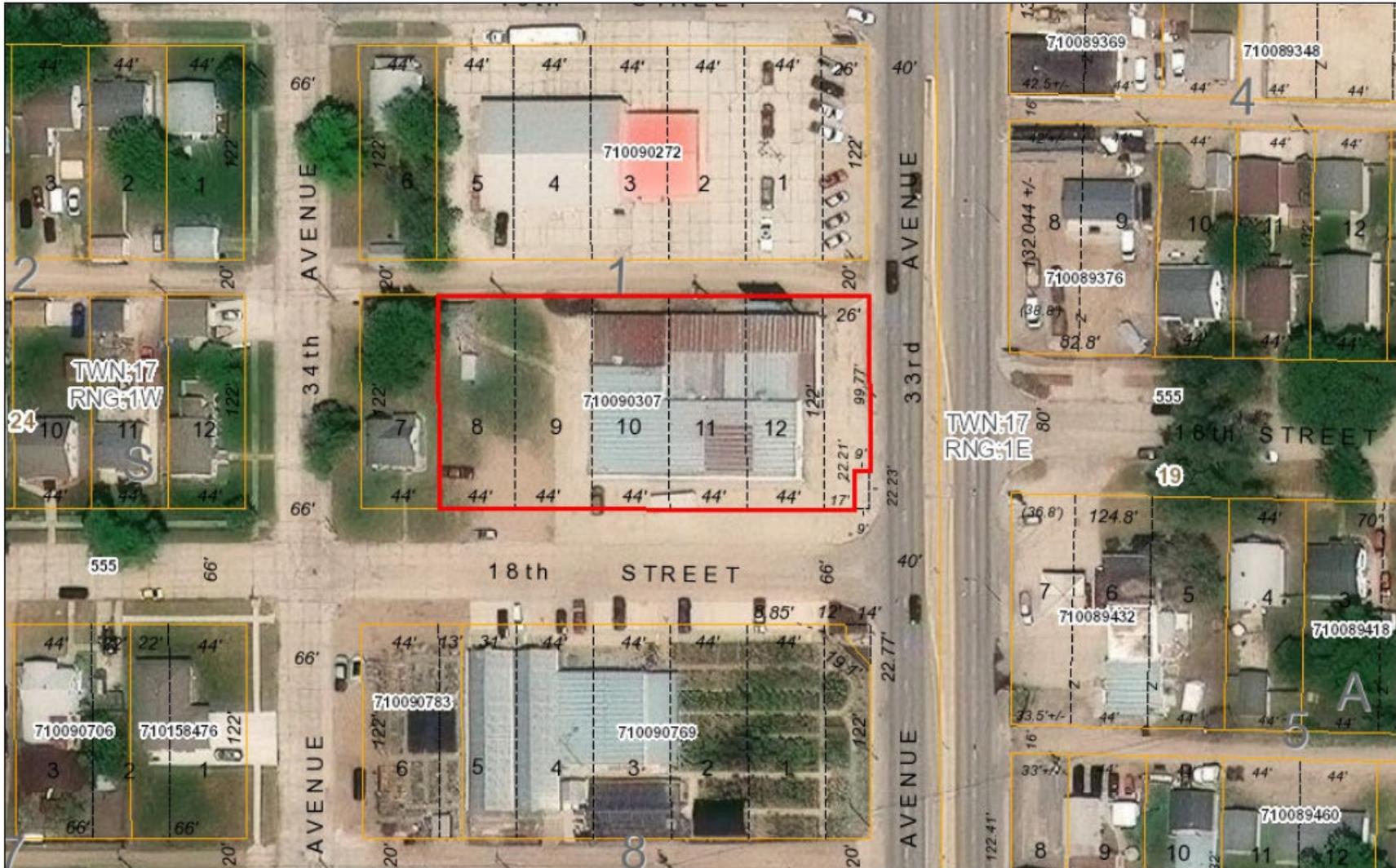
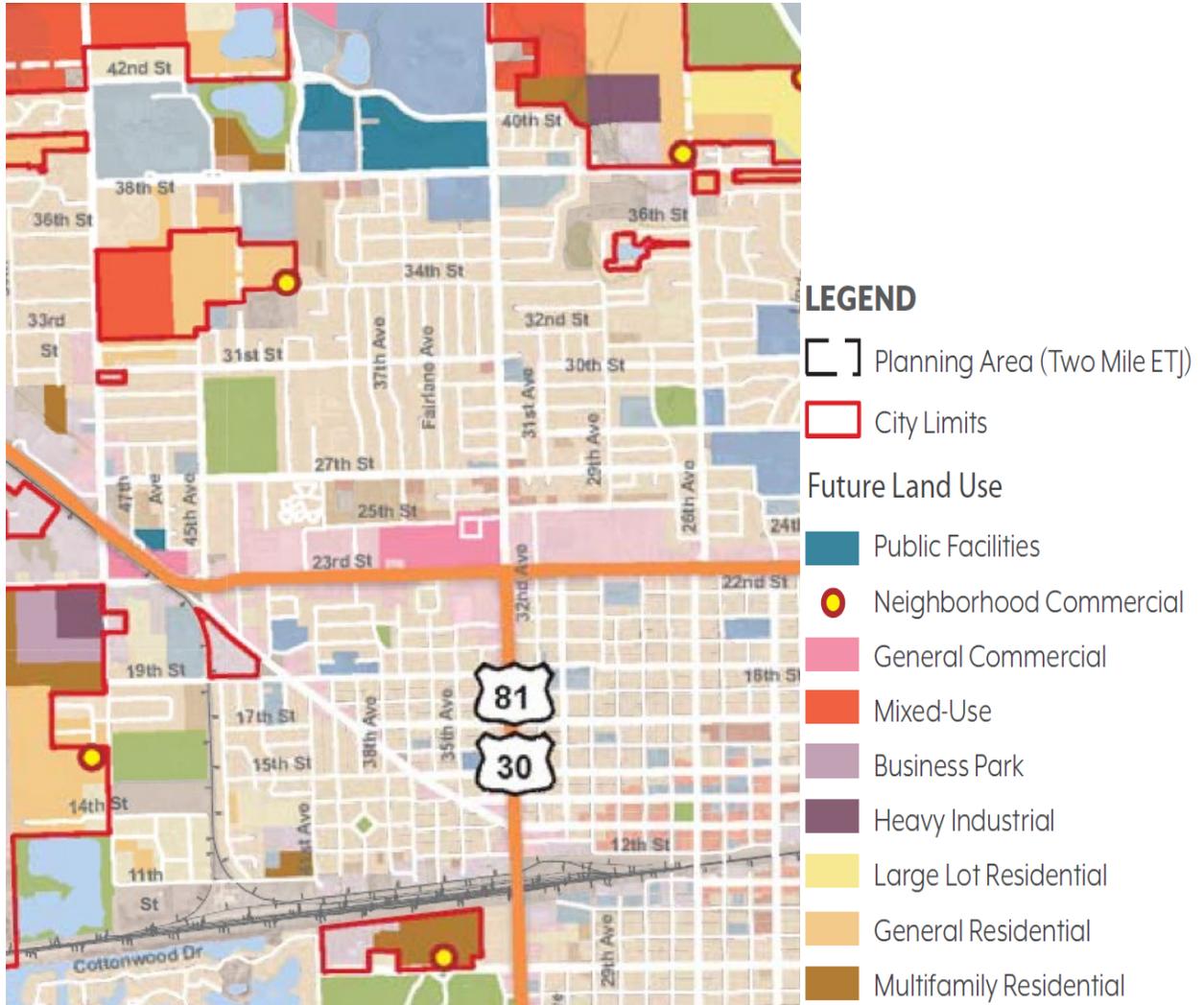


Exhibit "A"

EXHIBIT "B"

Future Land Use Map



* Project Site designated as General Commercial.

