

AGENDA: CITY OF PLAINVIEW
COUNCIL MEETING, MARCH 10, 2026
6:30 O'CLOCK P.M.
***As of 3/4/2026**

OPEN MEETING LAW POSTED IN COUNCIL CHAMBERS

- 1 Roll Call
- 2 Approval of Minutes from Previous Meeting (s)
- 3 Claims & Payroll
- 4 Reports

Manor
Police Chief
Economic Development Report
City Superintendent Report
City Attorney

- 5 Discussion- Audit FY 2024-2025 Kyle Overturf AMGL
- 6 Discussion/Action- open and possibly approve bids to hay lagoon
- 7 **Public Hearing- Application for Retail Liquor License Class D 7:00 PM**
* **Dendinger Drug, LLC dba Plainview Family Pharmacy**
- 8 Discussion/Action- approval of Retail Liquor License Class D Application
*Dendinger Drug, LLC dba Plainview Family Pharmacy
- 9 Discussion/Action- Ordinance #1016- League Model Ordinances
- 10 Discussion/Action- Ordinance #1018- Natural Gas Franchise
*Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy
- 11 Discussion/Action- Ordinance #1019- Establish Franchise Fee on Energy Providers operating in the City of Plainview
- 12 Discussion/Action- Ordinance #1020 - General Provisions Code of Ordinances (added 3-4-2026)
- 13 Discussion/Action- Ordinance #1021- Municipal Speed Limits (added 3-4-2026)
- 14 Discussion/Action- Resolution #742 - Handicap Parking Spot- Priority Family Medicine
- 15 Discussion/Action- Resolution #743 - Approval of purchase of land for municipal water well
- 16 Discussion/Action- Culvert 5th Street and Euclid Avenue
- 17 Discussion/Action- Resolution #744- Tow Service Agreement- City of Plainview and Douglas Backhaus (added 3-4-2026)
- 18 Discussion- Subdivision Regulations- City of Plainview (added 3-4-2026)
- 19 Discussion/Action- change date of May regular council meeting due to Primary Election
- 20 Council Comments
- 21 Public Comments

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**MEETING OF THE CITY COUNCIL
TUESDAY, FEBRUARY 10, 2026**

A meeting of the Mayor and Council of the City of Plainview, Nebraska, was held at the Council Chambers in said City on the 10th day of February at 6:30 o'clock P.M.

Roll call was held and present were: Mayor Smith; Council Members: Born, Janovec, Sanne and Doty Absent: None

The Pledge of Allegiance was then recited.

Mayor Smith opened the meeting and announced to individuals in attendance that a full copy of the new Nebraska Open Meetings Act was posted on the east wall of the Council Chambers.

Notice of the meeting was given in advance thereof by Posting, a designated method for giving notice, as shown by the Certificate of Posting attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Courtney Retzlaff was present as City Clerk.
Jeremy Tarr was present as City Administrator
Kyle Petersen was present as City Attorney.

Janovec moved to approve the regular meeting minutes from January 13th. Doty seconded the motion. Motion carried 4-0.

Sanne moved to approve claims and payroll. Janovec seconded the motion. Motion carried 4-0.

Manor Administrator Juleen Johnson provided updated floor plan options from Clark and Enersen for the proposed Manor and Assisted Living expansion and renovation. The Manor board also finalized their uniform policy for employees.

City Administrator Tarr stated that the maintenance staff had been working on water main breaks in several areas around town.

Donna Christiansen presented the 2025 Annual Library report for the council's review. Christiansen also stated that the library will be hosting an open house during Klown Days to celebrate 10 years since the facility had opened.

Council reviewed the League Model Ordinances that pertain to changes made by the Nebraska Legislature. City Attorney Petersen will create a formal Ordinance to pass in March.

Sanne moved to approve the use of Manor Sales Tax funds for the payment of Plainview Manor's portion of the Pine Street paving project in the amount of \$37,760. Doty seconded the motion. Motion carried 4-0.

City Clerk Retzlaff presented the updated Plainview HandiVan Title VI Plan for the council's approval. Janovec moved to approve the plan as presented. Doty seconded the motion. Motion carried 4-0.

Janovec moved to approve the temporary easements for Nebraska Department of Transportation Project 20-5 (114) for work to be done on Highway 20 in Plainview. Doty seconded the motion. Motion carried 4-0.

City Clerk Retzlaff presented the proposed community attitude survey from NENEDD. The survey is the first step in applying for a CDBG Public Works Facility Grant for Plainview Manor and Whispering Pines Assisted Living expansion and renovation project. Sanne moved to approve NENEDD conducting the presented survey. Janovec seconded the motion. Motion carried 4-0.

Discussion on Resolution #742 for a handicap accessible parking spot requested by Priority Family Medicine was held and it will be tabled until March as more information is needed to determine the appropriate area to place the parking spot.

Randy and Kim Wolken were present to discuss concerns on the culvert that was placed on the corner of 5th Street and Euclid which is the intersection by their property. The placement of the culvert has created a large presence of water flowing on the north side of their property and they would like to look at options to divert the water to drain away from their property. Council requested that City Administrator Tarr reach out to the City engineers, Miller & Associates, for options on diverting the water.

Sanne moved to advertise for bids to hay the City of Plainview lagoon. Born seconded the motion. Motion carried 4-0.

Sanne moved to approve the Wastewater Land Application Agreement for discharge of the City of Plainview lagoons. Born seconded the motion. Motion carried 4-0.

Janovec moved to approve the purchase of picnic tables for the City parks utilizing the ACE Membership Distribution funds of \$5,893. Doty seconded the motion. Motion carried 4-0.

Mayor Smith stated he had spoken with Doug Backhaus in regards to removing and storing abandoned/nuisance vehicles. City Attorney Petersen will create a contract for next month between the City and Doug Backhaus.

Janovec moved to approve the hire of Dylan Ward for his school internship. Doty seconded the motion. Motion carried 4-0.

Janovec moved to approve the wage for Dylan Ward at \$15 per hour. Doty seconded the motion. Motion carried 4-0.

Discussion on Resolution #743 for the approval to purchase land from Gaylyn and Joan Alexander for a municipal water well was held.

At 7:42 PM Janovec moved to go into executive session for the purpose of discussing the purchase of land for a municipal water well. Doty seconded the motion. Motion carried 4-0.

Janovec moved to come out of executive session at 7:53 PM. Doty seconded the motion. Motion carried 4-0.

Approval of Resolution #743 will be tabled until March council meeting.

Sanne moved to adjourn the meeting. Janovec seconded. Motion carried 4-0

TIME: 7:54 P.M.

Robert Smith, Mayor

(SEAL)

ATTEST:

Courtney Retzlaff, City Clerk/Treasurer

I, the undersigned, City Clerk for the City of Plainview, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on 2/10/2026; that all of the subjects included in the foregoing proceedings were contained in the

agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Courtney Retzlaff, City Clerk/Treasurer

(SEAL)

GENERAL ACCOUNT

16170	Midwest Bank	HSA Jan-June	15,000.00
16171	New York Life	Emp Ins	92.20
16173	Allstar Parts LLC	Su	701.75
16174	Pierce Co Register of Deeds	Filing Fee	28.00
16175	Western Oil Inc	Fuel	507.29
16176	Plainview Public Schools	Donation- Michael Foods	436.00
16177	ITron, Inc	Svc Contract	3,346.75
16178	Enview Security	Su	38.25
16179	Allo Business	Svc	79.20
16180	Amazon Capital Services	Su- Library	674.52
16181	Agland Electric Motor Service	Svc	4,212.69
16182	Eakes Office Solutions	Copier Contract	252.27
16183	Visa	Su/Svc	682.97
16184	Street Improvement	Paving Assessments	11,429.26
16185	POAN	Membership Dues	90.00
16186	Love Signs, Inc.	Su- ATV Plates/Tags	832.50
16187	The Radar & Lidar Shop	Svc	238.00
16188	MASA	Emp Ins	140.00
16189	City of Plainview	Pool Sales Tax	7,431.83
16190	City of Plainview	Library Sales Tax	4,954.56
16191	City of Plainview	Manor Sales Tax	4,954.56
16192	City of Plainview	Eco Dev Sales Tax	4,954.56
16193	City of Plainview	IRP Loan Pmts	1,017.04

16194	City of Plainview	RBDG Loan Pmt	256.09
16195	City of Plainview Housing Auth	Housing Loan Pmt	111.00
16196	PowerManager	Su- Utility Bills	721.28
16197	Postmaster	Postage	33.65
16198	Midwest Bank	Emp HSA Jan	881.00
16199	New York Life	Emp Ins	92.20
26605			
THRU			
26607	City Employees	Payroll 1-15-2026	22,647.61
26608			
THRU			
26610	City Employees	Payroll 1-30-2026	20,363.36
26611	Aflac	Emp Ins	294.58
26612	Allstar Parts LLC	Su	513.35
26613	Altwine Hardware & Home LLC	Su	684.54
26614	Auto Value- Norfolk	Su	139.44
26615	Bomgaars	Su	85.40
26616	Bud's Sanitary Service LLC	Svc	5,517.00
26617	Casey's Business MasterCard	Fuel	108.18
26618	CHI Health Plainview	Svc	202.83
26619	City of Norfolk	Svc	363.50
26620	City of Plainview Plv/Osm Housing	Housing Loan Pmt	50.60
26621	Classic Rentals	Su	161.66
26622	Eakes Office Solutions	Copier Contract	145.15
26623	Freedom and Glory	Su- Flags	191.94
26624	Tech Harbor Digital	Svc	100.00
26625	Hometown Leasing	Copier Leases	347.32
26626	Ingram Library Services	Books/Audiobooks	426.85
26627	Jarecki Sharp & Petersen PC LLO	Legal Fee	800.00
26628	LP Gill Inc	Svc	7,247.94
26629	Love Signs, Inc.	Svc- Repairs to Elec Sign	1,346.00
26630	Mahaska	Su	48.96
26631	Matheson Tri-Gas Inc	Svc/Su	112.35
26632	Miller & Associates Consulting Engineers	Svc	48,345.00
26633	Mitch's Food Center	Su	1,092.95
26634	NE Public Health Env Lab	Svc	16.00
26635	NCPD	Svc	8,458.95
26636	VOID		
26637	Pierce Broadband Networks	Phone Svc	56.78

26638	Plainview Telephone Co Inc	Phone Svc	1,148.85
26639	Reardon Lawn & Garden	Su	585.48
26640	Rueter's	Su	482.55
26641	Schaefer Grain Co	Svc	270.00
26642	Tauber Lumber & Supply	Su	97.86
26643	Titan Machinery	Su	92.93
26644	Truck Center Companies	Su	655.92
26645	Western Oil Inc	Fuel	413.06
ACH	Aflac Inc	Emp Ins	617.72
ACH	Allied Benefit Services	Emp Health Ins	14,622.45
ACH	Black Hills Energy	Svc	1,492.66
ACH	Colonial Life Processing Center	Emp Ins	705.64
ACH	Crashplan Pro	Svc	9.99
ACH	EFTPS	Fed W/H Tax	6,172.88
ACH	EFTPS	Fed W/H Tax	6,880.18
ACH	Empower Retirement	Pension	2,517.82
ACH	Empower Retirement	Pension	2,517.82
ACH	Dearborn Life Ins Co	Emp Ins	60.00
ACH	FP Finance Program	Postage Machine Lease	98.95
ACH	Healthplan Services Inc	Emp Ins	75.90
ACH	Midwest Bank	NSF Return	213.51
ACH	Midwest Bank	NSF Return	173.71
ACH	Midwest Bank	Merch Capture Svc	50.00
ACH	NE Dept of Revenue	State W/H Tax	1,488.47
ACH	NE Dept of Revenue	Sales & Use Tax	2,130.78
ACH	NPAIT	Gen Acct Int Dec	2,422.55
ACH	Office Max	Su	107.78
ACH	Synchrony Bank/Amazon	Su	240.11
ACH	Synchrony Bank/Amazon	Su	249.99
ACH	Synchrony Bank/Amazon	Su	83.77
ACH	USPS	Postage	347.70
ACH	Wal-Mart	Su	146.20
ACH	Zoom Video Comm Inc	Svc	16.99

STREET IMPROVEMENT ACCOUNT

1026	NLC, LLC	Paving	158,149.24
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KENO ACCOUNT

1192

Plainview Post Prom

Grant

1,875.00

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Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u>	<u>Name</u>	<u>Amount</u>
21177	2/27/2026		AFLAC DENTAL AND VISION	318.20
	2100-513		INV 20260215015486 EMP INS	74.88
	2600-513		INV 20260215015486 EMP INS	82.28
	2800-513		INV 20260215015486 EMP INS	37.01
	3200-513		INV 20260215015486 EMP INS	124.03
21178	2/27/2026		ALLIED BENEFIT SERVICES	15,632.48
	2100-513		EMP HEALTH INS	1,985.06
	2100-513		EMP HEALTH INS	827.13
	2400-513		EMP HEALTH INS	827.13
	2600-513		EMP HEALTH INS	2,646.75
	2800-513		EMP HEALTH INS	2,646.75
	2800-513		EMP HEALTH INS	827.13
	3200-513		EMP HEALTH INS	2,646.75
	3200-513		EMP HEALTH INS	1,571.52
	3500-513		EMP HEALTH INS	827.13
	4400-513		EMP HEALTH INS	827.13
21179	2/27/2026		ALLO BUSINESS	79.20
	1000-532		INV 10260 JANUARY SVC MICROSOFT 36	79.20
21180	2/27/2026		AMAZON CAPITAL SERVICES	10.99
	4400-532		INV 1776-CMMV-3N79- SUPPLIES	10.99
21181	2/27/2026		BLACK HILLS ENERGY	1,812.67
	1000-526		SVC JANUARY 2026	353.52
	2100-526		SVC JANUARY 2026	548.61
	2800-526		SVC JANUARY 2026	388.99
	4400-526		SVC JANUARY 2026	521.55
21182	2/27/2026		CINTAS	410.73
	1000-532		INV 5313079507 SUPPLIES	11.49
	2400-532		INV 5313079507 SUPPLIES	92.76
	2400-532		INV 5315145408 SUPPLIES	228.89
	2400-532		INV 5317865107 SUPPLIES	77.59
21183	2/27/2026		24 CITY OF PLAINVIEW	300.00
	1000-537		RBDG LOAN PRINCIPAL PMT PLAINVIEW	220.46
	1000-537		RBDG LOAN INTEREST PMT PLAINVIEW	79.54
21184	2/27/2026		24 CITY OF PLAINVIEW	359.43
	1000-537		IRP LOAN PRINCIPAL PMT 3RD & BELL	127.98
	1000-537		IRP LOAN INTEREST PMT 3RD & BELL	63.75
	1000-537		IRP LOAN PRINCIPAL PMT 3RD & BELL	70.64
	1000-537		IRP LOAN INTEREST PMT 3RD & BELL	97.06
21185	2/27/2026		24 CITY OF PLAINVIEW	1,017.04
	1000-537		IRP LOAN PRINCIPAL PMT MARY'S	300.57
	1000-537		IRP LOAN INTEREST PMT MARY'S	83.82
	1000-537		IRP LOAN PRINCIPAL PMT 3 BROTHERS	209.07
	1000-537		IRP LOAN INTEREST PMT 3 BROTHERS	278.07
	1000-537		IRP LOAN PRINCIPAL PMT 3 BROTHERS	62.45
	1000-537		IRP LOAN INTEREST PMT 3 BROTHERS	83.06
21186	2/27/2026		24 CITY OF PLAINVIEW	256.09
	1000-537		RBDG LOAN PRINCIPAL PMT MARY'S	200.48
	1000-537		RBDG LOAN INTEREST PMT MARY'S	55.61
21187	2/27/2026		24 CITY OF PLAINVIEW	8,261.42
	9500-202		POOL SALES TAX DECEMBER 2025	8,261.42
21188	2/27/2026		24 CITY OF PLAINVIEW	5,507.61
	9500-202		LIBRARY SALES TAX DECEMBER 2025	5,507.61
21189	2/27/2026		24 CITY OF PLAINVIEW	5,507.61
	9500-202		MANOR SALES TAX DECEMBER 2025	5,507.61
21190	2/27/2026		24 CITY OF PLAINVIEW	5,507.61
	9500-202		ECO DEV SALES TAX DECEMBER 2025	5,507.61

Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u> <u>Name</u>		<u>Amount</u>
21191	2/27/2026	CITY OF PLV HOUSING AUTHORITY		111.00
	1000-531	HOUSING LOAN PRINCIPAL PMT	90.60	
	1000-531	HOUSING LOAN INTEREST PMT	20.40	
21192	2/27/2026	COLONIAL LIFE PROCESSING CENTER		705.64
	2100-513	INV 61873480213793 EMP INS	39.60	
	2600-513	INV 61873480213793 EMP INS	167.30	
	2800-513	INV 61873480213793 EMP INS	110.82	
	3200-513	INV 61873480213793 EMP INS	387.92	
21193	2/27/2026	CRASHPLAN PRO		9.99
	1000-532	INV 1831-1256879 MONTHLY SVC	9.99	
21194	2/27/2026	137 ELECTRONIC FEDERAL TAX		6,480.77
	2100-511	PAYROLL TAXES	494.47	
	2100-514	PAYROLL TAXES	334.84	
	2400-511	PAYROLL TAXES	454.08	
	2400-514	PAYROLL TAXES	207.14	
	2600-511	PAYROLL TAXES	210.04	
	2600-514	PAYROLL TAXES	142.56	
	2800-511	PAYROLL TAXES	935.97	
	2800-514	PAYROLL TAXES	513.49	
	3200-511	PAYROLL TAXES	852.89	
	3200-514	PAYROLL TAXES	384.12	
	3500-511	PAYROLL TAXES	803.87	
	3500-514	PAYROLL TAXES	371.36	
	4200-511	PAYROLL TAXES	23.81	
	4200-514	PAYROLL TAXES	23.81	
	4400-511	PAYROLL TAXES	372.91	
	4400-514	PAYROLL TAXES	227.11	
	3900-511	PAYROLL TAXES	65.19	
	3900-514	PAYROLL TAXES	63.11	
21195	2/27/2026	137 ELECTRONIC FEDERAL TAX		6,122.06
	2100-511	PAYROLL TAXES	507.15	
	2100-514	PAYROLL TAXES	335.52	
	2400-511	PAYROLL TAXES	489.66	
	2400-514	PAYROLL TAXES	216.32	
	2600-511	PAYROLL TAXES	210.04	
	2600-514	PAYROLL TAXES	142.56	
	2800-511	PAYROLL TAXES	935.97	
	2800-514	PAYROLL TAXES	513.49	
	3200-511	PAYROLL TAXES	852.89	
	3200-514	PAYROLL TAXES	384.12	
	3500-511	PAYROLL TAXES	656.51	
	3500-514	PAYROLL TAXES	320.35	
	4200-511	PAYROLL TAXES	8.03	
	4200-514	PAYROLL TAXES	8.03	
	4400-511	PAYROLL TAXES	275.66	
	4400-514	PAYROLL TAXES	129.86	
	3900-511	PAYROLL TAXES	70.49	
	3900-514	PAYROLL TAXES	65.41	
21196	2/27/2026	EMPOWER RETIREMENT		2,567.52
	2100-511	PENSION	263.94	
	2100-515	PENSION	214.24	
	2400-511	PENSION	135.62	
	2400-515	PENSION	135.62	
	2600-511	PENSION	102.67	
	2600-515	PENSION	102.67	
	2800-511	PENSION	488.58	
	2800-515	PENSION	335.58	
	3200-511	PENSION	118.02	
	3200-515	PENSION	118.02	
	3500-511	PENSION	256.53	

