

Imperial, Nebraska  
January 20, 2015

A regular meeting of the Planning Commission (the "Commission") of the City of Imperial, Nebraska (the "City") was held on January 20, 2015, at 7:00 p.m., at the Imperial city offices, 740 Court Street, Imperial, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, as set forth on **Exhibit A** attached hereto stating (a) the time, date and place of the meeting, (b) that the meeting would be open to the attendance of the public, and (c) that the agenda for the meeting, kept continuously current, was available for public inspection in the City Clerk's Office. Additionally, reasonable efforts were made to provide advance notice of the time, date and place of the meeting to all news media requesting the same.

The Chair of the Commission presided and the Secretary recorded the proceedings. The meeting was called to order and on roll call the following Members were present:

Kelly Hammerlun, John Arterburn, Doug Carman, Brent Bussell, Randy Roesener;

The following Members were absent: Stewart Weiss and Ben Sauder.

A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Chair publicly announced the location of a current copy of the Open Meetings Act posted in the meeting room for access by the public.

\* \* \* \* \*

(Other Proceedings)

\* \* \* \* \*

The Chair stated that it was now 7:00 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a resolution approving a general redevelopment plan for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act"). The Clerk reported that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act, as indicated on **Exhibit B** attached hereto. The Chair opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None

All persons desiring to be heard having been heard, the Chair closed the public hearing. Board Member John Arterburn introduced a resolution (the "Plan Resolution") titled as follows and moved its passage by the Commission:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, NEBRASKA, RECOMMENDING APPROVAL OF A GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; AND RELATED MATTERS.**

Board Member Kelly Hammerlun seconded the motion. On roll call vote, the following Board Members voted in favor of the motion:

Kelly Hammerlun, John Arterubrn, Doug Carman, Brent Bussell, Randy Roesener;

the following Members voted against the motion: None;

the following Members were absent or did not vote: Stewart Weiss, Ben Sauder.

The passage of the resolution having been agreed upon by a majority of the Commission, the Chair declared the resolution passed and signed the resolution in the presence of the Commission, and the Secretary attested to its passage by also signing the same. A true and complete copy of the resolution is attached hereto as **Exhibit C**.

Next, the Chair stated that a public hearing was to be held to obtain public comment prior to the consideration of a resolution approving an amendment to a general redevelopment plan, including certain redevelopment projects, in an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Act. The Clerk reported that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act, as indicated on **Exhibit D** attached hereto. The Chair opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None

All persons desiring to be heard having been heard, the Chair closed the public hearing. Next, Board Member Kelly Hammerlun introduced a resolution (the "Plan Amendment Resolution") titled as follows and moved its passage by the Commission:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, NEBRASKA, MAKING RECOMMENDATIONS WITH RESPECT TO A SUBSTANTIAL MODIFICATION TO THE GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; APPROVING CERTAIN REDEVELOPMENT PROJECTS WITHIN A REDEVELOPMENT AREA; APPROVING A REDEVELOPMENT CONTRACT; AND APPROVING RELATED MATTERS.**

Board Member Doug Carman seconded the motion. On roll call vote, the following Board Members voted in favor of the motion:

John Arterburn, Doug Carman, Brent Bussell, Randy Roesener, Kelly Hammerlun;

the following Members voted against the motion: None;

the following Members were absent or did not vote: Stewart Weiss, Ben Sauder.

The passage of the resolution having been agreed upon by a majority of the Commission, the Chair declared the resolution passed and signed the resolution in the presence of the Commission, and the Secretary attested to its passage by also signing the same. A true and complete copy of the resolution is attached hereto as **Exhibit E**.

\* \* \* \* \*

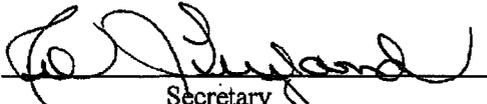
(Other Proceedings)

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There being no further business to come before the Commission at the meeting, on motion duly made, seconded and carried by unanimous vote, the meeting was adjourned.

**PLANNING COMMISSION OF THE CITY  
OF IMPERIAL, NEBRASKA**

By:   
Secretary

**EXHIBIT A**

**CERTIFICATE OF POSTING OF  
NOTICE OF MEETING**

**PLANNING COMMISSION OF  
THE CITY OF IMPERIAL, NEBRASKA**

**CERTIFICATE OF POSTING**

I certify that the attached notice was posted in the City of Imperial, Nebraska, at the following locations:

Imperial City Office  
Lied Imperial Public Library  
Imperial Post Office

at 10:00 o'clock a.m., on January 8, 2015.