EXHIBIT "C"

Site Plan and Future Land Use

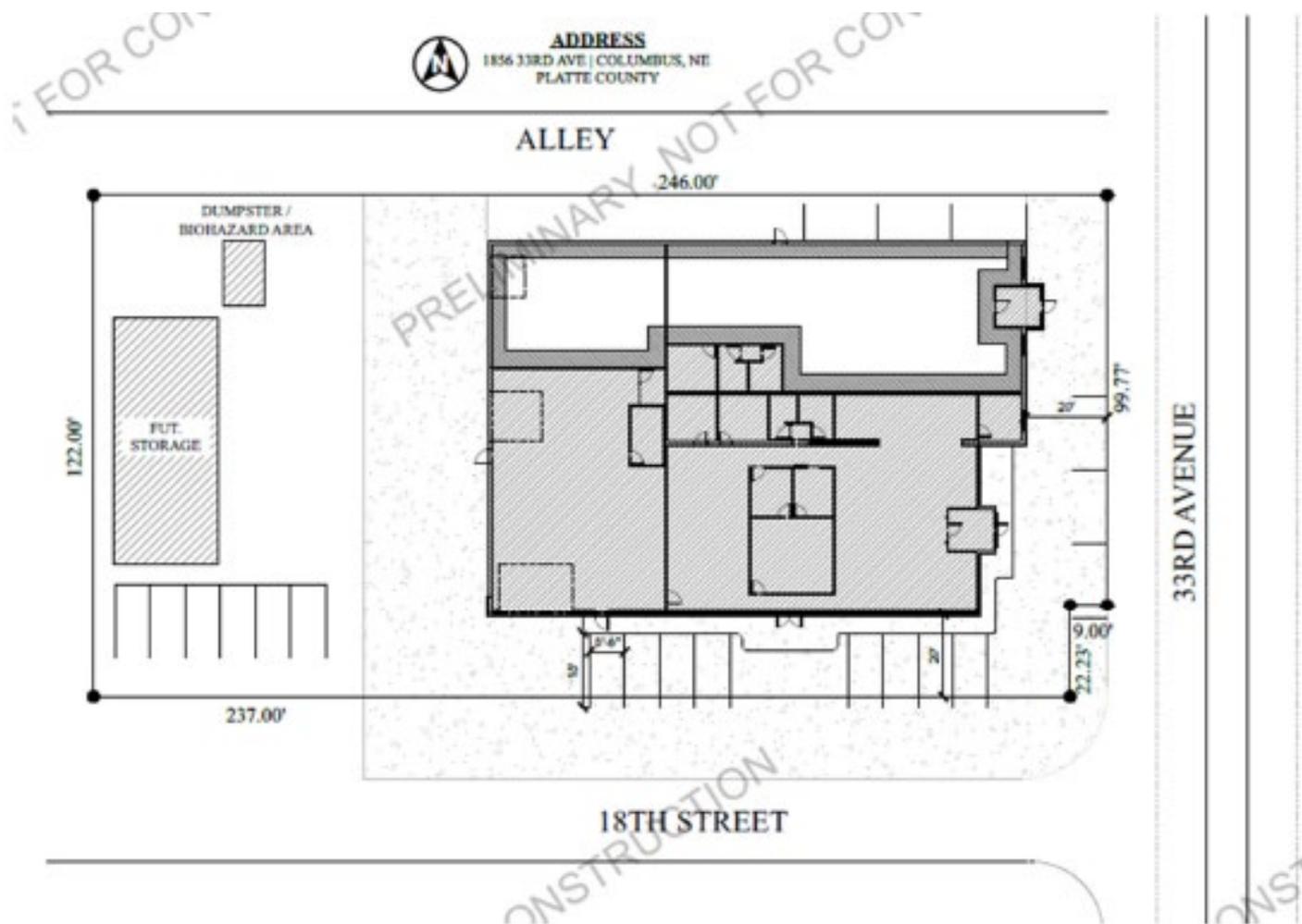


Exhibit "C"

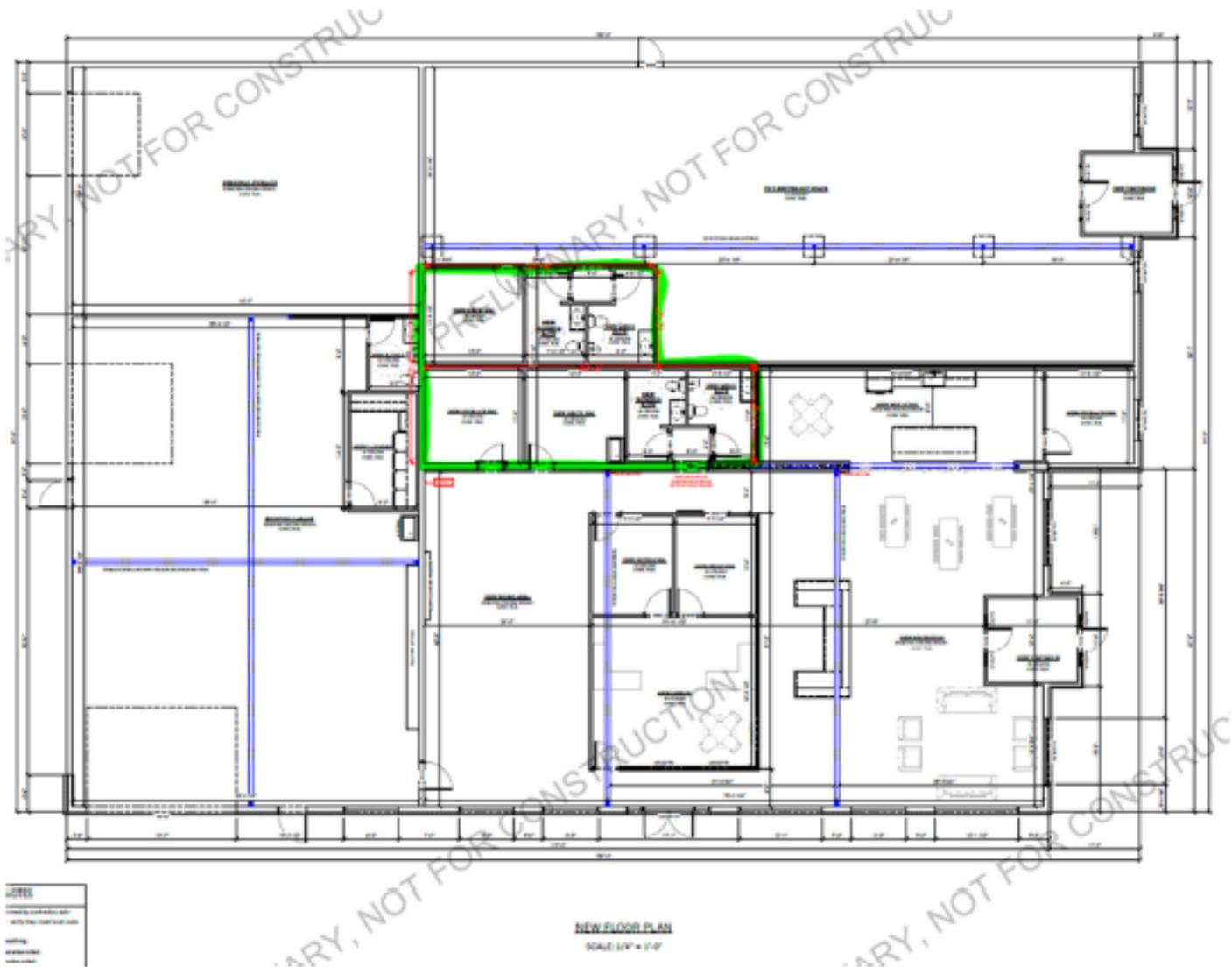
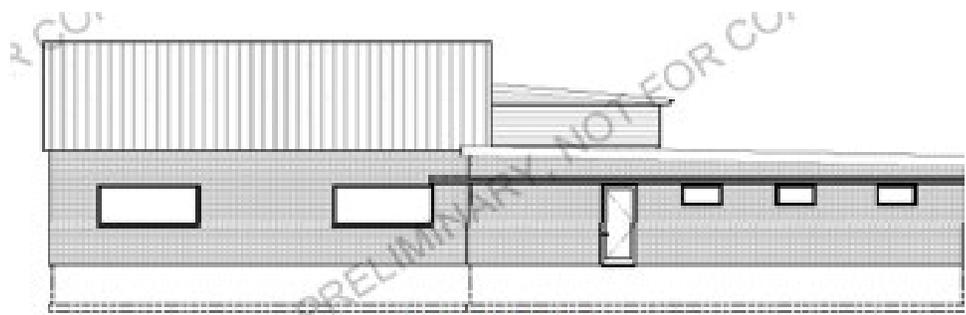