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City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u> <u>Name</u>		<u>Amount</u>
	3500-515	PENSION	128.27	
	4400-511	PENSION	83.88	
	4400-515	PENSION	83.88	
21197	2/27/2026	EMPOWER RETIREMENT		2,567.52
	2100-511	PENSION	263.94	
	2100-515	PENSION	214.24	
	2400-511	PENSION	135.62	
	2400-515	PENSION	135.62	
	2600-511	PENSION	102.67	
	2600-515	PENSION	102.67	
	2800-511	PENSION	488.58	
	2800-515	PENSION	335.58	
	3200-511	PENSION	118.02	
	3200-515	PENSION	118.02	
	3500-511	PENSION	256.53	
	3500-515	PENSION	128.27	
	4400-511	PENSION	83.88	
	4400-515	PENSION	83.88	
21198	2/27/2026	DEARBORN LIFE INSURANCE CO.		60.00
	2100-513	EMPLOYEE LIFE INSURANCE	6.00	
	2100-513	EMPLOYEE LIFE INSURANCE	6.00	
	2400-513	EMPLOYEE LIFE INSURANCE	6.00	
	2600-513	EMPLOYEE LIFE INSURANCE	6.00	
	2800-513	EMPLOYEE LIFE INSURANCE	6.00	
	2800-513	EMPLOYEE LIFE INSURANCE	6.00	
	3200-513	EMPLOYEE LIFE INSURANCE	6.00	
	3200-513	EMPLOYEE LIFE INSURANCE	6.00	
	3500-513	EMPLOYEE LIFE INSURANCE	6.00	
	4400-513	EMPLOYEE LIFE INSURANCE	6.00	
21199	2/27/2026	FP FINANCE PROGRAM		98.95
	1000-532	INV 41269614 POSTAGE MACHINE LEASE	98.95	
21200	2/27/2026	HEALTHPLAN SERVICES, INC		75.90
	2100-513	EMP INSURANCE	17.40	
	2600-513	EMP INSURANCE	29.40	
	2800-513	EMP INSURANCE	11.70	
	3200-513	EMP INSURANCE	17.40	
21201	2/27/2026	81 HOFFART REPAIR		1,254.00
	2400-532	REPAIRS 2004 F250	1,254.00	
21202	2/27/2026	JAN X EXPERTS IN JANITORIAL SUPPLY		112.15
	2100-532	INV WEB-42021 SUPPLIES	112.15	
21203	2/27/2026	LAMMERS TRAILER REPAIR, LLC		397.71
	3500-532	INV 2026-0437 REPAIRS WILKENS	397.71	
21204	2/27/2026	MASA		140.00
	2100-513	INV 2302743 EMP INS	14.00	
	2100-513	INV 2302743 EMP INS	14.00	
	2400-513	INV 2302743 EMP INS	14.00	
	2600-513	INV 2302743 EMP INS	14.00	
	2800-513	INV 2302743 EMP INS	14.00	
	2800-513	INV 2302743 EMP INS	14.00	
	3200-513	INV 2302743 EMP INS	14.00	
	3200-513	INV 2302743 EMP INS	14.00	
	3500-513	INV 2302743 EMP INS	14.00	
	4400-513	INV 2302743 EMP INS	14.00	
21205	2/27/2026	15 MIDWEST BANK		50.00
	1000-532	SVC CHARGE MERCHANT CAPTURE	50.00	
21206	2/27/2026	15 MIDWEST BANK		101.21
	1000-538	NSF- ACCT CLOSED	101.21	

Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u> <u>Name</u>		<u>Amount</u>
21207	2/27/2026 1000-538	15 MIDWEST BANK ACH RETURN ACT CLOSED	87.40	87.40
21208	2/27/2026 1000-538	15 MIDWEST BANK NSF RETURN	95.47	95.47
21209	2/27/2026 2400-511 2600-511 2800-511 3200-511	15 MIDWEST BANK HSA EMP CONTRIBUTION FEB 2026 HSA EMP CONTRIBUTION FEB 2026 HSA EMP CONTRIBUTION FEB 2026 HSA EMP CONTRIBUTION FEB 2026	191.00 50.00 440.00 200.00	881.00
21210	2/27/2026 2100-511 2400-511 2600-511 2800-511 3200-511 3400-511 3500-511 4400-511 3900-511	69 NEBRASKA DEPARTMENT OF REVENUE STATE W/H JANUARY 2026 STATE W/H JANUARY 2026	238.13 181.16 78.96 447.90 394.02 8.71 270.31 120.58 21.26	1,761.03
21211	2/27/2026 9500-202	69 NEBRASKA DEPARTMENT OF REVENUE SALES & USE TAX JANUARY 2026	1,491.10	1,491.10
21212	2/27/2026 1000-121	NEBRASKA PUBLIC AGENCY INVESTMENT TRUST JANUARY GENERAL ACCT INT	2,056.64	2,056.64
21213	2/27/2026 2600-513	NEW YORK LIFE ID 0229097704 EMP INS	92.20	92.20
21214	2/27/2026 1000-524 1000-532 2400-524 3200-524 4400-524 4400-532 3900-524 3900-532	51 PLAINVIEW NEWS ADS/LEGALS SUPPLIES ADS/LEGALS ADS/LEGALS ADS/LEGALS SUPPLIES ADS/LEGALS SUPPLIES	690.05 188.62 198.00 173.46 6.55 104.89 403.09 46.00	1,810.66
21215	2/27/2026 1000-532	POST PROM COMMITTEE INV 20269 DONATION- MICHAEL FOODS	150.00	150.00
21216	2/27/2026 2400-532	70 POSTMASTER POSTAGE WATER SAMPLES	33.65	33.65
21217	2/27/2026 3500-532	401 SCHAEFER GRAIN CO. INV 227975 SUPPLIES	7.30	7.30
21218	2/27/2026 3500-532	401 SCHAEFER GRAIN CO. SCALE TICKETS	270.00	270.00
21219	2/27/2026 2100-532 2800-532 3200-532 3500-532 3500-532 3500-532	60 STEINKRAUS SERVICE FUEL OIL FILTER FUEL FUEL TIRES FLAT REPAIR	616.50 8.28 42.00 1,248.20 1,106.46 45.00	3,066.44
21220	2/27/2026 6000-561 6000-562 6000-529	290 STREET IMPROVEMENT PAVING ASSESSMENT PRINCIPAL PMT PAVING ASSESSMENT INTEREST PMT COMMISSION FEE	3,072.86 3,005.59 (91.18)	5,987.27
21221	2/27/2026 2100-553	290 STREET IMPROVEMENT PAVING PAYMENT- PLAINVIEW SCHOOL	79,074.62	79,074.62

Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u> <u>Name</u>		<u>Amount</u>
21222	2/27/2026	139 UNITED STATES POSTAL SERVICE		
	2400-532	POSTAGE UTILITY BILLS	115.29	345.87
	2600-532	POSTAGE UTILITY BILLS	115.29	
	3500-532	POSTAGE UTILITY BILLS	115.29	
21223	2/27/2026	VERIZON WIRELESS		439.84
	2100-522	INV 6134912621 CELLPHONES	39.94	
	2100-522	INV 6134912621 CELLPHONES	39.94	
	2400-522	INV 6134912621 CELLPHONES	40.23	
	2800-522	INV 6134912621 CELLPHONES	39.94	
	3200-522	INV 6134912621 CELLPHONES	39.94	
	3200-522	INV 6134912621 CELLPHONES	40.01	
	3200-522	INV 6134912621 CELLPHONES	40.01	
	3200-522	INV 6134912621 CELLPHONES	40.01	
	3200-522	INV 6134912621 CELLPHONES	39.94	
	3500-522	INV 6134912621 CELLPHONES	39.94	
	3900-522	INV 6134912621 CELLPHONES	39.94	
21224	2/27/2026	ZOOM VIDEO COMM INC		16.99
	1000-532	INV 343232628 SVC	16.99	

Report Setup
 Report selection: Check Register - Detail
 Banks: Single
 Bank Acct#: 150541 - Midwest Bank (City Acct.)
 Starting Check Number: 21177
 Ending Check Number: 21224
 Starting Date: 2/27/2026

Total Non-Void Checks 163,502.98

payroll 2-13-2026 \$ 21,811.98
 payroll 2-27-2026 \$ 20,076.29

Claims other than General Account

Acct	Check #	Vendor	Description	Amount
Manor Sales Tax	1021	Plainview Manor	Paving	37,760.00
Keno	1193	Plainview Public Schools	Grant	1,079.98

Check Register - Detail

City of Plainview

3

<u>Check #</u>	<u>Date</u>	<u>Acct#</u>	<u>Name</u>	<u>Amount</u>	<u>Amount</u>
26654	3/10/2026		AFLAC		294.58
	2100-513		INV 128930 EMP INS	30.94	
	2100-513		INV 128930 EMP INS	65.78	
	2800-513		INV 128930 EMP INS	60.46	
	3200-513		INV 128930 EMP INS	68.10	
	3500-513		INV 128930 EMP INS	30.94	
	4400-513		INV 128930 EMP INS	38.36	
26655	3/10/2026		ALTWINE HARDWARE & HOME LLC		440.75
	1000-532		SUPPLIES	13.90	
	2100-532		SUPPLIES	294.81	
	2400-532		SUPPLIES	102.36	
	3200-532		SUPPLIES	18.50	
	4200-532		SUPPLIES	11.18	
26656	3/10/2026		BAZILE AGGREGATE CO LLC		308.81
	2100-532		INV 5153 SAND	308.81	
26657	3/10/2026		BOMGAARS		84.98
	2100-532		INV 06642013 SUPPLIES	84.98	
26658	3/10/2026		BUD'S SANITARY SERVICE, LLC		6,133.00
	3500-532		SVC FEBRUARY 2026	6,133.00	
26659	3/10/2026		CASEY'S BUSINESS MASTERCARD		70.66
	3200-532		ACCT BV956 FUEL	70.66	
26660	3/10/2026		181 CHAD'S TIRE SERVICE		37.31
	3200-532		INV 114028 REPAIR TIRE	37.31	
26661	3/10/2026		24 CITY OF PLAINVIEW		359.43
	1000-537		IRP LOAN PRINCIPAL PMT 3RD & BELL	128.46	
	1000-537		IRP LOAN INTEREST PMT 3RD & BELL	63.27	
	1000-537		IRP LOAN PRINCIPAL PMT 3RD & BELL	70.90	
	1000-537		IRP LOAN INTEREST PMT 3RD & BELL	96.80	
26662	3/10/2026		24 CITY OF PLAINVIEW		300.00
	1000-537		RBDG LOAN PRINCIPAL PMT PLV FAMILY	221.56	
	1000-537		RBDG LOAN INTEREST PMT PLV FAMILY	78.44	
26663	3/10/2026		CITY OF PLV OSM/PLV HOUSING		50.60
	1000-531		HOUSING LOAN PRINCIPAL PMT	44.03	
	1000-531		HOUSING LOAN INTEREST PMT	6.57	
26664	3/10/2026		328 CLASSIC RENTALS		142.10
	1000-532		INV 86704/86761 SUPPLIES	60.00	
	2400-532		INV 86704/86761 SUPPLIES	82.10	
26665	3/10/2026		COMPLETE PEST ELIMINATION, INC.		5,852.00
	2100-532		MOSQUITO CONTROL CONTRACT 2026	5,852.00	
26666	3/10/2026		CROWNE PLAZA KEARNEY		358.20
	2800-532		INV 15063 HOTEL ROOM J TARR	358.20	
26667	3/10/2026		CURTISS AND SCOTT LAW LLC		10.00
	1000-528		INV 404- FILING FEE	10.00	
26668	3/10/2026		91 DD STEEL, LLC		559.60
	2600-532		INV 7951 SUPPLIES	559.60	
26669	3/10/2026		379 EAKES OFFICE SOLUTIONS		33.15
	3200-532		INV739239 COPIER CONTRACT POLICE	33.15	
26670	3/10/2026		TECH HARBOR DIGITAL		75.00
	1000-532		INV 168070 DOMAIN HOSTING FEB	75.00	
26671	3/10/2026		HOMETOWN LEASING		347.32
	1000-532		COPIER LEASE OFFICE	142.07	
	3200-532		COPIER LEASE OFFICE	95.37	
	4400-532		COPIER LEASE OFFICE	109.88	
26672	3/10/2026		65 INGRAM LIBRARY SERVICES		328.99

Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct# Name</u>		<u>Amount</u>
	4400-535	INV 94295470 BOOKS/AUDIOBOOKS (20)	225.89	
	4400-535	INV 94354198 BOOKS/AUDIOBOOKS (8)	103.10	
26673	3/10/2026	JARECKI SHARP & PETERSEN P.C. L.L.O.		800.00
	1000-564	LEGAL RETAINER FEE	800.00	
26674	3/10/2026	187 L.P. GILL, INC.		6,329.10
	3500-530	INV 6123C133 SVC FEBRUARY	6,329.10	
26675	3/10/2026	MAHASKA		48.96
	1000-532	INV 7026622 SUPPLIES	48.96	
26676	3/10/2026	MATHESON TRI-GAS, INC.		112.35
	2100-532	INV 0032868757 SUPPLIES	112.35	
26677	3/10/2026	MENARDS		349.99
	3200-532	SUPPLIES- POLICE FRIDGE	349.99	
26678	3/10/2026	367 MITCH'S FOOD CENTER		1,440.48
	1000-532	SUPPLIES	8.17	
	2400-532	BOTTLED WATER	1,378.86	
	2400-532	SUPPLIES	8.97	
	4400-532	SUPPLIES- LIBRARY	44.48	
26679	3/10/2026	408 NE. PUBLIC HEALTH ENVIRONMENTAL LAB.		30.00
	2400-532	INV 600523 WATER SAMPLES	30.00	
26680	3/10/2026	69 NEBRASKA DEPARTMENT OF REVENUE		100.00
	1000-528	KENO LICENSE RENEWAL 2026-2028	100.00	
26681	3/10/2026	NORTH CENTRAL PPD		7,564.02
	1000-526	ELEC SVC FEB 2026 SOCIAL CENTER	218.09	
	1000-526	ELEC SVC FEB 2026 KLOWN DOLL	81.56	
	1000-526	ELEC SVC FEB 2026 CITY OFFICE	132.60	
	1000-526	ELEC SVC FEB 2026 HISTORICAL MUSEL	40.81	
	1000-526	ELEC SVC FEB 2026 SCHOENAUER	43.94	
	1000-526	ELEC SVC FEB 2026 ELEC SIGN	164.84	
	2100-526	ELEC SVC FEB 2026 BULLRIDE	39.99	
	2100-526	ELEC SVC FEB 2026 GLOBE LTS	482.51	
	2100-526	ELEC SVC FEB 2026 STREET LTS	1,246.11	
	2100-526	ELEC SVC FEB 2026 STREET LTS	1,010.19	
	2100-526	ELEC SVC FEB 2026 STREET LTS	177.71	
	2100-526	ELEC SVC FEB 2026 OLD SHED	37.12	
	2100-526	ELEC SVC FEB 2026 OLD SHED	37.12	
	2100-526	ELEC SVC FEB 2026 STREET SHED	822.83	
	2400-526	ELEC SVC FEB 2026 NEW WELL	574.85	
	2400-526	ELEC SVC FEB 2026 WATER TOWER	51.59	
	2400-526	ELEC SVC FEB 2026 SCHOOL WELL	585.90	
	2600-526	ELEC SVC FEB 2026 LIFTSTATION	224.82	
	2600-526	ELEC SVC FEB 2026 LIFTSTATION	52.15	
	2800-526	ELEC SVC FEB 20256 PLANT	410.18	
	3400-526	ELEC SVC FEB 2026 C&D	37.12	
	3500-526	ELEC SVC FEB 2026 TRANSFER	388.96	
	4100-526	ELEC SVC FEB 2026 POOL	49.61	
	4200-526	ELEC SVC FEB 2026 BANDSHELL SHELTI	37.12	
	4200-526	ELEC SVC FEB 2026 PARK METER	39.92	
	4200-526	ELEC SVC FEB 2026 PARK METER	80.62	
	4400-526	ELEC SVC FEB 2026 LIBRARY	294.71	
	4600-526	ELEC SVC FEB 2026 BBALL COURT	39.68	
	4600-526	ELEC SVC FEB 2026 BBALL COURT	37.12	
	4600-526	ELEC SVC FEB 2026 BASEBALL LTS/CON	37.12	
	4600-526	ELEC SVC FEB 2026 BALLFIELDS	50.01	
	4600-526	ELEC SVC FEB 2026 BALLFIELDS	37.12	
*26683	3/10/2026	AMGL		9,300.00 *
	1000-521	INV 37327 AUDIT FY 24/25 BAL DUE	9,000.00	
	1000-521	INV 37327 1099 E-FILING 2025	300.00	

* Gap in check number sequence or duplicate check number

Check Register - Detail

City of Plainview

<u>Check #</u>	<u>Date</u>	<u>Acct#</u>	<u>Name</u>	<u>Amount</u>
26684	3/10/2026		PIERCE BROADBAND NETWORKS	
	2400-522		INV 10183839 SVC 329-6000	18.92
	2600-522		INV 10183839 SVC 329-6000	18.92
	3200-522		INV 10183839 SVC 329-6000	18.94
26685	3/10/2026		PITZER DIGITAL	
	4400-535		INV 98381 KNOX CO NEWS SUBSCRIPTI	27.75
26686	3/10/2026		159 PLAINVIEW CHAMBER OF COMMERCE	
	1000-528		MEMBERSHIP DUES 2026	135.00
26687	3/10/2026		132 PLAINVIEW PUBLIC SCHOOLS	
	1000-532		LIQUOR LICENSE FEE	200.00
26688	3/10/2026		53 PLAINVIEW TELEPHONE CO., INC.	
	1000-522		PHONE SVC FEB 2026	180.94
	1000-554		PHONE AND CAMERA LEASE FEB 2026	262.91
	2100-522		PHONE SVC FEB 2026	79.71
	2400-522		PHONE SVC FEB 2026	61.20
	2400-522		PHONE SVC FEB 2026	55.09
	2400-522		PHONE SVC FEB 2026	63.14
	2400-522		PHONE SVC FEB 2026	53.66
	2600-522		PHONE SVC FEB 2026	50.64
	3200-522		PHONE SVC FEB 2026	222.59
	4400-522		PHONE SVC FEB 2026	69.88
	3900-522		PHONE SVC FEB 2026	60.26
26689	3/10/2026		401 SCHAEFER GRAIN CO.	
	2100-532		SUPPLIES	16.10
26690	3/10/2026		60 STEINKRAUS SERVICE	
	2100-532		FUEL	254.95
	2600-532		FUEL	79.00
	3200-532		FUEL	77.40
	3500-532		FUEL	1,288.10
	3500-532		FLAT REPAIR	90.00
	4200-532		FUEL	62.00
26691	3/10/2026		290 STREET IMPROVEMENT	
	2100-553		PINE STREET PAVING PMT PLV MANOR	37,760.00
26692	3/10/2026		SUBSURFACE SOLUTIONS	
	2400-532		INV 28942 SVC GPS/SKYLARK	330.00
	2600-532		INV 28942 SVC GPS/SKYLARK	330.00
26693	3/10/2026		TITAN MACHINERY	
	3500-532		INV PS1085128-1 SUPPLIES	1,866.66

Report Setup
 Report selection: Check Register - Detail
 Banks: Single
 Bank Acct#: 150541 - Midwest Bank (City Acct.)
 Starting Check Number: 26654
 Ending Check Number: 26693
 Starting Date: 3/10/2026

Total Non-Void Checks	85,595.14
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4

TO: Plainview Manor Board of Directors
FROM: Juleen Johnson, Administrators
DATE: February 23, 2026
SUBJECT: Board of Director's Meeting

The regularly scheduled meeting of the Plainview Manor Board of Director's will be held on February 24, 2026, at the **Plainview Manor** convening at 8:30 a.m.