  
Secretary, Planning Commission or City Clerk

**EXHIBIT B**

**AFFIDAVIT OF MAILING OF  
NOTICE OF PUBLIC HEARING  
(for General Redevelopment Plan)**

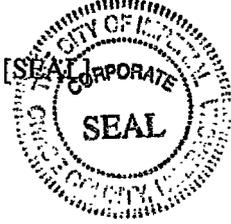
**AFFIDAVIT OF MAILING  
NOTICE OF PUBLIC HEARING**

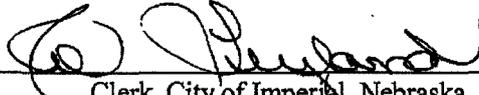
STATE OF NEBRASKA        )  
  ) ss.  
COUNTY OF CHASE        )

I, **JO LEYLAND**, the duly appointed, qualified and acting Clerk of the City of Imperial, Nebraska (the "City"), do hereby certify, represent and warrant that on January 9, 2015, a copy of the notice attached hereto as **Attachment 1** (the "Notice"), including a map of the project area described therein (the "Project Area"), which is also included in **Attachment 1**, was mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Project Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district in which the real property in the Project Area is located and whose property tax receipts would be affected, as more fully described below:

| <u>Name</u>   | <u>Address to Which Notice was Mailed</u>                        |
|---|--|
| Chase County Board of Supervisors<br>Don Weiss, Jr, Chairperson | c/o Chase County Clerk P.O. Box 1299 Imperial, NE 69033          |
| Upper Republican Natural Resource District<br>Terry Martin      | c/o Upper Republican NRD P.O. Box 1140 Imperial, NE 69033        |
| Educational Service Unit No. 15<br>Dave Jibben, Chairman        | c/o ESU 15 P.O. Box 398 Trenton, NE 69044                        |
| Mid-Plains Community College<br>Brenda Ledall                   | c/o Mid-Plains Community College P.O. Box 148 Imperial, NE 69033 |
| Chase County Schools 10<br>Jeff Olsen, President                | Chase County Schools P.O. Box 577 Imperial, NE 69033             |
| Imperial Airport Authority<br>William Bauerle, Chairman         | P.O. Box 637 Imperial, NE 69033                                  |
| County Hospital District<br>Bob Mendenhall, Chairman            | P.O. Box 819 Imperial NE 69033                                   |
| Historical Society<br>Charlie Colton, Chairman                  | 32314 740 Road Imperial, NE 69033                                |
| Imperial Fire District<br>Pete Dillon, Chairman                 | 73882 314 Ave. Lamar, NE 69023                                   |

Attached hereto as Attachment 2 are United States Certified Mail return receipts reflecting the mailing of the Notice to each party described above.



  
Clerk, City of Imperial, Nebraska

Subscribed in my presence and sworn to before me this day of January 23, 2015.

[SEAL]



  
Notary Public

**ATTACHMENT 1**  
**COPY OF NOTICE OF PUBLIC HEARING,**  
**INCLUDING MAP OF PROJECT AREA**

CERTIFIED MAIL

[President or Chair of Designated Entity]

[Address]

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given by the Chair and Members of the Planning Commission of the City of Imperial, Nebraska, that a public hearing will be held on January 20, 2015, at 7:00 p.m., or as soon thereafter as possible, at the Imperial city offices, 740 Court Street, Imperial, Nebraska. The purpose of the hearing is to obtain public comment prior to considering a substantial modification to the general redevelopment plan for a redevelopment area in an area of the City that has previously been declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law. The substantial modification will also consider the approval of certain redevelopment projects and the expenditure of certain revenues.

The property which is the subject of this notice and the public hearing (the "Project Area"), shall include all real property that is (1) within the boundaries described as follows and (2) also situated within the corporate limits of the City, and no other real property:

Lots 1 and 2 of the Harchelroad Replat, located in Lots 73 and 74 of the Schroeder Subdivision of the City of Imperial, Chase County, Nebraska.

All interested parties shall be afforded a reasonable opportunity to express their views at the public hearing regarding the proposed plan and projects.