Exhibit "C"



EXISTING FRONT ELEVATION
SCALE 1/4" = 1'-0"



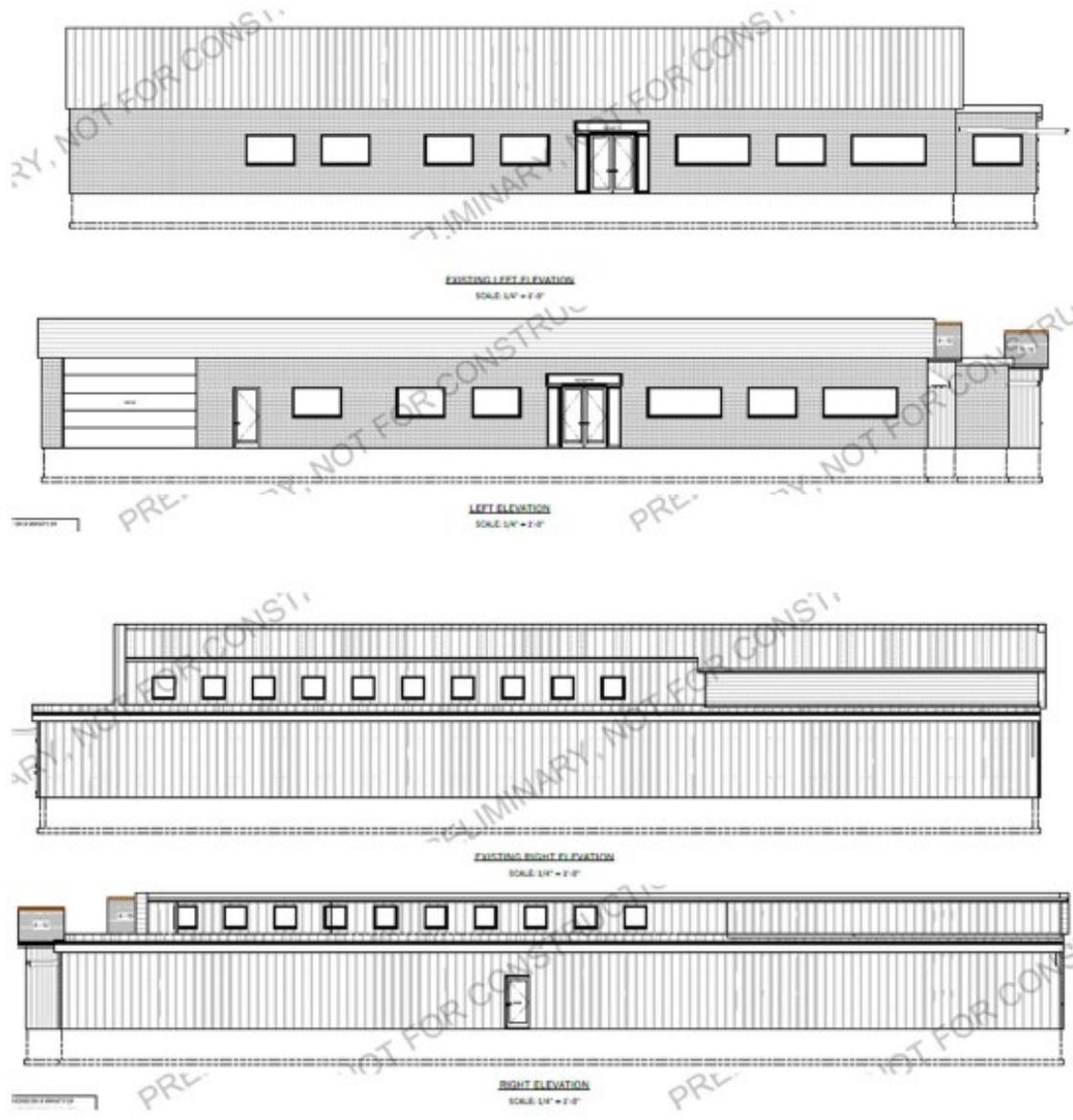
NEW FRONT ELEVATION
SCALE 1/4" = 1'-0"



EXISTING REAR ELEVATION
SCALE 1/4" = 1'-0"



NEW REAR ELEVATION
SCALE 1/4" = 1'-0"



* The attached site plans are preliminary subject to change.

EXHIBIT "D"

Estimate of Construction Costs

Land Acquisition	\$350,000
Site Development	\$230,000
Building Cost	\$442,000
Architectural and Engineering Fees	\$50,000
City Fees	\$15,000
Legal Fees	\$10,000
<hr/>	
TOTAL	\$1,097,000

* The above figures are estimated values based on current pricing. These preliminary estimates are subject to change, as Redeveloper has no control over the change in cost of materials and services between the time of the approval of this Redevelopment Plan and commencement of construction.