Open meeting law: Posted in the multipurpose meeting room on the back side of door.

- I. Call to Order and Roll Call
- II. Approval of the agenda: financials, payable and statistics
- III. Approval of Minutes from the last Board meeting held January 27, 2026
Department Head Report-
Jan/July.-Melodie-ADON, Michelle-Social Services, Misty-Activities
Feb./Aug-Cheryl- Office Manager, Melanie-RT, Caitlyn-HSK/LAU Supervisor
March/Sept- Tom- Maintenance, Rachel- MDS, Alexis- Dietary Manager

IV. MANOR UNFINISHED BUSINESS

1. Clark & Enersen Update
2. Staffing Needs: Laundry/Hsk?
3. Street Paving Invoice- needs approved
4. Crisis Pay/PTO policy- Notice out on 2-20-26 paycheck that no longer Crisis pay as of 3-29-26

V. MANOR NEW BUSINESS

1. Administrative Report

VI. CITY MAYOR COMMENTS- Regarding Manor Business

VII. Public Comments: You must state your name in full and limited to 5 minutes

VIII. EXECUTIVE SESSION: Must State reason why and motion made to go into closed session, motion back to open session, motion if any items were voted on for approval or direction.

IX. ADJOURNMENT TIME

Meeting Dates: 2026- March 31, April 28, May 26, June 30, July 28, Aug 25, Sept 29, Oct 27, Nov 24, Dec 29

Plainview Manor Board of Directors Meeting

January 27th, 2026

The Plainview Manor Board of Directors met on Tuesday, January 27th, at 8:30 a.m. in the multi-purpose room pursuant to the public notice. President Hoffart called the meeting to order at 8:32 a.m. with the following board members present: Melissa Hoffart, Melissa Tarr, Kim Wolken and Wayne Rasmussen. Administrator Johnson, ADON- Melodie Nielsen, Social Services- Michelle Meyer, and Activities Director- Misty Watts were also present at the meeting.

Motion made by Wolken to approve the agenda, financials, payables and statistics and seconded by Tarr. Roll call vote: Aye all; Nay, none. Absent, Alexander.

Motion made by Wolken to approve the minutes from the last board meetings held on December 30th, 2025, and January 7th, 2026, seconded by Tarr. Roll call vote: Aye all; Nay, none. Absent, Alexander.

The ADON, Social Services and Activities Director gave their department head reports.

The Clark & Enersen update was given by Administrator Johnson. After talking with the City of Plainview's Clerk/ Treasurer there is an opportunity to apply for a grant of \$600,000.00, that would help with a portion of the new addition to the facility. Further details will be discussed and determined later.

Administrator Johnson updated the board on staffing needs, CNA's for the evening and night shift are still needed. A new CNA for evening shift was hired. Additional applicants for part-time and PRN will take place when the DON is back from her time off.

The board discussed making changes to the employee apparel/ uniform policy for a one-time purchase acceptance. Motion was made by Tarr and seconded by Rasmussen to allow full-time employees to spend up to \$75.00 and part-time up to \$50.00 on apparel allowance. Roll call vote: Aye all; Nay, none. Absent, Alexander.

The board discussed the crisis pay approval process for the employees and to ensure it is being evaluated equally amongst all staff. It was previously brought to the board's attention that improper utilization was occurring by the employees.

Under manor new business, the approval for the street paving cost is \$37,760.00, there was no billing statement at time of meeting, will bring to next meeting for approval.

Employee satisfaction surveys were discussed, along with goals for 2026. Goals that were discussed: recognition of staff members, employee of the month and giving a breakdown with the explanation of benefits to the staff.

Administrator report was received and discussed with the board.

With no further action taken President Hoffart adjourned the meeting at 10:26 a.m.

Plainview Manor Board Secretary

Plainview Manor Board President

Plainview Manor
Balance Sheet
January 31, 2026

ASSETS

Current Assets		
Cash	\$ 266,642.46	
Cash - Tax Transfer	454.75	
Cash - Petty Cash	200.00	
Cash - Savings	1,822,814.98	
Resident Petty Cash	1,790.93	
Cash - Foundation	24,687.43	
Cash - CD	1,883,570.81	
Account Receivable/Med	99,679.75	
Account Receivable/Pri	(3,670.31)	
Accounts Rec - Medicare Adv	2,586.84	
Accounts Rec. - Hospice	43,047.51	
Accounts Rec. - A/L Private	3,360.62	
Account Rec - A/L Medicaid	8,906.33	
Acct. Rec. - Medicare A	1,519.69	
Allowance for Doubtful Accts	(2,700.00)	
Prepaid Insurance	61,000.79	
Accrued Interest Receivable	2,730.73	
	<hr/>	
Total Current Assets		4,216,623.31
Property and Equipment		
Land	25,000.00	
Building	1,799,908.74	
Accu. Depr. Building	(1,298,750.30)	
Assisted Living Addition	881,307.18	
Accum Depr. - A/L	(589,690.93)	
Equipment	877,286.69	
Accum Depr. Equipment	(671,111.44)	
Vehicles	57,350.53	
Accum Depr. Vehicles	(45,050.00)	
Construction in Progress	32,637.00	
	<hr/>	
Total Property and Equipment		1,068,887.47
		<hr/>
Total Assets	\$	<u><u>5,285,510.78</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$ 45,463.48	
Federal & FICA Taxes Payable	7,020.57	
State Taxes Payable	6,426.76	
Unemployment Taxes Payable	431.18	
Accrued Wages	94,766.91	
Accrued Provider Tax	9,081.00	
Accrued Vacation	88,400.52	
Resident Petty Cash	1,790.93	
Employee's Deductions	(2,889.09)	
Room Deposits A/L	3,000.00	
	<hr/>	
Total Current Liabilities		253,492.26
		<hr/>

Plainview Manor
Balance Sheet
January 31, 2026

Total Liabilities		253,492.26
Capital		
Retained Earnings	5,065,589.93	
Net Income	<u>(33,571.41)</u>	
Total Capital		<u>5,032,018.52</u>
Total Liabilities & Capital		<u>\$ 5,285,510.78</u>

Income Statement
For the Four Months Ending January 31, 2026
Plainview Manor

	Current Month		Year to Date	
Revenues				
Routine Care - Pri	\$ 124,278.00	40.20	\$ 583,344.66	45.70
Other - Private	90.00	0.03	425.00	0.03
Routine Care - Medicaid	90,726.95	29.35	367,171.95	28.77
Medicaid-Pri Room	465.00	0.15	1,845.00	0.14
Hospice Care	44,488.37	14.39	81,121.11	6.36
Assisted Living - Private	21,762.00	7.04	85,058.00	6.66
Other - A/L Private	46.62	0.02	677.24	0.05
Assisted Living - Med	12,326.42	3.99	42,507.92	3.33
Medicare A	0.00	0.00	24,715.07	1.94
Medicare Advantage	1,685.00	0.55	21,812.06	1.71
Medicare B	77.75	0.03	4,793.76	0.38
Total Revenues	295,946.11	95.72	1,213,471.77	95.07
Gross Profit	295,946.11	95.72	1,213,471.77	95.07
Expenses				
Administrator Labor	11,716.23	3.79	46,486.97	3.64
Office Labor	6,109.26	1.98	24,243.16	1.90
Office Supplies	303.09	0.10	1,596.12	0.13
Advertising & Promotion	1,682.95	0.54	6,422.21	0.50
Seminars & Education	0.00	0.00	598.00	0.05
Printing & Postage	32.95	0.01	230.95	0.02
Telephone	535.20	0.17	2,211.98	0.17
Licenses & Dues	1,551.75	0.50	4,138.72	0.32
Legal & Accounting	258.50	0.08	4,333.50	0.34
General Liability Insurance	1,900.00	0.61	7,600.00	0.60
Payroll Taxes - Unemployment	431.18	0.14	531.12	0.04
Payroll Taxes - FICA	15,568.26	5.04	61,453.77	4.81
Employee Benefits	27,274.80	8.82	107,501.42	8.42
NE Sales Tax	782.29	0.25	782.29	0.06
Workman's Comp Insurance	1,600.00	0.52	9,702.00	0.76
Dietary Labor	21,546.44	6.97	90,814.35	7.11
Food	12,697.22	4.11	45,935.75	3.60
Dietary Supplies	1,511.14	0.49	3,914.69	0.31
Dietary Equipment	1,782.18	0.58	1,782.18	0.14
Seminars, Educ., Staffing	40.50	0.01	56.00	0.00
Dietary Consultant	207.75	0.07	752.25	0.06
Dietary Leased Equipment	90.00	0.03	360.00	0.03
Housekeeping Labor	2,438.24	0.79	9,647.34	0.76
Housekeeping Supplies	2,143.76	0.69	4,644.71	0.36
Laundry labor	2,730.41	0.88	10,853.91	0.85
Laundry Supplies	653.95	0.21	1,538.30	0.12
Director of Nursing - Wages	8,911.84	2.88	35,074.21	2.75
Asst. Director of Nursing-Wage	7,040.62	2.28	26,577.96	2.08
Prof. Nursing Labor	51,892.93	16.78	198,025.95	15.51
Nursing Assistant wages	60,672.43	19.62	239,220.18	18.74
Medical Records Labor	5,852.54	1.89	22,433.52	1.76
Nursing Supplies	4,013.62	1.30	36,996.79	2.90
Seminars, Educ, Staffing	11.00	0.00	288.00	0.02
Contract Staff	2,897.21	0.94	54,815.24	4.29
Pharmacist Consultant	0.00	0.00	1,500.00	0.12
Restorative Therapy	500.00	0.16	2,149.10	0.17
Physical Therapy	388.50	0.13	4,498.96	0.35
OT Consultant	78.70	0.03	2,777.35	0.22
Computer Expenses	2,483.19	0.80	18,797.50	1.47
Medicare - Pharmacy	12.00	0.00	727.69	0.06

Income Statement
For the Four Months Ending January 31, 2026
Plainview Manor

	Current Month		Year to Date	
Medicare - Ancillary	0.00	0.00	2,003.48	0.16
Maintenance Labor	3,319.50	1.07	12,723.10	1.00
Maintenance Supplies	623.23	0.20	2,301.72	0.18
Utilities	5,381.07	1.74	15,374.10	1.20
Routine Repairs Exp	427.62	0.14	5,996.16	0.47
Equipment Repairs	173.00	0.06	2,206.35	0.17
Leased Equipment	412.76	0.13	825.52	0.06
Service Contracts	159.00	0.05	636.00	0.05
Auto Expense	43.60	0.01	1,906.49	0.15
Property/Auto Insurance	3,700.00	1.20	14,073.00	1.10
Activities labor	3,747.34	1.21	14,780.92	1.16
Social Services Labor	3,355.70	1.09	13,781.85	1.08
Recreational & Craft Sup.	145.02	0.05	352.41	0.03
Act/S.S. Expense	0.00	0.00	115.42	0.01
Seminars, Educ, Staffing	0.00	0.00	35.50	0.00
Resident Benefits	(62.19)	(0.02)	449.89	0.04
Depreciation Expense	7,268.00	2.35	29,072.00	2.28
Cable TV	911.99	0.29	3,647.96	0.29
A/L Office Labor	1,807.01	0.58	7,021.75	0.55
A/L Office Supplies	43.77	0.01	104.86	0.01
A/L Licenses & Dues	0.00	0.00	794.14	0.06
A/L Dietary Labor	4,205.74	1.36	17,291.57	1.35
A/L Dietary Supplies	0.00	0.00	115.15	0.01
A/L Housekeeping Labor	780.34	0.25	2,409.56	0.19
A/L Laundry Labor	579.62	0.19	2,124.25	0.17
A/L Professional Nursing	1,612.95	0.52	6,377.27	0.50
A/L Medication Aide	10,175.11	3.29	41,947.48	3.29
A/L Nursing Supplies	116.05	0.04	435.71	0.03
A/L Computer Expenses	180.62	0.06	722.48	0.06
A/L Maintenance Labor	987.92	0.32	3,714.34	0.29
A/L Utilities	1,793.69	0.58	5,084.36	0.40
A/L Social Services Labor	298.63	0.10	2,645.89	0.21
A/L Resident Benefits	0.00	0.00	55.98	0.00
A/L Depreciation Exp	1,715.00	0.55	6,860.00	0.54
Total Expenses	314,244.72	101.64	1,310,000.80	102.63
Net Operating Income	(18,298.61)	(5.92)	(96,529.03)	(7.56)
Other Income				
Miscellaneous Sales	0.25	0.00	24.25	0.00
Refunds	0.00	0.00	155.88	0.01
Interest Income	11,286.63	3.65	45,418.49	3.56
Donations	1,000.00	0.32	12,014.00	0.94
Guest Meals	132.00	0.04	555.00	0.04
Employee Meals	805.00	0.26	3,590.00	0.28
Gain/Loss on Sale	0.00	0.00	1,200.00	0.09
Total Other Income	13,223.88	4.28	62,957.62	4.93
Net Income	\$ (5,074.73)	(1.64)	\$ (33,571.41)	(2.63)

January Checks - Debit Card - Auto Pay

Net Smart	\$199.00 Computer Exp
Dearborn	\$144.06 Insurance
Walmart	\$134.81 Supplies
Hobby Lobby	\$86.56 Supplies
Dish	\$786.99 Cable TV
Enview Security	\$472.00 Computer Exp
Enview Security	\$259.25 Computer Exp
AUL	\$3,411.23 Retirement
Velocity	\$95.55 Garnishment
NE Child Support	\$169.85 Garnishment
Accounts Management	\$693.37 Garnishment
Time Management	\$262.80 Computer Exp
Clipboard Health	\$975.03 Contract Staff
Family Dollar	\$73.94 Supplies
State of Nebraska	\$49.00 Resident Exp (Paid by resident)
DHHD	\$27,666.00 QA Assessment
Good Life Indoor Comfort	\$1,782.18 Repairs
Quill	\$175.08 Supplies
NE Sales Tax	\$782.29 Tax
Quill	\$146.19 Supplies
NE Central Registry	\$5.50 Background Check
Web I Page	\$417.50 Computer Exp
Medica	\$29,679.73 Insurance
Renea Kauth	\$207.75 Dietician
Unemployment	\$99.94 Unemployment
Clipboard Health	\$256.94 Contract Staff
Aatrix	\$27.50 Computer Exp
Aatrix	\$231.00 Computer Exp
NE Dept of Revenue	\$7,342.98 Taxes
Lodge Vision	\$125.00 Cable TV
NCPPD	\$3,949.05 Utilities
NE Central Registry	\$5.50 Background Check
Amazon	\$65.99 Supplies
Quill	\$139.05 Supplies
Petty Cash	\$89.88 Cash
Marco	\$412.76 Copier
AUL	\$3,480.94 Retirement
Accounts Management	\$531.26 Garnishment
NE Child Support	\$169.85 Garnishment
Velocity	\$82.72 Garnishment
Credit Management	\$195.47 Garnishment
Clipboard Health	\$355.97 Contract Staff
I Page	\$46.98 Computer Exp
Verizon	\$78.99 Computer Exp
Aflac	\$682.57 Insurance

Menard	\$183.77	Supplies
Clipboard Health	\$801.59	Contract Staff
Family Dollar	\$16.00	Supplies
Black Hills Energy	\$2,610.21	Utilities
State of Nebraska	\$1,551.75	NH license
Amazon	\$75.83	Supplies

**Plainville Manor
Check Register**

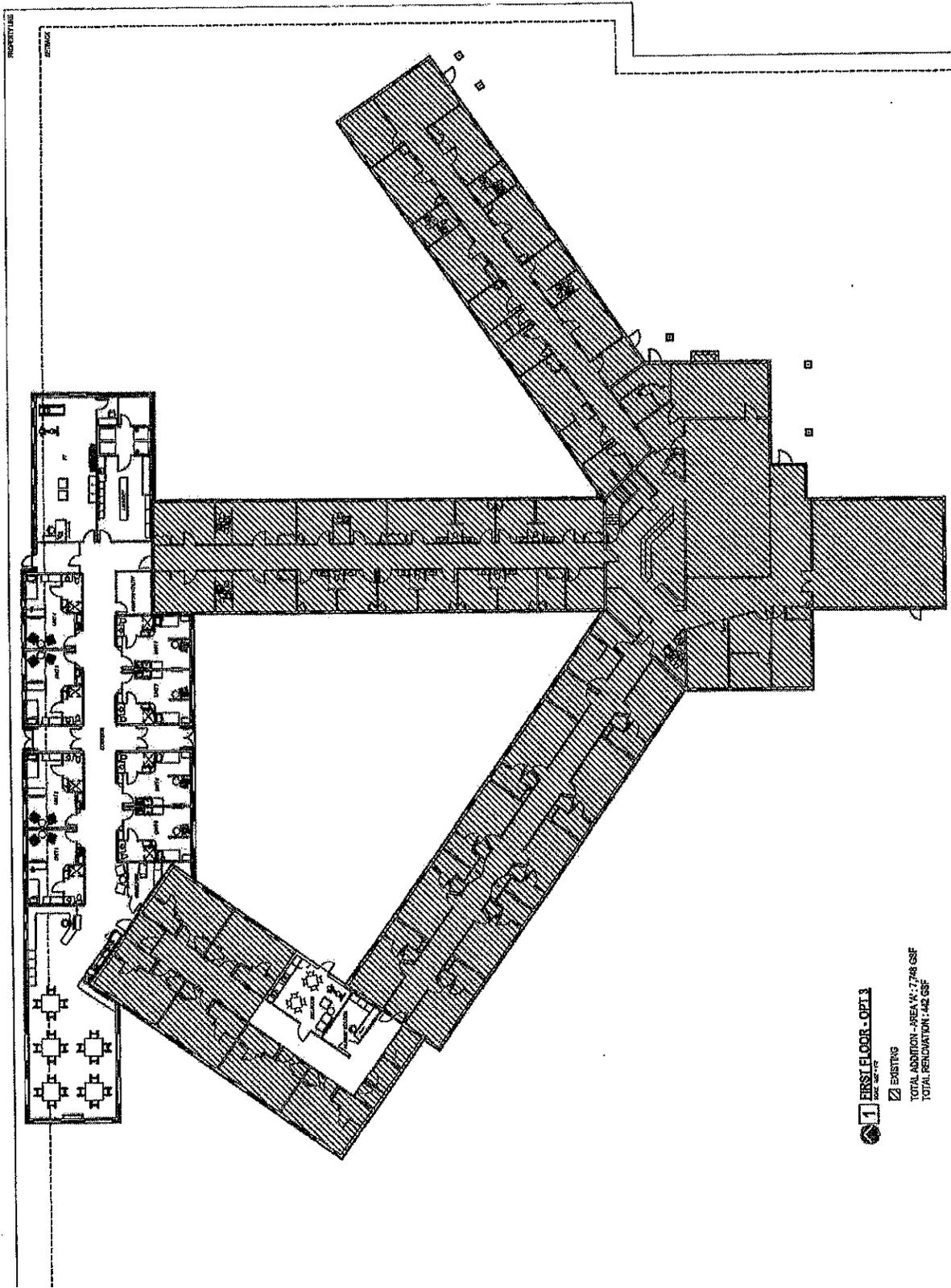
For the Period From Feb 1, 2026 to Feb 28, 2026