/s/ Jo Leyland, City Clerk

MAILING DATE: January 9, 2015

ENCLOSURE: Map of Project Area

MAIL TO:

- All registered neighborhood associations whose area or representation is located in whole or in part within a one-mile radius of the area to be redeveloped.
- President or chair of the governing body of each county, school district, community college, educational service unit, and natural resources district that has territorial jurisdiction within the area to be redeveloped and whose tax receipts would be directly affected thereby, including specifically the following:
  - Chase County
  - Chase County Schools 10
  - Mid-Plains Community College
  - Educational Service Unit 15
  - Upper Republican Natural Resource District
  - Airport Authority Imperial
  - County Hospital District
  - Historical Society
  - Imperial Fire District



**ATTACHMENT 2**  
**UNITED STATES CERTIFIED MAIL RECEIPTS**

**PLANNING COMMISSION OF  
THE CITY OF IMPERIAL, NEBRASKA**

**RESOLUTION NO. PC 15-01-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
IMPERIAL, NEBRASKA, RECOMMENDING APPROVAL OF A GENERAL  
REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; AND RELATED  
MATTERS.**

**WHEREAS**, the Mayor and Council of the City of Imperial, Nebraska (the "City"), upon the recommendation of the Planning Commission of the City (the "Planning Commission"), and in compliance with all public notice and other requirements imposed by Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act"), duly declared the redevelopment area described on **Attachment 1** (the "Redevelopment Area") to be blighted and substandard and in need of redevelopment;

**WHEREAS**, a general redevelopment plan (the "Redevelopment Plan") for the Redevelopment Area has been prepared for and on behalf of the Community Redevelopment Authority of the City (the "Authority"), in the form attached as **Attachment 2** in accordance with Section 18-2111 of the Act, and the Authority has recommended approval of the same;

**WHEREAS**, the Planning Commission has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in the Redevelopment Plan are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight; and

**WHEREAS**, it is necessary, desirable, and advisable, that the Planning Commission recommend the Redevelopment Plan to the Mayor and Council of the City for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE  
CITY OF IMPERIAL, NEBRASKA AS FOLLOWS:**

**Section 1.** The Planning Commission hereby recommends that the Redevelopment Plan be approved by the Mayor and Council of the City.

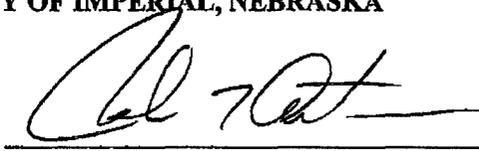
**Section 2.** All prior resolutions of the Planning Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

**Section 3.** This resolution shall be in full force and effect from and after its passage as provided by law.

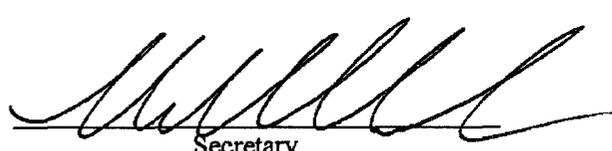
DATED: January 20, 2015.

PLANNING COMMISSION OF THE  
CITY OF IMPERIAL, NEBRASKA

ATTEST:

By: 

Chair

By: 

Secretary

## ATTACHMENT 1

### BOUNDARY DESCRIPTION OF THE REDEVELOPMENT AREA

The Redevelopment Area shall include all real property that is (1) within the boundaries described as follows and (2) also situated within the corporate limits of the City, and no other real property:

*Redevelopment Study Area (Site 4):* This redevelopment study area consists of the properties along Nebraska Highway 61 and US Highway 6. The area is 200 acres in size. The area is more clearly identified as the blocks between 12<sup>th</sup> Street on the north; Nebraska Highway 61 on the east; US Highway 6 on the south and southwest and the streets of Longhorn and Wellington to the west. The legal description is as follows:

Beginning at a Point that is the NE corner of the NE  $\frac{1}{4}$  of Section 4; thence South along the Right of Way Nebraska Highway 61 5,456 feet; thence NW along the Right of Way of US Highway 6 4,398 feet; thence East 300 feet; thence North 906 feet; thence East 316 feet; thence South 135 feet; thence East 446 feet; thence South 290 feet; thence West 416; thence South 690 feet; thence East 663.3; thence North 630 feet; thence East 764.57 feet; thence North 419.09 feet; thence East 430 feet; North 1,263.5 feet; thence West 360; thence North 1,243 feet; thence East 968 feet to the Point of Beginning; Section 9 Township 6 North, Range 38 West City of Imperial, Nebraska.