EXHIBIT "E"

Sources and Uses of TIF

USES:

Land Acquisition	\$350,000
Asbestos Abatement	\$150,000
Interior Demolition	\$25,000
Sidewalks	\$15,000
Utility Improvements	\$35,000
Landscaping	\$5,000
Interior Renovations	\$442,000
Architectural, Engineering and Legal Fees	\$60,000
City Fees	\$15,000
<hr/>	
TOTAL	\$1,097,000

* The above "Uses" are preliminary estimates based on current pricing and are subject to change.

SOURCES:

General Assumptions:

Base Value:	\$295,250
Final Value:	\$1,408,244
Tax Levy (2024):	1.678850%
TIF Indebtedness:	\$197,000
Interest Rate:	4.70%

* The above figures are based on assumed values and levy rates. Actual amounts and rates will vary from those assumptions, and it is understood that the actual TIF sources may vary materially from the projected amounts.

EXHIBIT "F"

Cost-Benefit Analysis (Pursuant to Neb. Rev. Stat. § 18-2113)

The cost-benefit analysis for the Redevelopment Project, as described in the attached Redevelopment Plan, which will utilize funds authorized by section 18-2147 of the Act, is provided below:

1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:

The taxes generated by the base value of the Project Site will continue to be allocated between the relevant taxing jurisdictions pursuant to the Act. Only the incremental taxes created by the Redevelopment Project will be captured to pay for the project's eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Redevelopment Project, the true tax shift of the Redevelopment Project is a positive shift in taxes after 15 years. However, for the purposes of illustrating the incremental taxes used for TIF, the estimated 15-year tax shift for the Redevelopment Project is set forth in Exhibit "E" of the Redevelopment Plan, and is adopted hereby.

Notes:

- 1. The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2024 levy rate. There has been no accounting for incremental growth over the 15-year TIF period.*

2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the Redevelopment Project:

a. Public infrastructure improvements and impacts:

The Redevelopment Project requires minimal public infrastructure installation. Redeveloper will undertake needed upgrades to existing sidewalks and water systems. The Agency and Redeveloper do not anticipate that the Redevelopment Project will have a negative impact on now-existing City infrastructure.

b. Local Tax impacts (in addition to impacts of Tax Shifts described above):

The Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate tax growth for the City. The new commercial uses on the Project Site will require and pay for City services. Additionally, the City will collect sales tax on a portion of the materials used for the Redevelopment Project. It is not anticipated that the Redevelopment Project will have any material adverse impact on such City services, but will generate revenue providing support for those services.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the Project Site:

The Redevelopment Project will result in new and expanded business within the Project Site – both for an existing business in the City looking to expand (i.e., Service Master), as well as additional commercial space for a new business. Accordingly, it is anticipated that the Redevelopment Project will have a positive impact on employers and employees locating or expanding within the boundaries of the Project Site.

4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the Project Site:

The Redevelopment Project will revitalize a blighted and underutilized parcel which will benefit surrounding businesses in the Highway 81 corridor. Additionally, it will provide employment opportunities for the City's workforce. Accordingly, the Redevelopment Project is anticipated to have a positive impact on surrounding employers and employees.

5. Impacts on student populations of school districts within the City:

The Redevelopment Project is commercial in nature and will not impact student populations in the City.

6. Other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:

The Project Site is blighted and contains substandard conditions that are a detriment to the City as a whole. The Redevelopment Project will revitalize and occupy a vacant, underutilized and blighted space without negatively impacting the surrounding businesses, residents or straining the public infrastructure. There are no other material impacts determined

by the Agency relevant to the consideration of the costs or benefits arising from the Redevelopment Project. As such, the costs of the Redevelopment Project are outweighed by its benefits.

6613381.1

4. Public hearing - Redevelopment Plan for the Quail Meadows Redevelopment Project approximately located between 14th Avenue and the extension of 10th Avenue, adjacent to the western terminus of Lovers Lane.

NOTICE OF HEARING

Notice is hereby given that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 10, 2025, at 6 P.M., in the Columbus Community Building, Community Room, 2500 14th St., Columbus, NE 68601, to consider and possibly take action on a redevelopment plan entitled: "Redevelopment Plan for the Quail Meadows Redevelopment Project," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within a portion of a blighted and substandard community redevelopment area of the City, approximately located between 14th Avenue and the extension of 10th Avenue, adjacent to the western terminus of Lovers Lane, in Columbus, Nebraska. A map of the proposed area to be redeveloped and the cost-benefit analysis for the redevelopment project set forth in the redevelopment plan is available for review at the office of the City Clerk at 2500 14th St., Suite 3, Columbus, NE 68601, telephone number 402-562-4224. At said time and place, all interested parties may appear and be heard.

City of Columbus, Nebraska
Shuraya Choat, City Clerk

Publish: 1:23:25; 1:30:25

Affidavit of Publication



City Hall
2500 14th St.
Columbus, NE 68601
402-562-4232
columbusne.us

memorandum

DATE: February 4, 2025
TO: Tara Vasicek, City Administrator
FROM: Jean Van Iperen, Planning & Economic Development Coordinator
RE: Redevelopment Plan for Quail Meadows Redevelopment Project

RECOMMENDATION:

Approval of the Redevelopment Plan for Quail Meadows Redevelopment Project

DISCUSSION:

The redevelopment plan outlines a proposed project located between 14th Avenue and the extended 10th Avenue, adjacent to the western portion of Lovers Lane. The project includes approximately 46 residential units, featuring 14 single-family homes in Block A, 20 townhomes in Block B, and six duplexes (12 units total) in Blocks B and C. The duplex units are expected to be rental properties for families, while the remaining homes will be available for purchase. The project will be completed in phases, allowing the developer to align construction with market demand.

To prepare the area for its planned use, the redeveloper will construct South 1st Street, extending east from 14th Avenue to the west line of 10th Avenue, along with a small portion of 10th Avenue (as shown in Exhibit B). The project also includes the installation of sewer, water, drainage, and electrical infrastructure. Since the property is currently undeveloped, grading will be necessary to ensure proper drainage. These improvements, detailed in Exhibit E of the plan, represent a significant investment in public infrastructure.

The total estimated costs of the Redevelopment Project is \$14,611,006. The full list of estimated TIF eligible expenses is detailed in Exhibit D.

The redeveloper, City and legal counsel have ensured the plan is in conformance with the City's comprehensive plan.

It has been determined the cost-benefit analysis prepared in conjunction with the Plan and attached as Exhibit E sets forth the factors required under section 18-2174 of the Nebraska Revised Statutes and supports the City's adoption and approval of the Plan.

As the plan states, the impacts and opportunities related to the Redevelopment Project conform to the objectives and guidance stated in the Comprehensive Plan, and outweigh arguments against the project.

ALTERNATIVE: Do not approve

Signature:

By: *Jean Van Iperen*

Approved By:  _____

**REDEVELOPMENT PLAN FOR THE
QUAIL MEADOWS REDEVELOPMENT PROJECT**

PREPARED JANUARY, 2025

**BY THE COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF COLUMBUS, NEBRASKA**

A. Introduction

This Redevelopment Plan for the Quail Meadows Redevelopment Project (this “Redevelopment Plan”), prepared by the Community Development Agency of the City of Columbus, Nebraska (the “Agency”), in conjunction with Quail Meadows, LLC, a Nebraska limited liability company, (the “Redeveloper”), is a guide for redevelopment activities to remove or eliminate blighted and substandard conditions within the City of Columbus, Nebraska (the “City”).