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
auto pay	2/10/26	MARTIN BROS.	9,877.26 Food & Supplies
auto pay1	2/10/26	US FOODS	5,300.89 Food & Supplies
55152	2/10/26	AFLAC	2,598.76 Insurance
55153	2/10/26	ALEGENT CREIGHTON HEALTH	576.00 Staff Injury
55154	2/10/26	ALTWINE HARDWARE & HOME LLC	281.13 Supplies
55155	2/10/26	BUSH & ROE FINANCIAL INC	4,323.00 D&O Insurance
55156	2/10/26	CITY OF PLAINVIEW	615.50 Utilities
55157	2/10/26	CLARKE & ENERSEN	10,562.00 Building Project
55158	2/10/26	COMPU-FACT RESEARCH, INC.	40.50 Background Search
55159	2/10/26	CULLIGAN OF NORFOLK	173.00 Repairs
55160	2/10/26	LUKE DECKER	150.00 Computer Exp
55161	2/10/26	DIRECT SUPPLY, INC.	338.37 Nursing Supplies
55162	2/10/26	HEALTH CARE INFORMATION	84.00 Buying Group
55163	2/10/26	HELPING HANDS NURSING SOLUTIONS, INC	507.68 Contract Staff
55164	2/10/26	HILAND DAIRY	728.28 Food & Supplies
55165	2/10/26	JAN X EXPERTS IN JANITORIAL SUPPLY	1,492.78 Supplies
55166	2/10/26	JULEEN JOHNSON	100.00 Cell Phone
55167	2/10/26	KUSTOM PEST CONTROL	75.00 Exterminator
55168	2/10/26	MCKESSON MEDICAL	2,978.71 Nursing Supplies
55169	2/10/26	VOID	
55170	2/10/26	MITCH FOOD STORE	197.17 Food & Supplies
55171	2/10/26	MSM ENTERPRISES LLC	78.70 OT
55172	2/10/26	NORTHWEST RESPIRATORY SERVICES LLC	12.63 Oxygen Supplies
55173	2/10/26	NORFOLK SHOPPER	1,074.39 Advertising
55174	2/10/26	O'NEILL SHOPPER	80.56 Advertising
55175	2/10/26	OVERLAND REHAB LLC	888.50 PT
55176	2/10/26	PENNER PATIENT CARE INC	107.68 Supplies
55177	2/10/26	PITZER DIGITAL LLC	528.00 Advertising
55178	2/10/26	PLAINVIEW TELEPHONE	435.20 Phone
55179	2/10/26	POINTCLICKCARE TECHNOLOGIES INC	976.29 Computer Exp
55180	2/10/26	SCHAFFER GRAIN	237.90 Maintenance Supplies
55181	2/10/26	STEINKRAUS SERVICE	43.50 Auto Exp
Total			45,463.48

Statistical report for Month ended January 2026

	January	% OF CHANGE	December
NH MEDICAID RESIDENT DAYS	413	-11.18%	465
NH PRIVATE RESIDENT DAYS	482	-8.54%	527
MEDICARE SKILLED DAYS	0	#DIV/0!	0
ADULT DAY CARE DAYS/MC	0	#DIV/0!	0
NH Med HOSPICE DAYS	114	100.00%	57
TOTAL NH RESIDENT DAYS	1009	-3.81%	1049
AVERAGE DAILY CENSUS	33	-2.94%	34
PERCENTAGE OF RESIDENT OCCUPANCY	84%	-3.45%	87%
PERCENTAGE OF BEDS PAID	86.00%	-4.44%	90%
AL MEDICAID RESIDENT DAYS	124	8.77%	114
AL PRIVATE RESIDENT DAYS	186	0.00%	186
TOTAL AL RESIDENT DAYS	310	3.33%	300
AVERAGE DAILY CENSUS	10	11.11%	9
PERCENTAGE OF RESIDENT OCCUPANCY	59.00%	3.51%	57%
PERCENTAGE OF BEDS PAID	72.00%	2.86%	70%
MEALS	4052	-1.77%	4125
TODAY'S CENSUS	34/39 NH 35 beds pd for 10/17 AL- 14 rooms		
SPECIAL SAVINGS	\$1,822,814.98		
CHECKING ACCOUNT	\$272,537.83		



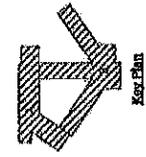
1 FIRST FLOOR - OPT 3

EXISTING
 TOTAL ADDITION - AREA N: 7,748 GSF
 TOTAL RENOVATION: 148 GSF

**CLARK &
 ENERSEN**

Option 3

Plainview Manor & WP Assisted Living Addition



Invoice

Invoice Number: 03250
Invoice Date: 1/27/2026

City of Plainview
PO BOX 767
PLAINVIEW NE 68769
(402)582-4928

PLAINVIEW MANOR
PO BOX 219
PLAINVIEW NE 68769

PINE STREET PAVING 2025

Page 1 of 1

Qty	Description	Per Unit	Extension
873.000	PAVING SQUARE YARDS	55.0000	\$37,016.00
368.000	CURB AND GUTTER LINEAR FEET	1.0000	\$368.00
7.000	PATCH AND REPAIR SQUARE YARDS	55.2850	\$387.00
1,038.000	<u>PAYMENT IS DUE WITHIN 30 DAYS OF INVOICE DATE</u>	Total	\$37,780.00

\$0.00
\$37,780.00
\$0.00
\$37,780.00

Board Administrative Report-
2-23-2026

- I. Agenda-
 - A. Personnel committee meet on PTO/Crisis Policy
 - B. Received bill for street paving \$37,760.00 and got approved at City Council to utilize city sales tax fund.
- II. Team-
 - A. Able to order Pizza from Casey's for evening shift on 2-9-26
 - B. Will work with Just Love by next week
 - C. Special T's shirts ordered by staff came in on 2-18-26 which was well received and new uniforms are to be shipped this week yet.
 - D. Foundation is doing staff appreciation in March as the Inservice.
- III. Technology-
 - A. As of last week, we are 100% done with scanning of NH and AL resident charts. Kandi and Rachel will keep up with the daily things. Huge shout out of thanks to Tami A that picked up extra hours to complete this task.
- IV. Building-

The Plainview Community Survey did go out the week of February 9th. I have reached out to Plainview News again about information that we would like to get out to the public we plan on meeting at the end of this week. Clark & Enerson did have one more drawing for record and we had a nice community group on 2-3-26 do a walk through and ideas shared. City Council does voice how they like the first drawing of the dining room more than bringing it into courtyard area.
- V. Education- Inservice held 2-19-26 on Restorative. I have asked Melanie, Cheryl and Michelle to sit on a Medi-Bill Education this week on Thursday for refresher on Med A.
- VI. Residents-
 - A. Admitted 2 residents on NH side. Michelle has made contact with local hospitals to get our name out there. I have not seen any marketing flyers completed yet.
- VII. Grievances- 5 to report. 1. Concern on employee emotional support dog and following pet policy. DON & Adm spoke to this staff member and reminded of policy and asked her to vacuum front lobby after each shift work and to purchase a Swiffer as still lots of hair. She is reaching out to see if she can find a dog sitter for overnights as she does not want to kennel. 2. Hospice aide not utilizing bathchair belt for safety- Adm reached out to her agency. Resolved and apologized. 3. Concerns on AL staff member and work performance by residents- ADON and DON addressed and resident states it is better. 4. Sexual Harassment allegation- Employee suspended and investigation completed had Mayor and President involved. Sexual Harassment allegation not substantiated but terminated due to second No Call No Show per policy manual. 5. Dietary Staff argument in the dining room in front of residents and staff- upon Adm

returning from lunch, brought two dietary staff into office and supervisor. Adm was professional but very firm. One of these employees is on her three-month probation period (hired 1-9-26). Grievance was still offered to be written out as not completed at time of meeting. Adm sent copy to President and aware of situation and how it was handled, felt it was handled adequately.

VIII. Administrative

- A. Completed yearly Medicare cost report on time.
- B. City Council personnel committee will meet when they have time to go over my contract for next year.
- C. Adm had scheduled 2-13-26 off and ended up with being off that day but PTO not used as had a fire panel issue on 2-12-26 that resulted coming in at 2:45 in morning and staying remainder of the day. Maintenance and Cheryl also called in to help with Fire Watch and Plainview Fire Department. Adm found a pin hole leak in the attic of AL fire system and had NE Fire come out to do a temporary fix until parts can come in. Location of pin hole will be very hard to fix as there is no room in area so either will have to cut hole in roof or ceiling. Adm was off 2-19-26 and 2-20-26 for PTO. Will also be off 2-26-26.

CLERK/TREASURER'S REPORT FOR FEBRUARY 2026

LIGHTS	-
SEWER	20,823.02
WATER	29,285.62
SALES TAX	1,553.47

GENERAL:	
*Midwest Bank- Interest on Account	1,896.31
*Housing Loan Payments	161.60
*General Bond	11,906.52
*IRP Loan Pmt	1,376.47
*RBDG Loan Pmt	556.09
*Building Permits	25.00
*NSF Payments	113.17
*Donation Michael Foods	150.00
*ACE Rebate	5,893.00
* Mayor Filing Fee	30.00
SALES TAX TOTAL:	
*Library	5,507.61
*Manor	5,507.61
*Economic Development	5,507.61
*Pool	8,261.42
*Street	5,617.13
STREET:	
*Highway Allocation	16,976.88
*Highway Incentive	3,000.00
*Paving Payment- Plainview Public Schools	79,074.62
*Paving Payment- Plainview Manor	37,760.00
WATER:	
*Meter Deposits	300.00
SEWER:	
PARK:	
*Federal Tax Refund	7.74
POOL:	
PLANT:	
*NCPPD Lease Payment	22,135.70

CLERK/TREASURER'S REPORT FOR FEBRUARY 2026

POLICE:	
*Dog Tags	25.00
*ATV Registrations	200.00
*Stop Sign Violation	75.00
*Gun Permit	5.00
ECONOMIC DEVELOPMENT:	
SOLID WASTE: Billings & Fees:	24,040.41
*C&D Site	1,162.55
HANDIVAN:	
*Fees	764.00
*Grant Payments	1,722.00
LIBRARY:	
*Fines/Fees	49.37
*Room Rent	155.00
*Copies	118.50
*Donation- Carnegie Foundation	10,000.00
FIRE:	
SUMMER REC:	
DEBT SERVICE:	
*Bond Payment County Treasurer	2,623.99
*Bond Payment County Treasurer- Paving	5,987.27
TOTAL REVENUE FEBRUARY 2026	\$ 310,354.68

February 2026 Account Balances

Accounts

<u>HOUSING AUTHORITY</u> XX0509	Available balance \$151,853.74	RECENT ▼
<u>GENERAL CHECKING</u> XX0541	Available balance \$1,101,526.52	RECENT ▼
<u>WATER TOWER</u> XX1009	Available balance \$41,979.98	RECENT ▼
<u>ELECTRICAL SINKING FUND</u> XX0321	Available balance \$143,094.95	RECENT ▼
<u>C&D CLOSURE/POST</u> XXXX3357	Available balance \$80,927.28	RECENT ▼
<u>PLV/OSMOND HOUSING</u> XXXX5161	Available balance \$29,918.45	RECENT ▼
<u>POOL SALES TAX</u> XXXX8263	Available balance \$302,863.68	RECENT ▼
<u>KENO ACCOUNT</u> XXXX9616	Available balance \$37,530.52	RECENT ▼
<u>MANOR SALES TAX</u> XXXX7492	Available balance \$159,009.05	RECENT ▼
<u>BOND RESERVE FUND</u> XX8633	Current balance \$86,308.56	RECENT ▼
<u>C&D SITE SINKING FUND</u> XXXX1067	Available balance \$163,889.56	RECENT ▼
<u>COMMERCIAL/C&D</u> XXX2509		RECENT ▼
<u>ECONOMIC DEVELOPMENT SALES TAX</u> XXXX7514	Available balance \$81,641.76	RECENT ▼
<u>LIBRARY GRANT FUND</u> XXXX0099	Available balance \$39,747.84	RECENT ▼
<u>LIBRARY IMPROVEMENTS</u> XX8630	Current balance \$13,553.73	RECENT ▼
<u>LIBRARY SALES TAX</u> XXXX7503	Available balance \$270,505.12	RECENT ▼

PLANT IMPROVEMENT COD

XX8621

Current balance

\$44,918.78

RECENT ▼

STREET IMPROVEMENT FUND

XXXX0286

Available balance

\$105,560.17

RECENT ▼

WATER TOWER COD

XX8620

RECENT ▼

2018 FORD POLICE INTERCEPTOR

XXX2927

RECENT ▼

WILKENS INDUSTRIES TRAILER

XXX2984

RECENT ▼

DTR GRANT FUNDS

XXXX7590

Available balance

\$0.00

RECENT ▼

IRP FUNDS

XXXX3773

Available balance

\$41,782.08

RECENT ▼

IRP LOAN RESERVE LOSS FUND

XXXX5379

Available balance

\$30,097.59

RECENT ▼

NAHTF GRANT FUNDS

XXXX8448

Available balance

\$0.00

RECENT ▼

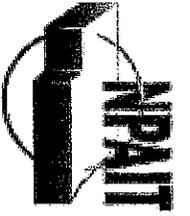
RBDG FUNDS

XXXX3784

Available balance

\$20,544.58

RECENT ▼



NPAIT Monthly Statement
City of Plainview

Please Note:
THE FUND WILL BE CLOSED APRIL 3RD IN OBSERVANCE OF GOOD FRIDAY
Your account number has changed.
This statement is for legacy account number NE-01-0034-0001.

Activity Summary (NE01-00034-0001) General Fund

2/1/2026 - 2/28/2026

Investment Pool Summary	Trust
Beginning Market Balance	\$85,127.64
Dividends	\$241.68
Purchases	\$2,056.64
Redemptions	\$0.00
Ending Market Balance	\$87,425.96
Average Monthly Rate	3.623%
NAV / Share Price	1.000
Total	\$87,425.96
Total Fixed Income	\$0.00
Account Total	\$87,425.96

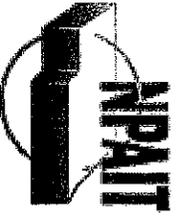
City of Plainview
PO Box 757
Plainview, NE 68769



PTMA

PTMA Financial Solutions
2135 CityGate Lane, 7th Floor
Naperville, IL 60563

Your Representative
Jake Goedken
(630) 657-6425
jake.goedken@ptma.com
Representatives are associated with PMA Securities, LLC



NPAIT Monthly Statement
City of Plainview

Transaction Activity (NE01-00034-0001) General Fund

Trust 2/1/2026 - 2/28/2026

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	NAV / Share Price	Shares this Transaction
12616079	02/04/2026	02/04/2026	Online ACH Purchase, General Account Interest January 2026	\$0.00	\$2,056.64	\$1,000	2,056.640
	02/28/2026	02/28/2026	Total Dividend Reinvestment	\$0.00	\$241.68	\$1,000	241.680
				\$0.00	\$2,298.32		2,298.320

Beginning Market Value: \$85,127.64 | Ending Market Value: \$87,425.96



NPAIT Monthly Statement
City of Plainview

Current Portfolio

2/28/2026

Type	Code	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	NAV / Share Price	Face/Par/Shares	Market Value
Trust				02/28/2026		Trust Account Balance	\$87,425.96	3.623%	\$1.000	87,425.960	\$87,425.96
							\$87,425.96			87,425.960	\$87,425.96

Time and Dollar Weighted Average Portfolio Yield: n/a

Weighted Average Portfolio Maturity: n/a

Note: Weighted Yield & Weighted Average Portfolio Maturity are calculated using "Market Value" and are only based on the fixed rate investments.

Portfolio Summary

Type	Allocation (%)	Allocation (\$)	Description
Trust	100.000%	\$87,425.96	Trust Account

Index

Cost is comprised of the total amount you paid for the investment (including any fees and commissions) plus any reinvested dividends.

Rate is the average monthly yield for pool investments or the rate on the last business day of the month for SDA investments or the yield to maturity or yield to worst for fixed term investments.

Face/Par/Shares is the amount received at maturity for fixed rate investments or the balance at statement date for pool investments.

Market Value reflects the market value as reported by an independent third-party pricing service. Certificates of Deposit and other assets for which market pricing is not readily available from a third-party pricing service are listed at "Cost" for fixed term investments or the balance at statement date for pool investments.

NPAIT MONTHLY STATEMENT DISCLAIMER

Securities and municipal advisory brokerage services (investments purchased with proceeds from a municipal securities issuance), and investments cleared through our clearing firm, Pershing LLC, are offered through PMA Securities, LLC, a broker-dealer and municipal advisor registered with the SEC and MSRB, and a member of FINRA and SIPC. All other products and brokerage services are generally provided by PMA Financial Network, LLC. Thus, certificates of deposit ("CD") and savings deposit accounts ("SDA") may be executed through either PMA entity, as applicable, depending on whether the investment was purchased with proceeds derived from municipal securities. PMA Securities, LLC and PMA Financial Network, LLC are operated under common ownership and are affiliated with PMA Asset Management, LLC.

NPAIT Activity Summary

This section shows all of the activity in the NPAIT Trust. The Average Monthly Rate represents the average net interest rate over the previous month which is then annualized.

Information regarding the NPAIT investment objectives, risks, charges and expenses can be found in the NPAIT information statement, which can be obtained at www.npaait.com or by calling PMA at the phone number listed below. An investment in the Trust is not a bank deposit and it is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other governmental or private agency. Although the Trust seeks to maintain a stable value of \$1.00 per share, it is possible to lose money by investing in the Trust Series.

Fixed Income Investment Program Activity

This section shows all of the fixed term investments purchased and sold, maturities, interest received, and activity. This will include all CD, SDA, and government securities purchased through PMA Financial Network, LLC or PMA Securities, LLC as applicable. It also shows the approximate market value of each security whose price is obtained from an independent source believed to be reliable. However, PMA cannot guarantee their accuracy. This data is provided for informational purposes only. Listed values should not be interpreted as an offer to buy or sell at a specific price. CDs are listed at their original cost. Redemption of a CD prior to maturity will likely result in early withdrawal penalties. Market values are based on the last day of the month for which this report date range is ending. If the run date of this report is prior to the end of the current month, the market values are listed as equivalent to the cost values.

All funds, and/or securities are located and safe kept in an account under the client's name at their custodial bank. Any CDs listed are located in the client's name at the respective bank. It is recommended that any oral communications be re-confirmed in writing to further protect your rights, including rights under the Securities Investor Protection Act.

Additional Disclosures

The performance data featured represents past performance, which is no guarantee of future results. Investment returns will fluctuate. Current performance may be higher or lower than the performance data quoted. Please call PMA for the most recent performance figures.

Minutes of the Plainview Library Board

Monday, March 2, 2026 5:15pm

- I. Members Present: Valerie Tarr, Jody Viterna, Brandi Johansen, Paige Goetzinger, Donna Christiansen, Library Director, Kayle Getzschman, Children's Librarian
- II. Welcome Visitors: Brian Schlote
- III. Open Meeting Act was acknowledged.
- IV. Minutes: Paige motioned to approve the minutes as changed. Motion seconded and carried.
- V. Bills: Donna presented the bills. Paige motioned to accept the bills as presented. Motion seconded and carried.
- VI. Librarian's Reports:
 - a. Donna reported on receipts and statistics. Donna reported on the Big Talk Small Libraries she attended online. We received \$500 from the youth grant. The board asked Donna to submit an application for the Keno grant for the summer internship.
 - b. Kayle gave her Children's Librarian report. She reported on the summer reading workshop she attended.
- VII. Old Business:
 - a. Val presented a book folding idea. The board reviewed the flower bouquet idea. The board asked Donna to reach back out to Anna Farm about doing a flower bouquet event.
 - b. The board discussed the 10-year new library anniversary. We will have yard games and popsicles during Klown Days on Saturday. Discussed cookies or cake as well. Donna will ask the foundation if they would sponsor this event. We are having America's 250-year flag reading challenge to fill the flag.
- VIII. New Business:
 - a. Discussed the \$10,000 gift from Carnegie Corporation. Paige approved for Donna to purchase up to \$2500 of the \$10,000 for the librarian's wish list presented. Motion seconded and carried.
 - b. National Library Week is April 19-25 with the theme of "Find Your Joy." Kayle is going to do an Inside Out theme with the kids that week.
 - c. Discussed the reading area location for concrete 20' x 25' area. Donna will relay to the city.
- IX. Announcements: None.
- X. Date for the next meeting: Monday, April 6th at 5:15pm at the library
- XI. Jody motioned to close. Motion seconded and carried.