**EXHIBIT D**

**AFFIDAVIT OF MAILING OF  
NOTICE OF PUBLIC HEARING  
(for Amendment to the General Redevelopment Plan)**

**AFFIDAVIT OF MAILING  
NOTICE OF PUBLIC HEARING**

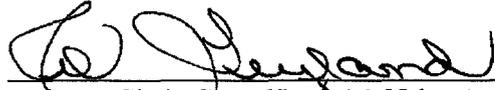
STATE OF NEBRASKA     )  
                                  ) ss.  
COUNTY OF CHASE     )

I, **JO LEYLAND**, the duly appointed, qualified and acting Clerk of the City of Imperial, Nebraska (the "City"), do hereby certify, represent and warrant that on January 9, 2015, a copy of the notice attached hereto as **Attachment 1** (the "Notice"), including a map of the project area described therein (the "Project Area"), which is also included in **Attachment 1**, was mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Project Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district in which the real property in the Project Area is located and whose property tax receipts would be affected, as more fully described below:

| <u>Name</u>   | <u>Address to Which Notice was Mailed</u>                        |
|---|--|
| Chase County Board of Supervisors<br>Don Weiss, Jr, Chairperson | c/o Chase County Clerk P.O. Box 1299 Imperial, NE 69033          |
| Upper Republican Natural Resource District<br>Terry Martin      | c/o Upper Republican NRD P.O. Box 1140 Imperial, NE 69033        |
| Educational Service Unit No. 15<br>Dave Jibben, Chairman        | c/o ESU 15 P.O. Box 398 Trenton, NE 69044                        |
| Mid-Plains Community College<br>Brenda Ledall                   | c/o Mid-Plains Community College P.O. Box 148 Imperial, NE 69033 |
| Chase County Schools 10<br>Jeff Olsen, President                | Chase County Schools P.O. Box 577 Imperial, NE 69033             |
| Imperial Airport Authority<br>William Bauerle, Chairman         | P.O. Box 637 Imperial, NE 69033                                  |
| County Hospital District<br>Bob Mendenhall, Chairman            | P.O. Box 819 Imperial NE 69033                                   |
| Historical Society<br>Charlie Colton, Chairman                  | 32314 740 Rd Imperial, NE 69033                                  |
| Imperial Fire District<br>Pete Dillon, Chairman                 | 73882 314 Ave. Lamar, NE 69023                                   |

Attached hereto as **Attachment 2** are United States Certified Mail return receipts reflecting the mailing of the Notice to each party described above.



  
Clerk, City of Imperial, Nebraska

Subscribed in my presence and sworn to before me this day of January 23, 2015.

[SEAL]



  
Notary Public

**ATTACHMENT 1**

**COPY OF NOTICE OF PUBLIC HEARING,  
INCLUDING MAP OF PROJECT AREA**

CERTIFIED MAIL

[President or Chair of Designated Entity]

[Address]

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given by the Chair and Members of the Planning Commission of the City of Imperial, Nebraska, that a public hearing will be held on January 20, 2015, at 7:00 p.m., or as soon thereafter as possible, at the Imperial city offices, 740 Court Street, Imperial, Nebraska. The purpose of the hearing is to obtain public comment prior to considering a substantial modification to the general redevelopment plan for a redevelopment area in an area of the City that has previously been declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law. The substantial modification will also consider the approval of certain redevelopment projects and the expenditure of certain revenues.

The property which is the subject of this notice and the public hearing (the "Project Area"), shall include all real property that is (1) within the boundaries described as follows and (2) also situated within the corporate limits of the City, and no other real property:

Lots 1 and 2 of the Harchelroad Replat, located in Lots 73 and 74 of the Schroeder Subdivision of the City of Imperial, Chase County, Nebraska.

All interested parties shall be afforded a reasonable opportunity to express their views at the public hearing regarding the proposed plan and projects.