The Redeveloper members are Elkhorn Valley Community Development Corporation d/b/a NeighborWorks Northeast Nebraska, Progressive Property Inspections, LLC, d/b/a Progressive Builders and Mesner Development Co.

The Mayor and City Council of the City, recognizing that blighted and substandard conditions are a threat to the continued stability and vitality of the City, designated certain areas of the City to be blighted and substandard and in need of redevelopment pursuant to the requirements of the Nebraska Community Development Law, sections 18-2101 et seq., as amended (the "Act").

Prior to the preparation of this Redevelopment Plan, and in compliance with the Act, the Mayor and City Council designated a portion of the City as a blighted and substandard community redevelopment area; such area being commonly referred to as the Southeast Area (referred to herein as the “Redevelopment Area”). This Redevelopment Plan sets forth a redevelopment project, proposed by the Redeveloper, involving the development of a residential subdivision for moderately priced single-family and multi-family residences, located within the Redevelopment Area; for which tax increment financing ("TIF") resources shall be available to offset certain costs deemed eligible for reimbursement by TIF under the Act, and to remove existing and avoid future blighted and substandard conditions, all as further described herein. This Redevelopment Plan contemplates the phased construction of a mixed-density subdivision consisting of approximately 46 single-family attached, detached, and multi-family dwelling units, together with such public improvements associated therewith, within the Redevelopment Area (such public and private improvements are collectively referred to herein as the "Redevelopment Project").

B. Redevelopment Area; Project Site; Existing Conditions

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the area to be developed as part of the Redevelopment Project (the "Project Site"). The Project Site is located between 14th Avenue and the extension of 10th Avenue, adjacent to the western terminus of Lovers Lane, in the City. The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment. The Project Site is unimproved, lacking infrastructure and suitable access.

C. Conformance with the Comprehensive Plan

It is essential to the City’s comprehensive plan for development (the “Comprehensive Plan”) that dilapidated, inadequate, vacant, or deteriorating portions of the City conform to the current and future needs of the City as it continues to grow and expand. The future land use map within the Comprehensive Plan sets forth a “Rural Residential” designation for future use of the Project Site. However, the Project Site has been rezoned to allow single-family detached homes in Block A, and multi-family homes in Blocks B and C of the subdivided Project Site.

The Comprehensive Plan further sets forth the following objectives:

- Encourage a variety of housing types and sizes to accommodate the needs of existing and prospective residents. This includes, but is not limited to college students, single professionals, families, empty nesters, seniors, and those of varying economic ability.
- Ensure an adequate supply of housing at a variety of prices and rents by promoting new home ownership opportunities, improvement of the existing housing stock, responsible rental property ownership, and the development of compatible infill housing.
- Increase the compatibility of multi-family residential housing with single-family detached residential districts within Columbus.

The Redevelopment Project will assist in carrying out such objectives. The development will include a mix of single-family detached homes, townhomes and two-story duplex homes to establish a variety of residential options in a neighborhood setting. Accordingly, the Redevelopment Project is in conformance with, and furthers the objectives under, the City’s Comprehensive Plan.

D. Redevelopment Project Overview

The Redevelopment Project consists of the phased construction of approximately 46 residential dwelling units, with 14 single-family detached homes on Block A, and 20 townhomes and 6 duplexes (12 residential units) on Blocks B and C. Currently, it is anticipated that the duplex units will be rented to families and the balance of the development will be available for purchase. Exhibit "C", attached hereto and incorporated herein, sets forth the proposed future uses and site plan for the Redevelopment Project.

Redeveloper will install South 1st Street, a minor extension of both Lovers Land and 10th Avenue, together with required sewer, water, drainage and electrical infrastructure, in accordance with City requirements, as part of the Redevelopment Project.

Redeveloper currently owns the parcels within the Project Site. NeighborWorks, Northeast Nebraska, a member of Redeveloper, owns fifteen lots within the Project Site. No public acquisition of the Project Site is anticipated. Additionally, no families or businesses will be displaced as a result of the Redevelopment Project.

The Redevelopment Project will require infrastructure improvements and other public and private improvements which are not financially feasible to undertake at one time. Completing the Redevelopment Project in phases will allow the Redeveloper to maximize the TIF resources available for public improvements, which will be necessary for the Redevelopment Project to succeed. Further, implementation of the Redevelopment Project in phases will allow Redeveloper to construct the private improvements at a rate that the market can support, and to adapt subsequent phases to the changing needs of the City.

E. Existing Conditions

1. Existing Land Use

The Project Site has been subdivided into three residential blocks but currently consists of unimproved vacant land and was last utilized as farm ground.

2. Existing Zoning

Block A of the Project Site is zoned as R-1 (Single Family Residential). Block A will be used for single-family detached residences. Blocks B and C are zoned as R-2 (Two Family Residential). Townhomes and duplex homes will be built on those blocks.

3. Existing Public Improvements

Public access to the Project Site currently exists from abutting 14th Avenue to the west and Lovers Lane on the east. The Project Site is without internal paving, sewer, water, storm sewer, electrical service, public walks, telecommunications, gas, and related infrastructure.

F. Proposed Redevelopment

1. Public Improvements

The Redevelopment Project will require significant infrastructure improvements and other public improvements. These improvements will include, but are not limited to, those shown on Exhibit “D”, attached hereto and incorporated herein.

a. Public Access; Traffic Flow, Street Layouts and Street Grades

Public access to the Project Site currently exists via abutting 14th Avenue on the west. Redeveloper will construct paving on South 1st Street east from 14th Avenue to its terminus at the west line of 10th Avenue. Additional paving will be required for a small portion of 10th Avenue, as shown on Exhibit “B”. The new public streets have been dedicated to the City. All streets and other public infrastructure constructed by Redeveloper will be subject to review and approval by the City's engineer or other designee of the City.

b. Construction of Water and Sewer Improvements.

Redeveloper will construct or extend water and sewer systems to provide appropriate service to the Project Site.

c. Other incidental improvements

The Project Site is currently undeveloped and will require grading to provide effective drainage throughout the area. The Project Site requires filling and grading to properly drain the ground water runoff and provide appropriate grading levels to erect the improvements. Redeveloper also anticipates the construction of electric, gas, and telecommunications utilities extending to the residences to be constructed on the Project Site.

d. Additional public facilities or utilities

Other than the construction or extension of the utilities and infrastructure detailed above, Redeveloper and the City anticipate that the existing public facilities and utilities can adequately meet the demands of the Redevelopment Project.

e. Property Acquisition, Demolition and Disposal

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Redevelopment Project. The Project Site consists of vacant land and does not require demolition of existing structures.

f. Population Density

The Project Site currently is undeveloped and vacant. Accordingly, the Redevelopment Project will result in an increase to population density within the Project Site. Recent U.S. Census estimates provide an average of 2.49 persons per household. However, the City desires an increase in population density in the area to provide housing for existing and new residents.