Jody Viterna, Secretary

9

ORDINANCE NO. 1016

AN ORDINANCE ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF PLAINVIEW, NEBRASKA ADOPTING THE STATE LAW CHANGES MADE BY THE LEGISLATURE WHICH ARE SPECIFIC AND MANDATORY AND NECESSARY TO BRING THE CITY ORDINANCES AND CODE SECTIONS INTO CONFORMITY WITH STATE LAW AND AMENDING RESTATING, REVISING, UPDATING, CODIFYING AND COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

Section 1. That the Code of Ordinances of the City of Plainview shall continue in full force and effect and shall hereby adopt and incorporate by reference certain State law changes made by the Legislature which are specific and mandatory and necessary to bring the City Ordinances and Code sections into conformity with State law.

Section 2. The State law changes described above affect the following chapters of the City Code of Ordinances:

- A. To Amend Code Section 6-207 ABANDONMENT, NEGLECT, AND MISTREATMENT, as set forth in Section 1 of Exhibit A, except that any references to “(city/village)’s” shall read “City of Plainview’s” and any references to “(city/village)” shall read “City of Plainview”;
- B. To Amend Code Section 10-109 ALCOHOLIC BEVERAGES; LICENSES; CITY POWERS AND DUTIES, as set forth in Section 1 of Exhibit B, except that any references to “(city/village)’s” shall read “City of Plainview’s”, any references to “(City Council/Board of Trustees)” shall read “City Council”, any references to “(city/village)” shall read “city”, and any references to “(City/Village)” shall read “City”;
- C. To Amend Code Section 10-500 LEVIES AUTHORIZED, as set forth in Section 1 of Exhibit C, except that any references to “(city/village)’s” shall read “City of Plainview’s”, any references to “(city/village)” shall read “city”, any references to “(City Council/Board of Trustees)” shall read “City Council”, and any references to “(City/Village)” shall read “City”;
- D. To Create Code Section 13-105 DEFINITIONS, as set forth in Section 1 of Exhibit D, except that any references to “(city’s/village’s)” shall read “City of Plainview’s”, any references to “(City Council/Board of Trustees)” shall read “City Council”, and any references to “(city/village)” shall read “city”;
- E. To Amend Code Section 1-718 EXIT POLLS; POLL WATCHERS, as set forth in Section 1 of Exhibit E, except that any references to “(city’s/village’s)” shall

read "City of Plainview's" and any references to "§ 10.99" shall read "Section 12-101";

- F. To Amend Code Section 1-710 ELECTIONS; PETITION, WRITE-IN, AND OTHER CANDIDATES FOR GENERAL ELECTION BALLOT; PROCEDURE, as set forth in Section 1 of Exhibit F, except that any references to "(city's/village's)" shall read "City of Plainview's" and any references to "(city/village)" shall read "city";
- G. To Create Code Section 3-708 DISCRIMINATION, as set forth in Section 1 of Exhibit G;
- H. To Create Code Section 5-215 MAXIMUM LIMITS, as set forth in Section 1 of Exhibit H, except that any references to "(city's/village's)" shall read "City of Plainview's", any references to "§ 71.20" shall read "Section 5-214"; any references to "Board of Trustees" shall read "City Council"; any references to "§ 71.23" shall read "Section 5-217"; any references to "Board" shall read "City Council"; and any references to "§ 71.99" shall read "Section 5-219";
- I. To Amend Code Section 1-503 MEETINGS; OPEN TO PUBLIC; NOTICE; AGENDA, as set forth in Section 1 of Exhibit I, except that any references to "(city's/village's)" shall read "City of Plainview's", any references to "(City Council/Board of Trustees)" shall read "City Council", and any references to "(city/village)" shall read "city";
- J. To Amend Code Section 1-824.01 FISCAL MANAGEMENT; PROPERTY TAX REQUEST; INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE; PROCEDURE FOR SETTING, as set forth in Section 1 of Exhibit J, except that any references to "(city's/village's)" shall read "City of Plainview's", any references to "(city/village)", shall read "city", any references to "(name of political subdivision)" shall read "City of Plainview", any references to "(telephone number and email address of political subdivision)" shall read "(402) 582-4928 and Info@CityofPlainviewNE.com"
- K. To Amend Code Section 1-824 FISCAL MANAGEMENT; PROPERTY TAX REQUEST; PROCEDURE FOR SETTING, as set forth in Section 1 of Exhibit K, except that any references to "(city's/village's)" shall read "City of Plainview's", any references to "(city/village)", any references to "(City Council/Board of Trustees)" shall read "City Council", any references to "(city/village)" shall read "city", and any references to "(name of (city/village))" shall read "City of Plainview";
- L. To Amend Code Section 8-112 MUNICIPAL PROPERTY; PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING; REQUIREMENTS, as set forth in Section 1 of Exhibit L, except that any references to "(city's/village's)" shall read "City of Plainview's" and any references to "(city/village)" shall read "city";
- M. To Amend Code Section 1-709 ELECTIONS; SPECIAL, as set forth in Section 1 of Exhibit M, except that any references to "(city's/village's)" shall read "City of Plainview's", any references to "(city/village)" shall read "city", and any references to "(City/Village)" shall read "City";
- N. To Create Code Section 5-219 PENALTY, as set forth in Section 1 of Exhibit N, except that any references to "(city's/village's)" shall read "City of Plainview's",

any references to “§ 10.99” shall read “Section 12-101”, and any references to “§§ 71.20 through 71.24” shall read “Sections 5-214 through 5-218.

Section 3. The changes specified in Section 2 for the City Code of Ordinances are hereby approved. All other portions of the code book not identified in Section 2 herein remain unaffected and shall continue in full force and effect as currently written.

Section 4. All prior ordinances, pertaining to the code sections specified in Section 2, shall be deemed repealed from and after the effective date of this ordinance except as they are included and re-ordained in whole or in part in this supplement to the Code of Ordinances; provided, this repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall this repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall this repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by this supplement to the Code of Ordinances.

Section 5. This ordinance adopting the supplement to the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published according to law. At least one copy of this supplement to the Code of Ordinances shall be on file in the office of the City Clerk and available for inspection by members of the public during the hours the office is open for the ordinary transaction of business. The Clerk shall file a copy of this supplement to the Code of Ordinances with the County Court.

Section 6. This ordinance adopting this supplement to the Code of Ordinances shall take effect from and after its passage, approval, and publication or posting as required by law.

Passed and approved this ____ day of March, 2026.

Mayor

(Seal)

Clerk

Exhibit A

ORDINANCE NO. _____

AN ORDINANCE RELATING TO abandonment, neglect, and mistreatment of animals: to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding abandonment, neglect, and mistreatment of animals:

ABANDONMENT, NEGLECT, AND MISTREATMENT.

(A) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON. To leave any animal in one's care, whether as owner or custodian, for any length of time without making effective provision for its food, water, or other care as is reasonably necessary for the animal's health.

ANIMAL. Any vertebrate member of the animal kingdom. *ANIMAL* does not include an uncaptured wild creature or a livestock animal as defined in this section.

ANIMAL CONTROL OFFICER. A person authorized by a city, village, or county to enforce any state or local animal control law, rule, regulation, resolution, or ordinance concerning animal welfare.

CRUELLY MISTREAT. To knowingly and intentionally kill, maim, disfigure, torture, beat, kick, hit, strike in any manner, mutilate, burn, scald, or otherwise inflict harm upon any animal.

CRUELLY NEGLECT. To fail to provide any animal in one's care, whether as owner or custodian, with food, water, or other care as is reasonably necessary for the animal's health.

HUMANE KILLING. The destruction of an animal by a method which causes the animal a minimum of pain and suffering.

LAW ENFORCEMENT OFFICER. Any member of the State Patrol, any county or deputy sheriff, any member of the police force of the (city/village) or any other city or village, or any other public official authorized by the (city/village) or any other city or village to enforce state or local animal control laws, rules, regulations, or ordinances. **LAW ENFORCEMENT OFFICER** also includes a special investigator appointed as a deputy state sheriff as authorized pursuant to Neb. RS 81-201 while acting within the authority of the Director of Agriculture under the Commercial Dog and Cat Operator Inspection Act.

LIVESTOCK ANIMAL. Any bovine, equine, swine, sheep, goat, domesticated cervine animal, ratite bird, or poultry.

MUTILATION. Intentionally causing permanent injury, disfigurement, degradation of function, incapacitation, or imperfection to an animal. **MUTILATION** does not include conduct performed by a veterinarian licensed to practice veterinary medicine and surgery in this state or conduct that conforms to accepted veterinary practices.

OWNER or **CUSTODIAN.** Any person owning, keeping, possessing, harboring, or knowingly permitting an animal to remain on or about any premises owned or occupied by such person.

POLICE ANIMAL. A horse or dog owned or controlled by the state or any county, city, or village for the purpose of assisting a law enforcement officer in the performance of his or her official enforcement duties.

REPEATED BEATING. Intentional successive strikes to an animal by a person resulting in serious injury or illness or death to the animal.

SERIOUS INJURY or **ILLNESS.** Any injury or illness to any animal which creates a substantial risk of death or which causes broken bones, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

TORTURE. Intentionally subjecting an animal to extreme pain, suffering, or agony. **TORTURE** does not include conduct performed by a veterinarian licensed to practice veterinary medicine and surgery in this state or conduct that conforms to accepted veterinary practices.

(Neb. RS 28-1008)

(B) *Enforcement powers; immunity.*

(1) Any law enforcement officer or animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry by a law enforcement officer or an animal control officer who is accompanied by a law enforcement officer upon private property to inspect, care for, or impound the animal.

(2) It shall be the duty of any law enforcement officer or animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated to make prompt investigation of such violation. Any law enforcement officer or animal control officer may, in lieu of making an arrest, issue a citation to the owner or custodian as prescribed in Neb. RS 29-422 through 29-429.

(3) Any law enforcement officer or animal control officer acting under this section shall not be liable for damage to property if such damage is not the result of the law enforcement officer's or animal control officer's negligence.
(Neb. RS 28-1012)

(C) *Violation.*

(1) A person who intentionally, knowingly, or recklessly abandons, cruelly neglects, or cruelly mistreats an animal is guilty of an offense.

(2) A person commits harassment of a police animal if he or she knowingly and intentionally teases or harasses a police animal in order to distract, agitate, or harm the police animal for the purpose of preventing such animal from performing its legitimate official duties.
(Neb. RS 28-1009)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit B

ORDINANCE NO. _____

AN ORDINANCE RELATING TO beverage licenses; (city/village) powers and duties; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding beverage licenses; (city/village) powers and duties:

LICENSES; (CITY/VILLAGE) POWERS AND DUTIES.

(A) The (City Council/Board of Trustees) is authorized to regulate by ordinance, not inconsistent with the State Liquor Control Act, Neb. RS 53-101 et seq., the business of all retail, bottle club, craft brewery, and microdistillery licensees carried on within the corporate limits of the (city/village).
(Neb. RS 53-134.03)

(B) During the period of 45 days after the date of receipt by mail or electronic delivery of such application from the State Liquor Control Commission, notice and a copy of an application for a new license to sell alcoholic liquor at retail, a craft brewery license, or a microdistillery license, the (City Council/Board of Trustees) may make and submit to the Commission recommendations relative to the granting or refusal to grant the license to the applicant.
(Neb. RS 53-131)

(C) The (City Council/Board of Trustees), with respect to licenses within the corporate limits of the (city/village), has the following powers, functions, and duties with respect to retail, bottle club, craft brewery, and microdistillery licenses:

(1) To cancel or revoke for cause retail, craft brewery, or microdistillery licenses to sell or dispense alcoholic liquor or bottle club licenses issued to persons for premises within its jurisdiction, subject to the right of appeal to the State Liquor Control Commission;

(2) (a) To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed under the State Liquor Control Act, Neb. RS 53-101 et

seq., to determine whether any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the (City Council/Board of Trustees) has been or is being violated, and at that time, examine the premises of the licensee in connection with such determination.

(b) Any law enforcement officer who determines that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the local governing body has been or is being violated shall report such violation in writing to the Executive Director of the Commission:

1. Within 30 days after determining that such violation has occurred;

2. Within 30 days after the conclusion of an ongoing police investigation; or

3. Within 30 days after the verdict in a prosecution related to such an ongoing police investigation if the prosecuting attorney determines that reporting such violation prior to the verdict would jeopardize such prosecution, whichever is later.

(3) To receive a signed complaint from any citizen within its jurisdiction that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation relating to alcoholic liquor has been or is being violated and to act upon these complaints in the manner provided in the Act;

(4) To receive retail, bottle club, craft brewery, and microdistillery license fees as provided in Neb. RS 53-124 and 53-124.01 and pay the same, after the license has been delivered to the applicant, to the (City/Village) Treasurer;

(5) To examine or cause to be examined any applicant or any retail, bottle club, craft brewery, or microdistillery licensee upon whom notice of cancellation or revocation has been served as provided in the Act, to examine or cause to be examined the books and records of any applicant or licensee, except as otherwise provided for bottle club licensees under state law, and to hear testimony and to take proof for its information in the performance of its duties. For the purpose of obtaining any of the information desired, the (City Council/Board of Trustees) may authorize its agent or attorney to act on its behalf;

(6) To cancel or revoke on its own motion any license if, upon the same notice and hearing as provided in § 111.25, it determines that the licensee has violated any of the provisions of the State Liquor Control Act, Neb. RS 53-101 et seq., or any valid and subsisting ordinance, resolution, rule, or regulation duly enacted, adopted, and promulgated relating to alcoholic liquor. The order of cancellation or revocation may be appealed to the Commission within 30 days after the date of the order by filing a notice of appeal with the

Commission. The Commission shall handle the appeal in the manner provided for hearing on an application in Neb. RS 53-133;

(7) Upon receipt from the Commission of the notice and copy of the application as provided in Neb. RS 53-131, to fix a time and place for a hearing at which the (City Council/Board of Trustees) shall receive evidence, either orally or by affidavit, from the applicant and any other person bearing upon the propriety of the issuance of a license. Notice of the time and place of the hearing shall be published in a legal newspaper in or of statewide circulation or general circulation in the (city/village) one time not less than seven, and not more than 14, days before the time of the hearing. The notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the (City Council/Board of Trustees) in support of or in protest against the issuance of the license may do so at the time of the hearing. The hearing shall be held not more than 45 days after the date of receipt of the notice from the Commission, and after the hearing, the (City Council/Board of Trustees) shall cause to be recorded in the minute record of its proceedings a resolution recommending either issuance or refusal of the license. The (City/Village) Clerk shall mail to the Commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice, except that failure to comply with this provision shall not void any license issued by the Commission. If the Commission refuses to issue such a license, the cost of publication of the notice shall be paid by the Commission from the security for costs;

(8) To review and authorize an application by a retail, bottle club, craft brewery, farm winery, or microdistillery licensee for a temporary expansion of its licensed premises within the jurisdiction of the local governing body to an immediately adjacent area owned or leased by the licensee or to an immediately adjacent street, parking lot, or alley, not to exceed 50 days for calendar year 2020 and, for each calendar year thereafter, not to exceed 15 days per calendar year as provided in Neb. RS 53-123.12 and 53-129; and

(9) To review and authorize an application by a craft brewery, farm winery, or microdistillery licensee that holds a promotional farmers market special designated license for a permit to use such promotional farmers market special designated license to sell or dispense alcoholic liquor, which the holder is licensed to produce, at a farmers market within the jurisdiction of the local governing body as provided in Neb. RS 53-124.17. The local governing body shall electronically notify the Commission within five days after authorization of any permit pursuant to this division (C).

(Neb. RS 53-134)

(D) (1) When the State Liquor Control Commission mails or delivers to the (City/Village) Clerk a retail, craft brewery, or microdistillery license issued or renewed by the Commission, the Clerk shall deliver the license to the licensee upon receipt from the licensee of proof of payment of:

(a) The license fee if, by the terms of Neb. RS 53-124, the fee is payable to the (City/Village) Treasurer;

(b) Any fee for publication of the notice of hearing before the (City Council/Board of Trustees) upon the application for the license;

(c) The fee for publication of the notice of renewal, if applicable, as provided in Neb. RS 53-135.01; and

(d) Occupation taxes, if any, imposed by the (city/village), except that Class J retail licensees shall not be subject to occupation taxes.

(2) Notwithstanding any ordinance or charter power to the contrary, the (city/village) shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the State Liquor Control Act, Neb. RS 53-101 et seq., and doing business within the corporate limits of the (city/village) in any sum which exceeds two times the amount of the license fee required to be paid under the Act to obtain that license.
(Neb. RS 53-132)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit C

ORDINANCE NO. _____

AN ORDINANCE RELATING TO business license tax levies authorized; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding business license tax levies authorized:

LEVIES AUTHORIZED.

(A) The (city/village) shall have the power to raise revenue by levying and collecting a license tax on any occupation or business within the limits of the (city/village) and regulate such occupation or business by ordinance. Any occupation tax imposed pursuant to this section shall make a reasonable classification of businesses, users of space, or kinds of transactions for the purpose of imposing such tax, except that no occupation tax shall be imposed on any transaction which is subject to tax under Neb. RS 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008, or which is exempt from tax under Neb. RS 77-2704.24. All such taxes shall be uniform in respect to the classes upon which they are imposed. All scientific and literary lectures and entertainments shall be exempt from such taxation, as well as concerts and other musical entertainments given exclusively by the citizens of the (city/village).
(Neb. RS 17-525)

(B) (1) The (City Council/Board of Trustees) shall have the authority, by ordinance, to impose an occupation tax of not more than \$5 per annum on each fire insurance corporation, company, or association doing business in the (city/village) for the use, the support, and the benefit of volunteer fire departments regularly organized under the laws of the state regulating the same. The (City/Village) Clerk shall collect with diligence the occupation tax so imposed.

(2) Upon the receipt of the tax, the Clerk shall pay over the proceeds thereof to the (City/Village) Treasurer, who shall credit the same to a fund to be known as the Special Occupation Tax Fund for the benefit of the volunteer Fire Department. Upon proper claim filed by the Chief of the Fire Department and allowed by the (City Council/Board of Trustees), the

Treasurer shall pay over the proceeds of the tax in the fund from time to time for the use of the Fire Department, as hereinbefore provided.

(Neb. RS 35-106)

(C) Notwithstanding any ordinance or charter power to the contrary, the (city/village) shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the State Liquor Control Act, Neb. RS 53-101 et seq., and doing business within the corporate limits of the (city/village) in any sum which exceeds two times the amount of the license fee required to be paid under the Act to obtain such license.

(Neb. RS 53-132)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit D

ORDINANCE NO. _____

AN ORDINANCE RELATING TO generally applicable definitions; to harmonize with state law including revising the citation to Neb. RS 49-801(17); to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding generally applicable definitions:

DEFINITIONS.