/s/ Jo Leyland, City Clerk



MAILING DATE: January 9, 2015

ENCLOSURE: Map of Project Area

MAIL TO:

- All registered neighborhood associations whose area or representation is located in whole or in part within a one-mile radius of the area to be redeveloped.
- President or chair of the governing body of each county, school district, community college, educational service unit, and natural resources district that has territorial jurisdiction within the area to be redeveloped and whose tax receipts would be directly affected thereby, including specifically the following:
  - Chase County
  - Chase County Schools 10
  - Mid-Plains Community College
  - Educational Service Unit 15
  - Upper Republican Natural Resource District
  - Airport Authority Imperial
  - County Hospital District
  - Historical Society
  - Imperial Fire District

**ATTACHMENT 2**

**UNITED STATES CERTIFIED MAIL RECEIPTS**

**EXHIBIT E**

**RESOLUTION NO. PC \_\_\_\_\_**

**PLAN AMENDMENT RESOLUTION**

**PLANNING COMMISSION OF  
THE CITY OF IMPERIAL, NEBRASKA**

**RESOLUTION NO. PC 15-01-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, NEBRASKA, MAKING RECOMMENDATIONS WITH RESPECT TO A SUBSTANTIAL MODIFICATION TO THE GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; APPROVING CERTAIN REDEVELOPMENT PROJECTS WITHIN A REDEVELOPMENT AREA; APPROVING A REDEVELOPMENT CONTRACT; AND APPROVING RELATED MATTERS.**

**WHEREAS**, the Community Redevelopment Authority of the City of Imperial, Nebraska (the "Authority"), in furtherance of the purposes and pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act"), has recommended approval of a general redevelopment plan in the form attached as **Attachment 1** (the "Redevelopment Plan"), for a redevelopment area of the City of Imperial, Nebraska (the "City"), described in **Attachment 2** (the "Redevelopment Area");

**WHEREAS**, pursuant to and in furtherance of the Act, the Authority has caused to be prepared a substantial modification to the Redevelopment Plan in the form attached as **Attachment 3** (the "Plan Amendment"), the purpose of which is to authorize certain community redevelopment projects (collectively, the "Project") within that portion of the Redevelopment Area described in **Attachment 4** (the "Project Area");

**WHEREAS**, the Authority has presented the Plan Amendment to the Planning Commission of the City of Imperial, Nebraska (the "Planning Commission") as a proposed amendment to the Redevelopment Plan, which the Commission has duly and properly reviewed;

**WHEREAS**, the City has previously adopted and has in place a comprehensive plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and

**WHEREAS**, the Planning Commission has made certain findings and pursuant thereto has determined that it is in the best interests of the City to approve the Plan Amendment and to carry out the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, NEBRASKA AS FOLLOWS:**

**Section 1.** The Planning Commission hereby recommends approval of the Plan Amendment as an amendment to the Redevelopment Plan.

**Section 2.** All prior resolutions of the Planning Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

**Section 3.** This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: January 20, 2015.

PLANNING COMMISSION OF THE  
CITY OF IMPERIAL, NEBRASKA

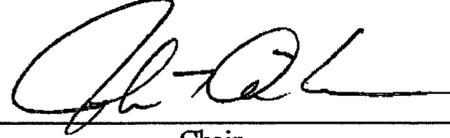
ATTEST:

By:



Secretary

By:



Chair

**ATTACHMENT 1**  
**GENERAL REDEVELOPMENT PLAN**

**GENERAL REDEVELOPMENT PLAN**

**SEE TAB 1**

## ATTACHMENT 2

### BOUNDARY DESCRIPTION OF THE REDEVELOPMENT AREA

The Redevelopment Area shall include all real property that is (1) within the boundaries described as follows and (2) also situated within the corporate limits of the City, and no other real property:

*Redevelopment Study Area (Site 4):* This redevelopment study area consists of the properties along Nebraska Highway 61 and US Highway 6. The area is 200 acres in size. The area is more clearly identified as the blocks between 12<sup>th</sup> Street on the north; Nebraska Highway 61 on the east; US Highway 6 on the south and southwest and the streets of Longhoim and Wellington to the west. The legal description is as follows:

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**ATTACHMENT 3**  
**AMENDMENT TO GENERAL REDEVELOPMENT PLAN**

AMENDMENT TO  
GENERAL REDEVELOPMENT PLAN

SEE TAB 2

## **ATTACHMENT 4**

### **BOUNDARY DESCRIPTION OF PROJECT AREA**

The Project Area shall include all real property that is (1) within the area described as follows and (2) also situated within the corporate limits of the City, and no other real property:

Lots 1 and 2 of the Harchelroad Replat, located in Lots 73 and 74 of the Schroeder Subdivision of the City of Imperial, Chase County, Nebraska.