g. Land Coverage

Land coverage for the Project Site includes approximately 21.94 acres of undeveloped land. The Redevelopment Project will consist of the construction of both single- family and two-family residences. The Redevelopment Project is subject to and must comply with all applicable land coverage ratios required by City ordinance. Current plans are to construct single family homes with 1,425 square feet, townhomes with 1,125 square feet, and 2-story duplex homes with 1,364 square feet; provided such plans are preliminary and are subject to change.

h. Parking

The parking requirements for the residences will comply with the City’s zoning ordinance and Redeveloper shall be obligated to comply with all parking requirements, as determined by the City.

i. Zoning, Building Code and Ordinance

Block A of the Project Site is currently zoned as R-1 (Single Family Residential). Blocks B and C of the Project Site is zoned R-2 (Two Family residential). Accordingly, no further rezoning is anticipated. Notwithstanding, Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

2. Private Improvements

The Redevelopment Project’s proposed private improvements consist of the construction of approximately 46 residential dwelling units. Single family and duplex homes will have two car garages and the townhomes will have single car garages. Fourteen single-family detached homes will be constructed on Block A. Twenty townhomes and six duplexes (12 residences) will be constructed on Blocks B and C.

Redeveloper or other builders taking conveyance from Redeveloper will construct the private improvements. Paragraph H of this Redevelopment Plan details the anticipated construction schedule for the private improvements.

G. Project Costs

The total estimated cost of the Redevelopment Project is \$14,701,006. A breakdown of the estimated costs of the Redevelopment Project are attached and incorporated herein as Exhibit “C”. Such figures are only estimates based upon 2024 pricing, and are subject to change without further amendment of this Redevelopment Plan.

H. Implementation

Redeveloper is unable to undertake the construction on the infrastructure and/or initial phases of the Redevelopment Project without some assurance that Redeveloper can undertake the additional phases. According to Redeveloper, it could not complete the initial public improvements for the Redevelopment Project but-for the approval of the entire Redevelopment Project and, likewise, the subsequent phases of the Redevelopment Project would not occur but-for these initial public improvements. Accordingly, this Redevelopment Plan contemplates that the costs and expenses of all the public improvements for the Redevelopment Project are eligible TIF uses for each phase of the Redevelopment Project (as allocated), to the extent there is not duplication between phases. As such, Redeveloper may apply the TIF Revenues (defined below) generated from each phase of the Redevelopment Project toward the payment of the eligible expenses of the entire Redevelopment Project, as necessary.

Redeveloper intends to commence construction on the Redevelopment Project's infrastructure in 2025 (pending approval of TIF). Thereafter, Redeveloper will construct the residential improvements over multiple yearly phases, on a lot-by-lot basis.

The Redevelopment Project's construction timeline requires flexibility as a result of market demand and other extraneous factors. Notwithstanding, it is anticipated that all phases will be completed no later than December 31, 2029. In accordance therewith, the "Redevelopment Contract" (as defined in the Act) entered into between the Agency and Redeveloper with respect to the Redevelopment Project will specify that, vis-à-vis the division of excess ad valorem taxes within the Project Site in relation to the TIF, all parcels within the Project Site must have an "Effective Date" (as defined in the Act) of no later than January 1, 2030.

Upon the completion of each phase, Redeveloper will notify the Agency of the same, in writing, on a form prescribed by the Agency. Such notice shall set forth the Effective Date for the pertinent phase and must be submitted to the Agency on or before June 30 of the year in which taxes are to be divided for such phase.

I. Financing

The City and the Agency contemplate the use of TIF for the Redevelopment Project. Section 18-2147 of the Act governs the use and administration of TIF. It provides that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the Effective Date as identified in the Redevelopment Contract, or amendment thereof, or in the resolution(s) of the authority authorizing the issuance of bonds pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the Redevelopment Contract or bond/note resolution, in the redevelopment project in excess of the Base Tax Amount, if any, (referred to herein as “TIF Revenues”) shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Redevelopment Project, the actual base tax year and Base Tax Amount for each phase of the Redevelopment Project will be established via the notifications from Redeveloper to the Agency referenced in Paragraph H, above, as shall be further detailed in the Redevelopment Contract. The Agency and Redeveloper anticipate that the Effective Dates will be different for each phase, and therefore the increment period for each phase will be different.

Notwithstanding any provision herein to the contrary, TIF Revenues derived from each phase shall only be divided and allocated over the applicable 15-year increment period or until full payment of the TIF Indebtedness, whichever occurs first.

1. Necessity of TIF

Redeveloper has represented and warranted to the City that it would not be economically feasible to develop the Redevelopment Project without TIF. In support thereof, Redeveloper stated the following in its TIF application submitted to the Agency:

“The project is not economically feasible without TIF. The cost of site prep and infrastructure makes the project too costly to undertake. Without TIF the rental rates would have to increase to an unaffordable level to obtain a reasonable market rate of return. The per residence home price would have to increase significantly to cover infrastructure and development cost. Such increase would make the homes over priced for the market.”

The City and Agency accept Redeveloper's representation that the cost to construct the infrastructure on the site, in addition to the vertical improvements, likely would cause rents and home prices to increase to a level the market couldn't support, thereby making the Redevelopment Project, as presented, economically infeasible without the assistance of TIF. Accordingly, the Redevelopment Project, as proposed herein, is not economically viable without the assistance of TIF and Redeveloper would not construct the same without TIF.

2. Sources and Uses of Financing

Based upon the projections provided in Exhibit "D", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of one or more TIF bond(s) or note(s) (the "TIF Indebtedness") in an aggregate principal amount not to exceed \$1,665,000. The TIF Indebtedness shall bear interest at a rate not to exceed 6.49% per annum. The final principal and interest amounts comprising the TIF Indebtedness shall be determined by the Agency and set forth in the Redevelopment Contract or resolution authorizing the issuance of the TIF Indebtedness.

The total estimated cost of the Redevelopment Project is \$14,601,006, including site purchase, infrastructure and private construction. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity and traditional bank financing. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

J. Cost-Benefit Analysis

A cost-benefit analysis for the Redevelopment Project is attached hereto and incorporated herein as Exhibit "E".

Exhibits:

- Exhibit A: Project Site and Existing Land Use
- Exhibit B: Site Plan and Future Land Use
- Exhibit C: Estimated Construction Cost of the Redevelopment Project
- Exhibit D: Sources and Uses of TIF
- Exhibit E: Cost-Benefit Analysis

EXHIBIT "A"
Project Site and Existing Land Use

Legal Description:

Lots 1-14, Block A, Lots 1-20, Block B, and Lots 1-6, Block C, all in Quail Meadows Addition, a Subdivision in Columbus, Platte County, Nebraska.

* In the event Redeveloper further subdivides or replats the Project Site, the legal description(s) of such subdivided or replatted parcel(s) comprising the Project Site, upon final approval of the City with respect thereto, shall replace and supersede the above legal description.

Depiction and Current Condition (outlined in red):



Exhibit "A"

EXHIBIT "C"

Estimate of Construction Costs

Land Acquisition	\$405,000
Site Development	\$1,319,856
Building Cost	\$12,676,150
Architectural and Engineering Fees	\$185,000
Legal Fees	\$25,000
<hr/>	
TOTAL	\$14,611,006

* The above figures are estimated values based on current pricing. These preliminary estimates are subject to change, as Redeveloper has no control over the change in cost of materials and services between the time of the approval of this Redevelopment Plan and commencement of construction.