(A) *General rule.* Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) *Definitions.* For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY, MUNICIPAL CORPORATION, or MUNICIPALITY. The (city/village) adopting this code.

(CITY COUNCIL/BOARD OF TRUSTEES, VILLAGE BOARD) or GOVERNING BODY. The legislative body of the (city/village).

CODE, THIS CODE, or THIS CODE OF ORDINANCES. This (city/village) code as modified by amendment, revision, and the adoption of new titles, chapters, or sections.

COUNTY. The county in Nebraska in which the (city/village) is located.

MAY. The act referred to is permissive.

MONTH. A calendar month.

OATH. Includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words *SWEAR* and *SWORN* shall be equivalent to the words *AFFIRM* and *AFFIRMED*.

OFFICER, OFFICE, EMPLOYEE, COMMISSION, or DEPARTMENT. An officer, office, employee, commission, or department of this (city/village) unless the context clearly requires otherwise.

PERSON. Includes bodies politic and corporate, societies, communities, the public generally, individuals, partnerships, limited liability companies, joint-stock companies, and associations.

(Neb. RS 49-801(17))

PRECEDING or FOLLOWING. Next before or next after, respectively.

SHALL. The act referred to is mandatory.

SIGNATURE or SUBSCRIPTION. Includes a mark when the person cannot write.

STATE. The State of Nebraska.

SUBCHAPTER. A division of a chapter, designated in this code by a heading in the chapter analysis and a capitalized heading in the body of the chapter, setting apart a group of sections related by the subject matter of the heading. Not all chapters have **SUBCHAPTERS**.

WRITTEN. Any representation of words, letters, or figures, whether by printing or otherwise.

YEAR. A calendar year, unless otherwise expressed.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

Exhibit E

ORDINANCE NO. _____

AN ORDINANCE RELATING TO exit polls; poll watchers; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding exit polls; poll watchers:

EXIT POLLS; POLL WATCHERS.

(A) No person shall conduct an exit poll, a public opinion poll, or any other interview with voters on election day seeking to determine voter preference within 20 feet of the entrance of any polling place or, if inside the polling place or building, within 100 feet of any voting booth.

(B) (1) No poll watcher shall interfere with any voter in the preparation or casting of such voter's ballot or prevent any election worker from performing the worker's duties.

(2) A poll watcher shall not provide assistance to a voter as described in Neb. RS 32-918 unless selected by the voter to provide assistance as provided in Neb. RS 32-918.

(3) A poll watcher shall not do any electioneering or disseminate any information or materials advertising or advocating for or against any ballot measure while engaged in observing at a polling place.

(4) A poll watcher shall maintain a distance of at least eight feet from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast, except that if the polling place is not large enough for a distance of eight feet, the judge of election shall post a notice of the minimum distance the poll watcher must maintain from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast. The posted notice shall be clearly visible to the voters and shall be posted prior to the opening of the polls on election day. The minimum distance shall not be determined to exclude a poll watcher from being in the polling place.

(C) (1) No counting watcher or observer shall prevent any election worker from performing the worker's duties.

(2) A counting watcher or observer shall maintain a distance of at least eight feet from any ballots, ballot boxes, sign-in registers, and vote-counting devices, except that if the counting location is not large enough for a distance of eight feet, the Election Commissioner or County Clerk shall post a notice of the minimum distance the counting watcher or observer must maintain from any ballots, ballot boxes, sign-in registers, and vote-counting devices. The posted notice should be clearly visible to the counting watcher or observer and shall be posted prior to the Counting Board convening. The minimum distance shall not be determined to exclude a counting watcher or observer from being in the counting location except as provided in Neb. RS 32-1013(4).

(Neb. RS 32-1525) Penalty, see § 10.99

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit F

ORDINANCE NO. _____

AN ORDINANCE RELATING TO petition, write-in, and other candidates for general election ballot; procedures; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding petition, write-in, and other candidates for general election ballot; procedures:

PETITION, WRITE-IN, AND OTHER CANDIDATES FOR GENERAL ELECTION BALLOT; PROCEDURES.

(A) . (1) Any registered voter who was not a candidate in the primary election and who was not registered to vote with a party affiliation on or after March 1 and before the general election in the calendar year of the general election may have his or her name placed on the general election ballot for a partisan office by filing petitions as prescribed in this section and Neb. RS 32-621 or by nomination by political party convention or committee pursuant to Neb. RS 32-627 or 32-710.

(2) Any candidate who was defeated in the primary election and any registered voter who was not a candidate in the primary election may have his or her name placed on the general election ballot if a vacancy exists on the ballot under Neb. RS 32-625(2) and the candidate:

- (D) below;
- (a) Files for the office by petition as prescribed in divisions (B) and
 - (b) Files as a write-in candidate as prescribed in Neb. RS 32-615; or
 - (c) Is nominated by political party convention or committee pursuant to Neb. RS 32-710.
(Neb. RS 32-616)

(B) (1) Petitions for nomination shall conform to the requirements of this section and Neb. RS 32-628. Petitions shall state the office to be filled and the name and address of the candidate. A sample copy of the petition shall be filed with the filing officer prior to circulation. Petitions shall be signed by registered voters residing in the (city/village), if candidates are chosen at large, or in the ward in which the officer is to be elected, if candidates are chosen by ward, and shall be filed with the filing officer in the same manner as provided for candidate filing forms in § 34.07. Petition signers and petition circulators shall conform to the requirements of Neb. RS 32-629 and 32-630.

(2) No petition for nomination shall be filed unless there is attached thereto a receipt showing the payment of the filing fee required pursuant to § 34.08. Except as provided in Neb. RS 32-621, petitions shall be filed by August 1 in the year of the general election for partisan offices and September 1 in the year of the general election for nonpartisan offices, and all signed petitions not filed with the filing officer by such date shall become invalid.
(Neb. RS 32-617)

(C) In addition to the requirements of this section and Neb. RS 32-619, if the Secretary of State is the filing officer for a petition for nomination for partisan and nonpartisan offices, the form of the petition shall be substantially as follows.

Petition for Office for General Election

Name of Candidate: _____
 Residence Address: _____
 City, State, and Zip Code: _____
 Name of Office: _____
 District (if applicable): _____
 Party Affiliation (if applicable): _____

To the Honorable _____, Secretary of State for the State of
 Nebraska:

We, the undersigned residents of the State of Nebraska and the county of _____, respectfully demand that the above-named candidate be placed on the ballot at the general

election to be held on the _____ day of _____, 20_____, and each for himself or herself says:

I have personally signed this petition on the date opposite my name;

I am a registered voter of the State of Nebraska and the county of _____ and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is filed with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.

(Here follow numbered lines for signature, printed name, date of birth, date, street and number or voting precinct, and city, village, or post office address.)

(Neb. RS 32-617.01)

(D) (1) The number of signatures of registered voters needed to place the name of a candidate upon the nonpartisan ballot for the general election shall be at least 10% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the (city/village) or in the ward in which the officer is to be elected, not to exceed 2,000.

(2) The number of signatures of registered voters needed to place the name of a candidate for an office upon the partisan ballot for the general election shall be as follows:

(a) For each partisan office to be filled by the registered voters of the entire state, at least 4,000, and at least 750 signatures shall be obtained in each congressional district in the state;

(b) For each partisan office to be filled by the registered voters of a county, at least 20% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the county, not to exceed 2,000, except that the number of signatures shall not be required to exceed 25% of the total number of registered voters voting for the office at the immediately preceding general election; and

(c) For each partisan office to be filled by the registered voters of a political subdivision other than a county, at least 20% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the political subdivision, not to exceed 2,000.

(3) If the filing officer verifies signatures in excess of 110% of the number necessary to place the candidate upon the ballot, the filing officer may stop verifying signatures and consider the petition sufficient and valid.
(Neb. RS 32-618)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit G

2026 Model Ordinances
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ORDINANCE NO. _____

AN ORDINANCE RELATING TO discrimination prohibited; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF _____, NEBRASKA:

Section 1. The city's Code of Ordinances is revised to read as follows regarding discrimination prohibited:

DISCRIMINATION PROHIBITED.

No library service shall be denied to any person because of race, sex, religion, age, color, national origin, ancestry, physical handicap, marital status, or military or veteran status. (Neb. RS 51-211)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor)

(SEAL)

Clerk

Exhibit #

ORDINANCE NO. _____

AN ORDINANCE RELATING TO maximum speed limits; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding maximum speed limits:

MAXIMUM LIMITS.

(A) Except when a special hazard exists that requires lower speed for compliance with § 71.20, the limits set forth in this section and Neb. RS 60-6,187, 60-6,188, 60-6,305, and 60-6,313 shall be the maximum lawful speeds unless reduced pursuant to division (B) below, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

- (1) Twenty-five mph in any residential district;
- (2) Twenty mph in any business district;
- (3) Fifty mph upon any highway that is gravel or not dustless surfaced;
- (4) Fifty-five mph upon any dustless-surfaced highway not a part of the state highway system;

(5) Sixty-five mph upon any four-lane divided highway not a part of the state highway system; and

(6) Sixty-five mph upon any part of the state highway system other than an expressway, a super-two highway, or a freeway.

(B) The maximum speed limits established in division (A) above may be reduced by the Department of Transportation or the Board of Trustees pursuant to § 71.23, Neb. RS 60-6,188, or Neb. RS 60-6,191.

(C) The Board may erect and maintain suitable signs along highways under its jurisdiction in such number and at such locations as it deems necessary to give adequate notice of the speed limits established pursuant to division (A) or (B) above upon such highways. (Neb. RS 60-6,186) Penalty, see § 71.99

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

ORDINANCE NO. _____

AN ORDINANCE RELATING TO open meetings; notice; agenda; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding open meetings; notice; agenda:

OPEN TO PUBLIC; NOTICE; AGENDA.

(A) 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 State Constitution, federal statutes, and the Open Meetings Act, Neb. RS 84-1407 et seq.
(Neb. RS 84-1408)

(B) (1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in division (B)(2) below. The notice shall be transmitted to all members of the public body and to the public.

(2) The notice shall be given by:

(a) 1. a. 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;

b. Posting on such newspaper's website, if available;
and

c. Posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of state newspapers.

2. Such notice shall be placed in the newspaper and on the websites by the newspaper.

and (b) 1. a. Posting to the newspaper's website, if available;

b. Posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of state 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.

2. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(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.

(3) (a) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public body shall:

1. Post such notice on its website, if available;

2. Request the newspaper submit a post on a statewide website, if available, established and maintained as a repository for such notices by a majority of state newspapers; and

3. Post such notice in a conspicuous public place in such public body's jurisdiction.

(b) The public body shall keep a written record of such posting pursuant to divisions (B)(3)(a)1. and (B)(3)(a)2. above and a written record of the request to the newspaper pursuant to division (B)(3)(a)2. above. 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.

(4) In addition to a method of notice required by division (B)(2) or (B)(3) above, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

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

(6) The 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, is readily available for public inspection at the 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 24 hours before the scheduled commencement of the meeting or 48 hours before the scheduled commencement of a meeting of the (City Council/Board of Trustees) scheduled outside the corporate limits of the (city/village). The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(Neb. RS 84-1411)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit J

ORDINANCE NO. _____

AN ORDINANCE RELATING TO property tax request; increase by more than allowable growth percentage; procedure for setting; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding property tax request; increase by more than allowable growth percentage; procedure for setting:

PROPERTY TAX REQUEST; INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE; PROCEDURE FOR SETTING.

(A) For the purpose of this section, *POLITICAL SUBDIVISION* means any county, city, or school district.

(B) If any political subdivision seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision may do so, subject to the limitations provided in the School District Property Tax Limitation Act, Neb. RS 79-3401 et seq., and the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., if the following requirements are met:

(1) A public hearing is held and notice of such hearing is provided in compliance with division (C) below; and

(2) The governing body of such political subdivision passes a resolution or an ordinance that complies with division (D) below.

(C) (1) Each political subdivision within a county that seeks to increase its property tax request by more than the allowable growth percentage shall participate in a joint public hearing. Each such political subdivision shall designate one representative to attend the joint public hearing on behalf of the political subdivision. If a political subdivision includes area in more than one county, the political subdivision shall be deemed to be within the county in which the political subdivision's principal headquarters are located. At such hearing, there shall be no items on the agenda other than discussion on each political subdivision's intent to increase its property tax request by more than the allowable growth percentage.

(2) At least one elected official from each participating political subdivision shall attend the joint public hearing. An elected official may be the designated representative from a participating political subdivision. The presence of a quorum or the participation of elected officials at the joint public hearing does not constitute a meeting as defined by Neb. RS 84-1409 of the Open Meetings Act.

(3) The joint public hearing shall be held on or after September 14 and prior to September 24 and before any of the participating political subdivisions file their adopted budget statement pursuant to Neb. RS 13-508.

(4) The joint public hearing shall be held after 6:00 p.m. local time on the relevant date.

(5) (a) The joint public hearing shall be organized by the County Clerk or his or her designee. At the joint public hearing, the designated representative of each political subdivision shall give a brief presentation on the political subdivision's intent to increase its property tax request by more than the allowable growth percentage and the effect of such request on the political subdivision's budget.

(b) The presentation shall include:

1. The name of the political subdivision;
2. The amount of the property tax request; and
3. The following statements:
 - a. The total assessed value of property differs from last year's total assessed value by ____ percent;
 - b. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$ ____ per \$100 of assessed value;
 - c. The (name of political subdivision) proposes to adopt a property tax request that will cause its tax rate to be \$ ____ per \$100 of assessed value;
 - d. Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of political subdivision) will exceed last year's by ____ percent; and
 - e. To obtain more information regarding the increase in the property tax request, citizens may contact the (name of political subdivision) at (telephone number and email address of political subdivision).

(6) Any member of the public shall be allowed to speak at the joint public hearing and shall be given a reasonable amount of time to do so.

(7) Notice of the joint public hearing shall be provided:

(a) By sending a postcard to all affected property taxpayers. The postcard shall be sent to the name and address to which the property tax statement is mailed;

(b) By posting notice of the hearing on the home page of the relevant county's website, except that this requirement shall only apply if the county has a population of more than 10,000 inhabitants; and

(c) By publishing notice of the hearing in a legal newspaper in or of general circulation in the relevant county.

(8) Each political subdivision that participates in the joint public hearing shall electronically send the information prescribed in division (C)(9) below to the County Assessor by September 4. The County Clerk shall notify the County Assessor of the date, time, and location of the joint public hearing not later than September 4. The County Clerk shall notify each participating political subdivision of the date, time, and location of the joint public hearing. The County Assessor shall send the information required to be included on the postcards pursuant to division (C)(9) below to a printing service designated by the County Board. The initial cost for printing the postcards shall be paid from the county's General Fund. Such postcards shall be mailed at least seven calendar days before the joint public hearing. The cost of creating and mailing the postcards, including staff time, materials, and postage, shall be charged proportionately to the political subdivisions participating in the joint public hearing based on the total number of parcels in each participating political subdivision. Each participating political subdivision shall also maintain a prominently displayed and easily accessible link on the home page of the political subdivision's website to the political subdivision's proposed budget, except that this requirement shall not apply if the political subdivision is a county with a population of less than 10,000 inhabitants, a city with a population of less than 1,000 inhabitants, or, for joint public hearings prior to January 1, 2024, a school district.

(9) (a) The postcard sent under this division (C) and the notice posted on the county's website, if required under division (C)(7)(b) above, and published in the newspaper shall include the date, time, and location for the joint public hearing, a listing of and telephone number for each political subdivision that will be participating in the joint public hearing, and the amount of each participating political subdivision's property tax request.

(b) The postcard shall also contain the following information:

1. The following words in capitalized type at the top of the postcard: NOTICE OF PROPOSED TAX INCREASE;

2. The name of the county that will hold the joint public hearing, which shall appear directly underneath the capitalized words described in division (C)(9)(b)1. above;

3. The following statement: The following political subdivisions are proposing a revenue increase which would result in an overall increase in property taxes in (insert current tax year). **THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE.** This notice contains estimates of the tax on your property as a result of this revenue increase. These estimates are calculated on the basis of the proposed (insert current tax year) data. The actual tax on your property may vary from these estimates.

4. The parcel number for the property;

5. The name of the property owner and the address of the property;

6. The property's assessed value in the previous tax year;

7. The amount of property taxes due in the previous tax year for each participating political subdivision;

8. The property's assessed value for the current tax year;

9. The amount of property taxes due for the current tax year for each participating political subdivision;

10. The change in the amount of property taxes due for each participating political subdivision from the previous tax year to the current tax year; and

11. The following statement: To obtain more information regarding the tax increase, citizens may contact the political subdivision at the telephone number provided in this notice.

(D) (1) After the joint public hearing required in division (C) above, the governing body of each participating political subdivision shall pass an ordinance or resolution to set such political subdivision's property tax request.

(2) If the political subdivision is increasing its property tax request over the amount from the prior year, including any increase in excess of the allowable growth percentage, then such ordinance or resolution shall include, but not be limited to, the following information:

(a) The name of the political subdivision;

(b) The amount of the property tax request;

(c) The following statements:

1. The total assessed value of property differs from last year's total assessed value by ____ percent;

2. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$ ____ per \$100 of assessed value;

3. The (name of political subdivision) proposes to adopt a property tax request that will cause its tax rate to be \$ ____ per \$100 of assessed value; and

4. Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of political subdivision) will exceed last year's by ____ percent.

(d) The record vote of the governing body in passing such resolution or ordinance.

(E) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the County Clerk on or before October 15 of the year for which the tax request is to apply.

(F) (1) The County Clerk, or his or her designee, shall prepare a report which shall include:

(a) The names of the representatives of the political subdivisions participating in the joint public hearing;

(b) The name and address of each individual who spoke at the joint public hearing, unless the address requirement is waived to protect the security of the individual, and the name of any organization represented by each such individual;

(c) The name of each political subdivision that participated in the joint public hearing;

(d) The real growth value and real growth percentage for each participating political subdivision;

(e) The amount each participating political subdivision seeks to increase its property tax request in excess of the allowable growth percentage; and

(f) The number of individuals who signed in to attend the joint public hearing.

(2) Such report shall be delivered to the political subdivisions participating in the joint public hearing within ten days after such hearing.
(Neb. RS 77-1633)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Clerk

Exhibit H

ORDINANCE NO. _____

AN ORDINANCE RELATING TO property tax request; procedure for setting; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding property tax request; procedure for setting:

PROPERTY TAX REQUEST; PROCEDURE FOR SETTING.

(A) If the annual assessment of property would result in an increase in the total property taxes levied by a county, municipality, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the (city's/village's) property tax request for the current year shall be not more than its property tax request in the prior year, and the (city's/village's) rate of levy for the current year shall be decreased accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The (City Council/Board of Trustees) shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) below. If the (City Council/Board of Trustees) seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so, subject to the limitations provided in the School District Property Tax Limitation Act, Neb. RS 79-3401 et seq., and the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., after holding the public hearing required in division (C) below and by passing a resolution or ordinance that complies with division (D) below. If any county, city, or school district seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. 77-1633 in lieu of the requirements in divisions (C) and (D) below.

(B) If the annual assessment of property would result in no change or a decrease in the total property taxes levied by a county, city, village, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the (city's/village's) property tax request for the current year shall be not more than its property tax request in the prior year, and the (city's/village's) rate of levy for the current year shall be adjusted

accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The (City Council/Board of Trustees) shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) below. If the (City Council/Board of Trustees) seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so, subject to the limitations provided in the School District Property Tax Limitation Act, Neb. RS 79-3401 et seq., and the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., after holding the public hearing required in division (C) below and by passing a resolution or ordinance that complies with division (D) below. If any county, city, or school district seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. RS 77-1633 in lieu of the requirements in divisions (C) and (D) below.