EXHIBIT "D"
Sources and Uses of TIF

SOURCES:

General Assumptions:

Base Value: \$600,000 (\$15,000 per unimproved lot)
 Final Value: \$11,550,000 (see below chart)
 Tax Levy (2024): 1.67885%
 TIF Indebtedness: \$1,665,000
 Interest Rate: 6.49%

Block	Build Year Value		
	Units	\$/SF or Unit	Build Year
A – single family	14	\$289,300	\$4,050,000
B&C- townhomes	20	\$237,000	\$4,740,000
B&C duplex units	12	\$230,000	\$2,760,000

* The above figures are based on assumed values and levy rates. Actual amounts and rates will vary from those assumptions, and it is understood that the actual TIF sources may vary materially from the projected amounts.

USES:

Land Acquisition	\$405,000
Dirt Work and Infill	\$118,015
Streets	\$339,511
Water	\$154,367
Sanitary Sewer	\$398,079
Electrical	\$100,000
Other Utilities	\$309,884
Architectural and Engineering Fees	\$185,000
City Fees	\$15,000
TOTAL	\$2,034,856

* The above “Uses” are preliminary estimates based on current pricing and are subject to change.

EXHIBIT "E"
Cost-Benefit Analysis
(Pursuant to Neb. Rev. Stat. § 18-2113)

The cost-benefit analysis for the Redevelopment Project, as described in the attached Redevelopment Plan, which will utilize funds authorized by section 18-2147 of the Act, is provided below:

1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:

The taxes generated by the base value of the Project Site will continue to be allocated between the relevant taxing jurisdictions pursuant to the Act. Only the incremental taxes created by the Redevelopment Project will be captured to pay for the project's eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Redevelopment Project, the true tax shift of the Redevelopment Project is a positive shift in taxes after 15 years (per phase). However, for the purposes of illustrating the incremental taxes used for TIF, the estimated 15-year tax shift for the Redevelopment Project is set forth in Exhibit "D" of the Redevelopment Plan, and is adopted hereby.

Notes:

1. *The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2024 levy rate. There has been no accounting for incremental growth over the 15-year TIF period.*

2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the Redevelopment Project:

a. Public infrastructure improvements and impacts:

The Redevelopment Project requires public infrastructure installation. The Project Site will require the construction of vehicular access from 14th Avenue to the western extension of 10th Avenue, in addition to the extension of 10th Avenue, all as depicted on Exhibit "B" to the Redevelopment Plan. The Redevelopment Project will also require the construction and/or extension of utilities to serve the improvements constructed thereon. The public improvements for the Redevelopment Project will address any traffic and street infrastructure concerns that would otherwise be created by the Redevelopment Project. The Project Site will be filled and graded to provide for effective surface water runoff. The Agency and Redeveloper do not

anticipate that the Redevelopment Project will have a negative impact on now-existing City infrastructure.

b. Local Tax impacts (in addition to impacts of Tax Shifts described above):

The Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate tax growth for the City. The new residences will require and pay for City services. Additionally, the City will collect sales tax on a portion of the materials used for the Redevelopment Project. It is not anticipated that the Redevelopment Project will have any material adverse impact on such City services but will generate revenue providing support for those services.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the Project Site:

The Redevelopment Project is residential in nature and will not result in new and expanded business/employment within the Project Site.

4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the Project Site:

The Redevelopment Project should have a material positive impact on businesses and employees in the vicinity of the Project Site. The new residences will provide much needed housing in the community, which will benefit employers, employees, and the City in general. Further, the additional population density should increase the need for services and products from existing businesses in the surrounding area, such as household products and general consumer goods/services. Accordingly, the Redevelopment Project is anticipated to have a positive impact on employers and employees in the area of the Project Site.

5. Impacts on student populations of school districts within the City:

The increase of population density within the Project Site may result in an increase in school-aged children within the related school districts. Assuming a traditional family structure in each residential unit, the Redevelopment Project could generate up to an estimated 23 school age residents. However, there is no indication that the schools within the district are unable to withstand an increase in enrollment proportionate to the size of the Redevelopment Project. The school district will not receive taxes from the residences built during the time the increased taxes are utilized to pay the TIF Indebtedness. However, the school district has received state

aid to education in the past. Part of the school aid formula involves assessed valuation in the school district. The valuation that generates the TIF payments is not included in the formula and does not count against the state aid that the school district would receive. Taxes on any increase in the base value of the land will benefit the school district. After the TIF indebtedness is paid, or at the end of the respective 15 years of division of taxes, whichever is sooner, the increased valuation from the Redevelopment Project will be available to the school district. As such, Redeveloper and the Agency do not anticipate a negative impact on school districts located within the boundaries of the area of the Redevelopment Project.

6. Other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:

The Project Site is blighted and contains substandard conditions that are a detriment to the City as a whole. The Redevelopment Project will revitalize and occupy a vacant space without negatively impacting the surrounding businesses, residents, or straining the public infrastructure. There are no other material impacts determined by the Agency relevant to the consideration of the costs or benefits arising from the Redevelopment Project. As such, the costs of the Redevelopment Project are outweighed by its benefits.

6611228.1

5. By-Laws of the Columbus Planning Commission.



City Hall | City Clerk's Office
2500 14th St.
Columbus, NE 68601
402-562-4232
columbusne.us

Memorandum

Date: January 30, 2025

To: Tara Vasicek, City Administrator

From: Shuraya Choat, City Clerk

RE: Amend the By-Laws of the Columbus Planning Commission

Recommendation: I recommend approval of the By-Laws of the Columbus Planning Commission

Discussion: The By-Laws of the Columbus Planning Commission were adopted in 2008 and have not been updated since. I have reviewed it and have made some minor updates. Per the By-Laws, the commission members were emailed a copy at least 15 days prior to the Planning Commission meeting to review all the changes and provide input. The By-Laws will be presented at the Planning Commission meeting for a recommendation on 2/10/25 and then forwarded to the City Council meeting on 2/18/25 to be adopted via resolution.

Attached is the redlined copy of the proposed changes.

Fiscal Impact: None

Alternative: Do not approve.

Signature:

By: Shuraya Choat

Approved By: [Signature]

**BY-LAWS
OF
COLUMBUS PLANNING COMMISSION**

The principal office of the Columbus Planning Commission will be located at Columbus City Hall, ~~2424-2500~~ 14th Street, Suite 3, Columbus, Platte County, Nebraska.

PREAMBLE

In compliance with §19-925, Nebraska Revised Statutes, the City of Columbus, Platte County, Nebraska, has, by ordinance, authorized the existence of a planning commission to be known as Columbus Planning Commission (CPC). The purpose of said commission is to advise and make recommendations to the City Council on matters of municipal government as referred to in §19-901 through §19-~~929~~ 933 Neb. Rev. Stat., and to exercise such other authority as granted by law or by the City Council. These by-laws are adopted as required by §19-927, Neb. Rev. Stat.

**I
SEAL**

The Commission shall have no seal, but in the event any document to be executed by the Commission requires the affixing of a seal, the secretary may inscribe on such document the name of the Commission in these words "Columbus Planning Commission" followed by the signature of the Chair.

**II
MEMBERS AND MEETINGS**

1. The Columbus Planning Commission (CPC) shall consist of nine members. A minimum of seven members shall be residents of the city of Columbus, Nebraska; at least one member shall be a resident of the area over which the city is authorized to exercise extraterritorial zoning and subdivision regulations. Members shall take an oath of office and shall faithfully perform the duties of the office and will not be actuated or influenced therein by personal or political motives, and shall serve for a term of three years and may serve for more than one term of office. Members shall be appointed by the Mayor ~~by and~~ with the approval of the City Council.
2. Meetings of the Columbus Planning Commission will be held at the ~~City Council Chambers, 1369 25th Avenue~~ Columbus Community Building, Community Room, 2500 14 Street, in the city of Columbus unless written notice of a different location is given to each member at least one day in advance of the scheduled meeting.
3. Regular meetings of the CPC will be held on the second Monday of each month unless changed by the Commission and the Commission may meet as necessary to perform duties described in Article V. Notice of any Special Meeting of the CPC shall be given to the Chair and each member by notifying said Chair and member personally by telephone, electronic mail, or verbal or written message at the members usual place of business or residence.

4. A majority of the members of the CPC must be present to constitute a quorum for the transaction of business and a simple majority of the members present shall be necessary and sufficient to take affirmative action by the CPC. At all meetings, regular or special, only those members present shall be entitled to vote.
5. It shall be considered neglect of duty for any members of the CPC to neglect or fail to attend two consecutive meetings of the CPC without first notifying the Chair or Secretary of each such absence. The CPC may recommend to the Mayor and City Council that said member be removed from the Commission. Any member may, after a public hearing before the City Council, be removed by the Mayor with the consent of the majority vote of the members elected to the Council for inefficiency, neglect of duty or malfeasance in office, or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the Mayor with the approval of the City Council.

III OFFICERS

1. The officers of the CPC shall consist of a Chair, ~~and~~ Vice Chair, ~~and~~ a Secretary and such officers as the CPC may from time to time choose to appoint.
2. The Chair shall be a member of the CPC and shall preside at all meetings unless absent or disqualified. The Chair shall have general authority to supervise, direct and manage the business and affairs of the CPC. The Chair shall be responsible for carrying out the orders and resolutions of the CPC.
3. The Vice Chair shall be a member of the CPC and shall, in the absence, disability or disqualification of the Chair, perform duties and exercise the powers of the Chair and shall perform other duties as the Commission may prescribe from time to time.
4. The Secretary shall be a city staff member selected by the City Administrator and shall keep the minutes and records of the CPC, prepare ~~with the Chair~~ the agendas for regular and special meetings, provide notice of meetings to members, arrange proper and legal notices of hearings, attend to correspondence of the CPC and such other duties as are normally carried out by a Secretary.
5. In the absence or disability of any officer of the CPC, the CPC may delegate the duties of any officer to a member of the CPC as it may deem necessary.

IV ELECTION OF OFFICERS

1. Nomination of Chair and Vice Chair shall be made through a nominating committee appointed by the Chair at the regular meeting in May of each year and the election of said officers shall be held the following month during the regular CPC meeting.

2. A candidate receiving a majority of the vote of the members present of the CPC shall be declared elected and shall take office at the next meeting.

V DUTIES

The CPC shall conduct its meetings in accord with the Open Meetings Act, Nebraska Revised Statutes Section 84-1407 to 84-1414, and shall perform those duties as set forth in Section 19-901, et seq., Nebraska Reissue Revised Statutes and amendments and supplements thereto, and shall have those powers and duties delegated to it by the City Council. The Rules of Parliamentary Procedure, comprised in "Robert's Rules of Order" ~~Tenth~~ Twelfth Edition shall govern the CPC in all cases where they are applicable and not inconsistent with state statutes or local ordinances.

VI HEARINGS

In addition to those required by law, the CPC may at its discretion hold public hearings when it decides that such hearings will be in the public interest. Notice of such hearings will be published in the official newspaper of the city or in a newspaper of general circulation at least ten days prior to the time of the public hearing. A record of such hearing and those speaking at the hearing will be kept.

VII AMENDMENTS

These by-laws and any part thereof may be altered, amended, changed, repealed or added to by a vote of the majority of the members present at a CPC meeting, provided written notice of the proposed amendment shall have been provided to the members at least 15 days prior to the meeting at which action is to be taken. Such amendments will be presented to the City Council for approval following an affirmative vote.

APPROVED BY THE PLANNING COMMISSION THIS ____ DAY OF _____, 2025.

CHAIR

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2025.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

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OF
COLUMBUS PLANNING COMMISSION**

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APPROVED BY THE PLANNING COMMISSION THIS ____ DAY OF _____, 2025.

CHAIR

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS _____ DAY OF _____, 2025.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

6. Building report for January 2025.



City of Columbus

Building Department

Phone: 402-562-4236 Email: CommDevPermits@columbusne.us
www.columbusne.us

January Building Report Comments

For the Residential area, permits were issued for one new single-family home, as well as various residential alterations and additions. Additionally, several permits were granted for decks, fences, and accessory structures in January.

On the commercial side, permits were issued for an alteration at 2265 8th Ave, and a remodel for a bay at village centre. Plan reviews are currently underway for Dollar General, the Puntney Chrome & Steel building, the Evans House Annex, ADM addition, wireless tower, and an apartment complex consisting of five buildings.

Andy Woehrer
Chief Building and Code Official
City of Columbus



City of Columbus

Building Department Monthly Report

02/03/2025

January 2025 2024

	January 2025			January 2024		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structu	3	\$820.12	\$237760.00	1	\$843.50	\$275000.00
Building Moving	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Alteration	2	\$86.50	\$6000.00	0	\$0.00	\$0.00
Com New Constr	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Plumbing	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Deck	1	\$56.45	\$6000.00	0	\$0.00	\$0.00
Demolition	1	\$30.00	\$13000.00	0	\$0.00	\$0.00
Egress Window	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Fence	0	\$0.00	\$0.00	2	\$59.00	\$6530.00
Gas line	1	\$32.00	\$800.00	0	\$0.00	\$0.00
Res Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Addition Wo	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Alteration	4	\$424.01	\$57761.90	3	\$378.79	\$52619.07
Res New Construc	1	\$803.48	\$223692.00	0	\$0.00	\$0.00
Res Plumbing	15	\$1485.00	\$316800.00	2	\$110.00	\$13000.00
Res Pool	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Signs	3	\$451.00	\$70423.00	4	\$148.00	\$19500.00
Sprinklers	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Temporary Acces	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Water Softner/RC	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Wireless TeleCom	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Wireless Tower	1	\$101.00	\$15000.00	0	\$0.00	\$0.00
YEAR TOTAL	32	\$4289.56	\$947236.90	12	\$1539.29	\$366649.07

Population: All Records
 Permit.DateIssued Between 1/1/2024 12:00:00 AM
 AND 1/31/2025 11:59:59 PM

7. Adjournment.