(C) The resolution or ordinance required under this section shall only be passed after a special public hearing called for the purpose is held and after notice is published in a newspaper of general circulation in the area of the (city/village) at least four calendar days prior to the hearing. For the purposes of such notice, the four calendar days shall include the day of publication but not the day of the hearing. If the (city's/village's) total operating budget, not including reserves, does not exceed \$10,000 per year or \$20,000 per biennial period, the notice may be posted at the (City Council's/Board of Trustees') principal headquarters.

(D) The hearing notice shall contain the following information:

(1) The certified taxable valuation under Neb. RS 13-509 for the prior year, the certified taxable valuation under Neb. RS 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year;

(2) The dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request;

(3) The property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation;

(4) The proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request;

(5) The percentage increase or decrease in the property tax rate from the prior year to the current year; and

(6) The percentage increase or decrease in the total operating budget from the prior year to the current year.

(E) Any resolution or ordinance setting a (city's/village's) property tax request under Neb. RS 77-1632 at an amount that exceeds the (city's/village's) property tax request in the prior year shall include, but not be limited to, the following information:

- (1) The name of the (city/village);
- (2) The amount of the property tax request;
- (3) The following statements:
 - (a) The total assessed value of property differs from last year's total assessed value by ____ percent;
 - (b) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$ ____ per \$100 of assessed value;
 - (c) The (name of city/village) proposes to adopt a property tax request that will cause its tax rate to be \$ ____ per \$100 of assessed value; and
 - (d) Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of city/village) will exceed last year's by ____ percent.
- (4) The record vote of the (City Council/Board of Trustees) in passing such resolution or ordinance.

(F) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the County Clerk on or before October 15 of the year for which the tax request is to apply.

(Neb. RS 77-1632)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

Exhibit L

ORDINANCE NO. _____

AN ORDINANCE RELATING TO public works involving architecture or engineering; requirements; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding public works involving architecture or engineering; requirements:

PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING; REQUIREMENTS.

(A) (1) Except as otherwise provided in this section and Neb. RS 81-3449 and 81-3453, the (city/village) shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, or professional engineer, or those who are under the direct supervision of an architect or professional engineer.

(2) This division (A) shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed \$100,000 or the adjusted dollar amount set by the Board of Engineers and Architects.
(Neb. RS 81-3445)

(B) The provisions of division (A) above regulating the practice of architecture do not apply to the following activities or the other activities specified in Neb. RS 81-3449:

(1) Any alteration, renovation, or remodeling of a building if the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building;

(2) A public service provider who employs a design professional performing professional services for itself;

(3) The practice of any other certified trade or legally recognized profession;

(4) Earthmoving and related work associated with soil and water conservation practices performed on any land owned by the (city/village) that is not subject to a permit from the Department of Water, Energy, and Environment; and

(5) The work of employees and agents of the (city/village) performing, in accordance with other requirements of law, their customary duties in the administration and enforcement of codes, permit programs, and land-use regulations and their customary duties in utility and public works construction, operation, and maintenance.
(Neb. RS 81-3449)

(C) The provisions of division (A) above regulating the practice of engineering do not apply to the following activities, the activities specified in division (B) above, or the other activities specified in Neb. RS 81-3453:

(1) Those services ordinarily performed by subordinates under the direct supervision of a professional engineer or those commonly designated as locomotive, stationary, marine operating engineers, power plant operating engineers, or manufacturers who supervise the operation of or operate machinery or equipment or who supervise construction within their own plant; and

(2) The construction of water wells as defined in Neb. RS 46-1212, the installation of pumps and pumping equipment into water wells, and the decommissioning of water wells, unless such construction, installation, or decommissioning is required by the (city/village) to be designed or supervised by an engineer or unless legal requirements are imposed upon the (city/village) as a part of a public water supply.
(Neb. RS 81-3453)

(D) For the purpose of this section, the (city/village) is considered a public service provider if it employs or appoints an architect or a professional engineer to be in responsible charge of the (city's/village's) architectural or engineering work.
(Neb. RS 81-3423)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

ORDINANCE NO. _____

AN ORDINANCE RELATING TO special elections; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding special elections:

SPECIAL ELECTIONS.

(A) (1) Except as provided in Neb. RS 77-3444, any issue to be submitted to the registered voters at a special election by the (city/village) shall be certified by the (City/Village) Clerk to the Election Commissioner or County Clerk on or before the eighth Friday prior to the election. A special election may be held by mail as provided in Neb. RS 32-952 through 32-959. Any other special election under this section shall be subject to division (B) below.

(2) In lieu of submitting the issue at a special election, the (city/village) may submit the issue at a statewide primary or general election or at any scheduled county election, except that no such issue shall be submitted at a statewide election or scheduled county election unless the issue to be submitted has been certified by the (City/Village) Clerk to the Election Commissioner or County Clerk by March 1 for the primary election and by September 1 for the general election.

(3) (a) After the Election Commissioner or County Clerk has received the certification of the issue to be submitted, he or she shall be responsible for all matters relating to the submission of the issue to the registered voters, except that the (City/Village) Clerk shall be responsible for the publication or posting of any required special notice of the submission of the issue other than the notice required to be given of the statewide election issues. The Election Commissioner or County Clerk shall prepare the ballots and issue ballots for early voting and shall also conduct the submission of the issue, including the receiving and counting of ballots on the issue.

(b) The election returns shall be made to the Election Commissioner or County Clerk. The ballots shall be counted and canvassed at the same time and in the same

manner as the other ballots. Upon completion of the canvass of the vote by the County Canvassing Board, the Election Commissioner or County Clerk shall certify the election results to the (City Council/Board of Trustees). The canvass by the County Canvassing Board shall have the same force and effect as if made by the (City Council/Board of Trustees).

(B) (1) A (city/village) that has submitted an issue for a special election under division (A)(1) above may cancel the special election if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the political subdivision canceling the special election on or before the fourth Thursday prior to the election. No cancellation shall be effective after such date. If a special election is canceled in such manner, the (city/village) shall be responsible for the costs incurred that are related to the canceled election. Such costs shall include all chargeable costs as provided in Neb. RS 32-1202 that are associated with preparing for and conducting a special election.

(2) A (city/village) that has submitted an issue at a statewide primary or general election or at any scheduled county election under division (A)(2) above may withdraw the issue from the ballot if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the (city/village) withdrawing the issue from the ballot not later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election. No withdrawal shall be effective after such date. Any issue withdrawn in this manner shall not be printed on the ballot.

(Neb. RS 32-559)

(C) Any special election under the Election Act, Neb. RS 32-101 et seq., shall be held on the first Tuesday following the second Monday of the selected month, except that if such day falls upon a legal holiday, the election shall be held on the first Tuesday following the first Monday of the selected month. Except as otherwise specifically provided, no special election shall be held under the Election Act in March, April, May, June, October, November, or December of an even-numbered year unless it is held in conjunction with the statewide primary or general election. No special election shall be held under the Election Act in August or September of an even-numbered year except as provided in Neb. RS 32-564 and except for a special election by a political subdivision pursuant to Neb. RS 13-519 to exceed an applicable allowable growth percentage, or Neb. RS 77-3444 to exceed a property tax levy limit in Neb. RS 77-3442.

(Neb. RS 32-405)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Exhibit N

ORDINANCE NO. _____

AN ORDINANCE RELATING TO traffic penalties; to harmonize with state law; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE (CITY/VILLAGE) OF _____, NEBRASKA:

Section 1. The (city/village)'s Code of Ordinances is revised to read as follows regarding traffic penalties:

PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) (1) Any person who operates a vehicle in violation of any maximum speed limit established by §§ 71.20 through 71.24 for any highway or freeway is guilty of a traffic infraction and, upon conviction, shall be fined:

(a) For traveling one to five mph over the authorized speed limit: \$50;

(b) For traveling over five mph but not over ten mph over the authorized speed limit: \$75;

(c) For traveling over ten mph but not over 15 mph over the authorized speed limit: \$125;

(d) For traveling over 15 mph but not over 20 mph over the authorized speed limit: \$200;

(e) For traveling over 20 mph but not over 35 mph over the authorized speed limit: \$300; and

(f) For traveling over 35 mph over the authorized speed limit: \$400.

(2) (a) The fines prescribed in division (B)(1) above shall be doubled if the violation occurs within a maintenance, repair, or construction zone established pursuant to Neb. RS 60-6,188.

(b) For the purpose of this division (B)(2), the following definition shall apply unless the context clearly indicates or requires a different meaning.

MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE.

a. i. The portion of a highway identified by posted or moving signs as being under maintenance, repair, or construction;

ii. The portion of a highway identified by maintenance, repair, or construction zone speed limit signs displayed pursuant to Neb. RS 60-6,188; and/or

iii. Within such portion of a highway where road construction workers are present.

b. The maintenance, repair, or construction zone starts at the location of the first sign identifying the maintenance, repair, or construction zone and continues until a posted or moving sign indicates that the maintenance, repair, or construction zone has ended.

(3) The fines prescribed in division (B)(1) above shall be doubled if the violation occurs within a school crossing zone.
(Neb. RS 60-682.01)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 20 _____.

(Mayor/Chairperson)

(SEAL)

10

Ordinance No. 1013

An Ordinance granting Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, a Delaware corporation, its lessees, successors and assigns, a natural gas franchise and the authority to construct, operate, maintain, and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys, and other public places within the present or future corporate limits of the City of Plainview, Nebraska.

Be it ordained by the Mayor and City Council of the City of Plainview, Nebraska, as follows:

FRANCHISE GRANTED

The City of Plainview, Nebraska (hereinafter referred to as "Grantor"), hereby grants a non-exclusive franchise to Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, a Delaware limited liability corporation (hereinafter called "Grantee"), its lessees, successors and assigns. Grantee is hereby granted the right, privilege, franchise, permission and authority to lay, construct, install, maintain, operate and extend in, along, over or across the present and future streets, alleys, avenues, bridges, public rights-of-way and public easements as are now within the present or future limits of said Grantor, a natural gas distribution system and all facilities necessary for the purpose of supplying natural gas or processed gas and other operations connected therewith or incident thereto for all purposes to the inhabitants of said Grantor and consumers in the vicinity thereof, and for the distribution of natural gas from or through said Grantor to points beyond the limits thereof. Such facilities shall include, but not be limited to, all mains, services, pipes, conduits and all other apparatus and appliances necessary or convenient for transporting, distributing and supplying natural gas for all purposes for which it may be used, and to do all other things necessary and proper in providing natural gas service to the inhabitants of Grantor and in carrying on such business.

TERM

The rights and privileges granted hereunder shall remain in effect for a period of twenty-five (25) years from the effective date of this Ordinance.

GOVERNING RULES AND REGULATIONS

The franchise granted hereunder is subject to all conditions, limitations and immunities now provided for, or as hereafter amended, and applicable to the operations of a public utility, by state or federal law. The rates to be charged by Grantee for service within the present or future corporate limits of Grantor and the rules and regulations regarding the character, quality and standards of service to be furnished by Grantee, shall be under the jurisdiction and control of such regulatory body or bodies as may, from time to time, be vested by law with authority and jurisdiction over the rates, regulations and quality and standards of service to be supplied by Grantee. Provided however, should any judicial, regulatory or legislative body having proper jurisdiction take any

EXTENSION OF GRANTEE'S FACILITIES

Upon receipt and acceptance of a valid application for service, Grantee shall, subject to its own economic feasibility criteria as approved by the Nebraska Public Service Commission make reasonable extensions of its distribution facilities to serve customers located within the current or future corporate limits of Grantor.

RELOCATION OF GRANTEE'S FACILITIES

If Grantor elects to change the grade of or otherwise alter any street, alley, avenue, bridge, public right-of-way or public place for a public purpose, unless otherwise reimbursed by federal, state or local legislative act or governmental agency, Grantee, upon reasonable notice from Grantor, shall remove and relocate its facilities or equipment situated in the public rights-of-way, at the cost and expense of Grantee, if such removal is necessary to prevent interference with Grantor's facilities.

If Grantor orders or requests Grantee to relocate its facilities or equipment for the primary benefit of a commercial or private project, or as a result of the initial request of a commercial or private developer or other non-public entity, and such removal is necessary to prevent interference with such project, then Grantee shall receive payment for the cost of such relocation as a precondition to relocating its facilities or equipment.

Grantor shall consider reasonable alternatives in designing its public works projects and exercising its authority under this section so as not to arbitrarily cause Grantee unreasonable additional expense. If alternative public right-of-way space is available, Grantor shall also provide a reasonable alternative location for Grantee's facilities. Grantor shall give Grantee written notice of an order or request to vacate a public right-of-way; provided, however, that its receipt of such notice shall not deprive Grantee of its right to operate and maintain its existing facilities in such public right-of way until it (a) if applicable, receives the reasonable cost of relocating the same and (b) obtains a reasonable public right-of-way, dedicated utility easement, or private easement alternative location for such facilities.

CONFIDENTIAL INFORMATION

Grantor acknowledges that certain information it might request from Grantee pursuant to this Ordinance may be of a proprietary and confidential nature, and that such requests may be subject to the Homeland Security Act or other confidentiality protections under state or federal law. If Grantee requests that any information provided by Grantee to Grantor be kept confidential due to its proprietary or commercial value, Grantor and its employees, agents and representatives shall maintain the confidentiality of such information, to the extent allowed by law. If Grantor is requested or required by legal or administrative process to disclose any such proprietary or confidential information, Grantor shall promptly notify Grantee of such request or requirement so that Grantee may seek an appropriate protective order or other relief.

FORCE MAJEURE

It shall not be a breach or default under this Ordinance if either party fails to perform its obligations hereunder due to force majeure. Force majeure shall include, but not be limited to, the following: 1) physical events such as acts of God, landslides, lightning, earthquakes, fires, freezing, storms, floods, washouts, explosions, breakage or accident or necessity of repairs to machinery, equipment or distribution or transmission lines; 2) acts of others such as strikes, work-force stoppages, riots, sabotage, insurrections or wars; 3) governmental actions such as necessity for compliance with any court order, law, statute, ordinance, executive order, or regulation promulgated by a governmental authority having jurisdiction; and (4) any other causes, whether of the kind herein enumerated or otherwise not reasonably within the control of the affected party to prevent or overcome. Each party shall make reasonable efforts to avoid force majeure and to resolve such event as promptly as reasonably possible once it occurs in order to resume performance of its obligations hereunder; provided, however, that this provision shall not obligate a party to settle any labor strike.

HOLD HARMLESS

Grantee, during the term of this Ordinance, agrees to save harmless Grantor from and against all claims, demands, losses and expenses arising directly out of the negligence of Grantee, its employees or agents, in constructing, operating, and maintaining its distribution and transmission facilities or equipment; provided, however, that Grantee need not save Grantor harmless from claims, demands, losses and expenses arising out of the negligence of Grantor, its employees or agents.

SUCCESSORS AND ASSIGNS

All rights, privileges and authority granted to Grantee hereunder shall inure to the benefit of Grantee's lessees, successors and assigns, subject to the terms, provisions and conditions herein contained, and all obligations imposed upon Grantee hereunder shall be binding upon Grantee's lessees, successors and assigns.

NO THIRD PARTY BENEFICIARIES

This Ordinance constitutes a franchise agreement between the Grantor and Grantee. No provision of this Ordinance shall inure to the benefit of any third person, including the public at large, so as to constitute any such person as a third-party beneficiary of the agreement or of any one or more of the terms hereof, or otherwise give rise to any cause of action for any person not a party hereto.

SEVERABILITY

If any clause, sentence or section of this Ordinance is deemed invalid by any judicial, regulatory or legislative body having proper jurisdiction, the remaining provisions shall not be affected.

NON WAIVER

Any waiver of any obligation or default under this Ordinance shall not be construed as a waiver of any future defaults, whether of like or different character.

REPEAL CONFLICTING ORDINANCES

This Ordinance, when accepted by Grantee as provided below, shall constitute the entire agreement between the Grantor and the Grantee relating to the franchise granted by Grantor hereunder, and the same shall supersede all prior ordinances relating thereto, and any terms and conditions of such prior ordinances or parts of ordinances in conflict herewith are hereby repealed. Ordinance No. 791 of the City of Plainview, Nebraska, is hereby repealed as of the effective date hereof.

EFFECT AND INTERPRETATION OF ORDINANCE

The captions that precede each section of this Ordinance are for convenience and/or reference only and shall not be taken into consideration in the interpretation of any of the provisions of this Ordinance.

EFFECTIVE DATE AND ACCEPTANCE

This Ordinance shall become effective and be a binding contract between the Grantor and Grantee upon its final passage and approval by Grantor, in accordance with applicable laws and regulations, and upon Grantee's acceptance by written instrument, within sixty (60) days of passage by the City Council, and filing with the Clerk of the City of Plainview, Nebraska. The Clerk of the City of Plainview, Nebraska shall sign and affix the community seal to acknowledge receipt of such acceptance, and return one copy to Grantee. If Grantee does not, within sixty (60) days following passage of this Ordinance, either express in writing its objections to any terms or provisions contained therein, or reject this Ordinance in its entirety, Grantee shall be deemed to have accepted this Ordinance and all of its terms and conditions.

Passed and approved by the City of Plainview, Nebraska, this _____ day of _____, 2026.

Mayor, City of Plainview

Attest:

Clerk of City of Plainview, Nebraska



**An ordinance establishing a franchise fee on Energy Providers operating in
The City of Plainview, NE**

Be it ordained by the Mayor and City Council of the City of Plainview, Nebraska, as follows:

Section 1. The City of Plainview, Nebraska, (hereinafter referred to as the "Municipality") hereby establishes a franchise fee on every natural gas company and every other person, firm or corporation, their successors and assigns, owning, operating, controlling, leasing or managing a natural gas plant or system and/or generating, manufacturing, selling, distributing or transporting natural gas (hereinafter referred to, collectively, as "Energy Providers," each, individually, an "Energy Provider"). Energy Providers shall collect from their customers located within the corporate limits of the Municipality as depicted on the Map (as defined below) and pay to the Municipality an amount equal to \$0.0095 per therm for natural gas delivered to customers by the Energy Providers within the present or future limits of the Municipality.

Section 2. The amount paid by Energy Providers shall be in lieu of, and Energy Providers shall be exempt from, all other fees, charges, taxes or assessments which the Municipality may impose for the privilege of doing business within the Municipality, including, without limitation, excise taxes, occupation taxes, licensing fees, or right-of-way permit fees, and in the event the Municipality imposes any such fee, charge, tax or assessment, the payment to be made by Energy Providers in accordance with this Ordinance shall be reduced in an amount equal to any such fee, charge, tax or assessment imposed upon the Energy Providers. Ad valorem property taxes imposed generally upon all real and personal property within the Municipality shall not be deemed to affect Energy Providers' obligations under this Ordinance.

Section 3. Energy Providers shall report and pay any amount payable under this Ordinance on a calendar basis. Such payment shall be made no more than thirty (30) days following the close of the period for which payment is due. Initial and final payments shall be prorated for the portions of the periods at the beginning and end of any franchise granted by the City of Plainview, Nebraska, to an Energy Provider.

Section 4. Energy Providers shall list the franchise fee collected from customers as a separate item on bills for utility service issued to their customers. If at any time the Public Service Commission or other authority having proper jurisdiction prohibits such recovery, Energy Providers will no longer be obligated to collect and pay the franchise fee until an alternate lawful franchise fee can be negotiated and implemented. In addition, with prior approval of City of Plainview, Nebraska, Energy Providers may reduce the franchise fee payable for natural gas delivered to a specific customer when such reduction is required to attract or retain the business of that customer.

Section 5. Within ten (10) days of the date of this ordinance, the Municipality shall provide the Energy Providers with a map of its corporate limits (the "Map"). The Map along with Grantee's Geographic Information System ("GIS") mapping information shall be of sufficient detail to assist Energy Providers in determining whether their customers reside within the Municipality's corporate limits. The Map shall serve as the sole basis for determining Energy Provider's obligation hereunder to collect and pay the franchise fee from customers; provided, however, that if the Municipality's corporate limits are changed by annexation or otherwise, it shall be the Municipality's sole responsibility to (a) update the Map so that such changes are included therein, and (b) provide the updated Map to the Energy Providers. An Energy Provider's obligation to collect and pay the franchise fee from customers within an annexed area shall not commence until the later: (a) of sixty (60) days after such Energy Provider's receipt from the Municipality of an updated Map including such annexed area, or (b) such time after such Energy Provider's receipt from the Municipality of an updated Map including such annexed area as is reasonably necessary for such Energy Provider to identify the customers in the annexed area obligated to pay the franchise fee.

Section 6. The City shall provide copies of annexation ordinances to Energy Providers on a timely basis to ensure appropriate Franchise fee collection from customers within the corporate limits of the City as set forth in Section 4 above.

Section 7. To the extent permitted by the laws of Nebraska, Municipality shall indemnify Energy Providers from claims of any nature, including attorney fees, arising out of or related to the imposition and collection of the franchise fee. In addition, Energy Providers shall not be liable for paying franchise fees from or to any customer originally or subsequently identified, or incorrectly identified, by Municipality or by Energy Providers, as being subject to the franchise fee or being subject to a different level of franchise fees or being exempt from the imposition of franchise fees.

Section 8. The Municipality shall have access to and the right to examine, during normal business hours, Energy Provider's books, receipts, files, records and documents as is reasonably necessary to verify the accuracy of payments due hereunder; provided, that the Municipality shall not exercise such right more than twice per calendar year. If it is determined that a mistake was made in the payment of any franchise fee required hereunder, such mistake shall be corrected promptly upon discovery such that any under-payment by an Energy Provider shall be paid within thirty (30) days of recalculation of the amount due, and any over-payment by an Energy Provider shall be deducted from the next payment of such franchise fee due by such Energy Provider to the Municipality; provided, that neither party shall have the obligation to correct a mistake that is discovered more than one (1) year after the occurrence thereof.

Section 9. Any and all Ordinances or portions thereof which are in conflict herewith are hereby repealed, specifically Ordinance 791.

Section 10. This Ordinance shall take effect and be in force from and after its passage and publication according to law.

Section 11. Passed and approved by the City of Plainview, Nebraska, on this ____ day of _____, 2026.

Mayor, City of Plainview, Nebraska

Attest:

City Clerk of Plainview, Nebraska

12

ORDINANCE NO. 1020

AN ORDINANCE TO CREATE A CHAPTER 13 ENTITLED GENERAL PROVISIONS AND SECTIONS 13-101 THROUGH 13-104 AND SECTIONS 13-106 THROUGH 13-117 TO PROVIDE GENERAL PROVISIONS REGARDING THE PLAINVIEW MUNICIPAL CODE, INCLUDING THE INTERPRETATION OF THE CODE, CODIFICATION RULES, COMPUTATION OF TIME, AND OTHER RULES.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

SECTION 1. Section 13-101 of the Plainview Municipal Code is hereby created as follows:

§ 13-101 TITLE OF CODE.

This codification of ordinances shall be designated as the Plainview Municipal Code and may be so cited.

SECTION 2. Section 13-102 of the Plainview Municipal Code is hereby created as follows:

§ 13-102 INTERPRETATION.

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this code as those governing the interpretation of state law.

SECTION 3. Section 13-103 of the Plainview Municipal Code is hereby created as follows:

§ 13-103 APPLICATION TO FUTURE ORDINANCES.

All provisions of this Chapter compatible with future legislation shall apply to ordinances hereafter adopted amending or supplementing this code unless otherwise specifically provided.

SECTION 4. Section 13-104 of the Plainview Municipal Code is hereby created as follows:

§ 13-104 CAPTIONS.

Headings and captions used in this code other than the title, chapter, and section numbers are employed for reference purposes only and shall not be deemed a part of the text of any section.

SECTION 5. Section 13-106 of the Plainview Municipal Code is hereby created as follows:

§ 13-106 RULES OF INTERPRETATION.

The construction of all ordinances of this city shall be by the following rules, unless that construction is plainly repugnant to the intent of the Mayor and City Council or of the context of the same ordinance:

(A) AND or OR. Either conjunction shall include the other as if written "and/or," if the sense requires it.

(B) Acts by assistants. When a statute or ordinance requires an act to be done which, by law, an agent or deputy as well may do as the principal, the requisition shall be satisfied by the performance of the act by an authorized agent or deputy.

(C) Gender; singular and plural; tenses. Words denoting the masculine gender shall be deemed to include the feminine and neuter genders; words in the singular shall include the plural, and words in the plural shall include the singular; the use of a verb in the present tense shall include the future, if applicable.

(D) General term. A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

SECTION 6. Section 13-107 of the Plainview Municipal Code is hereby created as follows:

§ 13-107 SEVERABILITY.

If any provision of this code as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

SECTION 7. Section 13-108 of the Plainview Municipal Code is hereby created as follows:

§ 13-108 REFERENCE TO OTHER SECTIONS.

Whenever a section refers to another section hereof, that reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered unless the subject matter is materially altered by the amendment or revision.

SECTION 8. Section 13-109 of the Plainview Municipal Code is hereby created as follows:

§ 13-109 REFERENCE TO OFFICES.

Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of this city exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

SECTION 9. Section 13-110 of the Plainview Municipal Code is hereby created as follows:

§ 13-110 ERRORS AND OMISSIONS.

If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express the intent, the spelling shall be corrected and the word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as

originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of the error.

SECTION 10. Section 13-111 of the Plainview Municipal Code is hereby created as follows:

§ 13-111 OFFICIAL TIME.

The official time, as established by applicable state/federal laws, shall be the official time within this city for the transaction of all city business.

SECTION 11. Section 13-112 of the Plainview Municipal Code is hereby created as follows:

§ 13-112 REASONABLE TIME.

(A) In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, reasonable time or notice shall be deemed to mean the time which is necessary for a prompt performance of the act or the giving of the notice.

(B) The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last. If the last day is Sunday, it shall be excluded.

SECTION 12. Section 13-113 of the Plainview Municipal Code is hereby created as follows:

§ 13-113 ORDINANCES REPEALED.

This code contains all of the provisions of a general nature pertaining to the subjects enumerated and embraced in this code. All prior ordinances pertaining to the subjects treated by this code are repealed, except that nothing shall affect any rights acquired under, actions involving, or fines, penalties, forfeitures, or liabilities incurred pursuant to those ordinances prior to repeal.

SECTION 13. Section 13-114 of the Plainview Municipal Code is hereby created as follows:

§ 13-114 ORDINANCES UNAFFECTED.

(A) All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this code, including ordinances specified in this section, shall remain in full force and effect unless repealed expressly or by necessary implication:

- (1) Vacating or setting the boundaries of streets, alleys, or other public places;
- (2) Annexing or detaching territory;
- (3) Granting or accepting easements, plats, or dedication of land to public use;
- (4) Providing for the acquisition or conveyance of real or personal property;
- (5) Authorizing or directing public improvements to be made;
- (6) Levying taxes or special assessments;

- (7) Appropriating money;
- (8) Granting franchises or special licenses; or
- (9) Providing for the issuance of bonds or other instruments of indebtedness.

SECTION 14. Section 13-115 of the Plainview Municipal Code is hereby created as follows:

§ 13-115 REPEAL OR MODIFICATION OF ORDINANCE.

(A) Whenever any ordinance or part of an ordinance is repealed or modified by a subsequent ordinance, the ordinance or part of an ordinance thus repealed or modified shall continue in force until the publication of the ordinance repealing or modifying it to give effect thereto.

(B) No suit, proceedings, right, liability, fine, forfeiture, or penalty instituted, created, given, secured, or accrued under any ordinance previous to its repeal shall in any way be affected, released, or discharged, but may be prosecuted, enjoyed, and recovered as fully as if the ordinance had continued in force, unless it is otherwise expressly provided.

(C) When any ordinance repealing a former ordinance, clause, or provision is itself repealed, the repeal shall not be construed to revive the former ordinance, clause, or provision, unless it is expressly provided.

SECTION 15. Section 13-116 of the Plainview Municipal Code is hereby created as follows:

§ 13-116 SECTION HISTORIES; STATUTORY REFERENCES.

(A) A statutory cite included in the history indicates that the text of the section reads substantially the same as the statute.

(B) A statutory cite set forth as a “statutory reference“ following the text of the section indicates that the reader should refer to that statute for further information.

SECTION 16. Section 13-117 of the Plainview Municipal Code is hereby created as follows:

§ 13-117 LOCAL CHANGES TO THIS CODE OF ORDINANCES.

Any provision of this code of ordinances may be repealed, modified or superseded by an ordinance passed by the City Council.

SECTION 17. All ordinances or parts of ordinances in conflict be and the same hereby are repealed.

SECTION 18. Three-fourths of the City Council voted to suspend the requirement that this ordinance be read by title on three different days.

SECTION 19. This ordinance shall be effective from and after its passage, approval and publication as provided by law.

SECTION 20. This ordinance shall be published in pamphlet form and available for public inspection during normal City Office business hours.

Passed and approved this _____ day of March, 2026.

Mayor

(Seal)

Clerk

13

ORDINANCE NO. 1021

AN ORDINANCE TO CREATE SECTION 5-214 AND SECTIONS 5-216 THROUGH 5-218 OF THE MUNICIPAL CODE TO CODIFY MUNICIPAL SPEED LIMITS, SPECIFICALLY TO SET A GENERAL RULE REGARDING REASONABLE SPEED AND LIMITING SPEEDS AND THE OPERATION OF VEHICLES ON BRIDGES AND NEAR SCHOOLS, AND TO REPEAL DUPLICATIVE CODE SECTIONS.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

SECTION 1. Section 5-214 of the Plainview Municipal Code is hereby created as follows:

§ 5-214 BASIC RULE.

No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. A person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions. (Neb. RS 60-6,185) Penalty, see Section 5-219)

SECTION 2. Section 5-216 of the Plainview Municipal Code is hereby created as follows:

§ 5-216 BRIDGES AND OTHER ELEVATED STRUCTURES.

(A) No person shall drive a vehicle over any public bridge, causeway, viaduct, or other elevated structure at a speed which is greater than the maximum speed which can be maintained with safety thereon when such structure is posted with signs as provided in division (B).

(B) The Department of Roads or the City Council may conduct an investigation of any bridge or other elevated structure constituting a part of a highway under its jurisdiction, and if it finds that the structure cannot safely withstand vehicles traveling at the speed otherwise permissible, the Department or the City Council shall determine and declare the maximum speed of vehicles which the structure can safely withstand and shall cause suitable signs stating the maximum speed to be erected and maintained before each end of the structure.

(C) Upon the trial of any person charged with a violation of division (A), proof of the determination of the maximum speed by the Department or the City Council and the existence of such signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety on the bridge or structure. (Neb. RS 60-6,189) Penalty, see Section 5-219

SECTION 3. Section 5-217 of the Plainview Municipal Code is hereby created as follows:

§ 5-217 ALTERNATIVE MAXIMUM LIMITS.

(A) Whenever the Department of Roads determines, upon the basis of an engineering and traffic investigation, that any maximum speed limit is greater or less than is reasonable or safe under the conditions found to exist at any intersection, place, or part of the state highway system outside of the corporate limits of cities and villages as well as inside the corporate limits of cities and villages on freeways which are part of the state highway system, it may determine and set a reasonable and safe maximum speed limit for such intersection, place, or part of such highway which shall be the lawful speed limit when appropriate signs giving notice thereof are erected at such intersection, place, or part of the highway, except that the maximum rural and freeway limits shall not be exceeded. Such a maximum speed limit may be set to be effective at all times or at such times as are indicated upon such signs.

(B) On all highways within its corporate limits, except on state-maintained freeways which are part of the state highway system, the City Council shall have the same power and duty to alter the maximum speed limits as the Department if the change is based on engineering and traffic investigation, except that no imposition of speed limits on highways which are part of the state highway system in the city shall be effective without the approval of the Department.

(C) Not more than 6 such speed limits shall be set per mile along a highway, except in the case of reduced limits at intersections, and the difference between adjacent limits shall not be more than 20 miles per hour.

(D) When the Department or the City Council determines by an investigation that certain vehicles in addition to those specified in Neb. RS 60-6,187, 60-6,305, and 60-6,313 cannot with safety travel at the speeds provided in Section 5-215 and Neb. RS 60-6,187, 60-6,305, and 60-6,313 or set pursuant to this section, Section 5-216, or Neb. RS 60-6,188, the Department or the City Council may restrict the speed limit for such vehicles on highways under its respective jurisdiction and post proper and adequate signs. (Neb. RS 60-6,190)

SECTION 4. Section 5-218 of the Plainview Municipal Code is hereby created as follows:

§ 5-218 NEAR SCHOOLS.

(A) It shall be unlawful for the driver of any vehicle, when passing premises on which school buildings are located and which are used for school purposes, during school recess or while children are going to or leaving school during the opening or closing hours, to drive the vehicle at a rate of speed in excess of 15 miles per hour past the premises. Penalty, see Section 5-219

(B) The driver shall stop at all stop signs located at or near such school premises, and it shall be unlawful for the driver to make a U-turn at any intersection where such stop signs are located at or near such school premises. Penalty, see Section 5-219

SECTION 5. Sections 5-305 and 5-306 of the Municipal Code are hereby repealed.

SECTION 6. All ordinances or parts of ordinances in conflict be and the same hereby are repealed.

SECTION 7. Three-fourths of the City Council voted to suspend the requirement that this ordinance be read by title on three different days.

SECTION 8. This ordinance shall be effective from and after its passage, approval and publication as provided by law.

SECTION 9. This ordinance shall be published in pamphlet form and available for public inspection during normal City Office business hours.

Passed and approved this _____ day of March, 2026.

Mayor

(Seal)

Clerk

17

RESOLUTION NO. 744

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA, APPROVING A TOW SERVICE AGREEMENT WITH DOUGLAS BACKHAUS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, the City of Plainview, Nebraska, requires 24-hour, 7-day-a-week tow truck, recovery, and secure storage services for the removal of vehicles when identified and instructed to do so by the City of Plainview Police Department or Code Enforcement;

WHEREAS, Douglas Backhaus (hereinafter referred to as the "Operator") has agreed to provide such services as an independent contractor;

WHEREAS, the Operator agrees to strictly comply with all local, state, and federal laws, specifically including the towing, notice, and lien procedures set forth in Neb. Rev. Stat. §§ 60-1901 through 60-1911, Neb. Rev. Stat. §§ 60-2401 through 60-2411, and the City of Plainview Ordinance § 6-340; and

WHEREAS, the City Council has reviewed the proposed Tow Service Agreement and deems it to be in the best interest of the City to enter into this agreement.

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA, AS FOLLOWS:

Section 1. The Tow Service Agreement between the City of Plainview and Douglas Backhaus attached hereto as "Exhibit A" is hereby approved.

Section 2. The Mayor is hereby authorized and directed to execute the Tow Service Agreement on behalf of the City of Plainview.

Section 3. That all resolutions or parts of resolutions in conflict be and are hereby repealed.

PASSED AND APPROVED this ____ day of March, 2026.

Mayor

ATTEST:

City Clerk

TOW SERVICE AGREEMENT

This Tow Service Agreement is made and entered into by and between the City of Plainview, Nebraska (hereinafter referred to as the "City"), and Douglas Backhaus (hereinafter referred to as the "Operator").

1. Scope of Services

- a. The Operator agrees to provide 24-hour, 7-day-a-week tow truck, recovery, and secure storage services for the removal of vehicles when identified and instructed to do so by an authorized representative of the City of Plainview Police Department or Code Enforcement.
- b. The Operator shall strictly comply with all local, state, and federal laws, specifically including, but not limited to, the towing, notice, and lien procedures set forth in Neb. Rev. Stat. §§ 60-1901 through 60-1911, Neb. Rev. Stat. §§ 60-2401 through 60-2411, and the City of Plainview Ordinance § 6-340.
- c. The Operator shall maintain a secure, enclosed storage facility that is accessible to the public for the redemption of vehicles and personal property during standard business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.).
- d. The Operator, by agreeing to participate in this program, shall not be deemed to have a vested contractual relationship with the City.
- e. The Operator, in the performance of this Agreement, shall act in an independent capacity and not as an officer, employee, or agent of the City.

2. Term and Termination

- a. This Agreement shall be effective for a period of one (1) year from the date of execution.
- b. This Agreement shall automatically renew for successive one-year periods unless either party provides written notice to the other party of its intent to terminate the Agreement at least sixty (60) days prior to the expiration of the then-current term.
- c. Notwithstanding the foregoing, the City may terminate this Agreement at any time, for any reason and without penalty, upon providing thirty (30) days' written notice to the Operator.
- d. The City may terminate this Agreement immediately upon written notice if the Operator breaches any material term of this Agreement, fails to meet operational response times, or engages in unlawful or predatory billing practices.

3. Compensation and Fees

- a. The Operator shall not charge the City for any towing services performed under this Agreement.
- b. Any person redeeming a towed vehicle shall be responsible for paying a per-tow fee of \$150.00 and a storage fee of \$20.00 per day.

4. Disposition of Unclaimed Vehicles

- a. For abandoned vehicles with no current license plates and a wholesale value of \$500 or less, title shall immediately vest in the City pursuant to Plainview Ordinance § 6-340(B). The City shall subsequently assign said title to the Operator, and the Operator agrees to accept the title “as is” in full accord and satisfaction of all accrued towing and storage fees.
- b. For abandoned vehicles with a wholesale value of more than \$500, the City may elect to sell the vehicle or take title to it. To satisfy the Operator’s fees in this scenario, the City may, at its sole discretion, either pay the Operator directly or allow the Operator to take the vehicle in full satisfaction of its fees.

5. Insurance

- a. Prior to the commencement of any services, the Operator shall procure and maintain the following minimum insurance coverages at its own expense:
 - i. Commercial General Liability: \$1,000,000 per occurrence / \$2,000,000 aggregate.
 - ii. Commercial Automobile Liability: \$1,000,000 Combined Single Limit (CSL) covering all owned, non-owned, and hired vehicles.
 - iii. Garagekeepers Direct Primary Liability: Minimum of \$100,000, providing coverage for vehicles in the Operator's care, custody, and control regardless of the Operator's legal fault.
 - iv. On-Hook / Cargo Liability: Minimum of \$50,000 per vehicle to cover damage occurring while the vehicle is actively being towed or lifted.
 - v. Workers' Compensation: Statutory limits as required by the State of Nebraska.
- b. The Operator shall provide Certificates of Insurance naming the “City of Plainview, its elected officials, officers, employees, and agents” as Additional Insureds on a primary and non-contributory basis. All policies shall include a Waiver of Subrogation in favor of the City.

6. Indemnification and Liability

- a. To the fullest extent permitted by law, the Operator shall indemnify, defend, and hold harmless the City of Plainview, its officers, agents, and employees, from and against any and all claims, liabilities, damages, losses, or expenses (including reasonable attorney’s fees) arising in whole or in part out of the negligence, recklessness, intentional misconduct, or statutory violations of the Operator, its employees, or agents in the performance of this Agreement.

The undersigned certify that they have read and understand this Tow Services Agreement and agree to abide by all the provisions.

City of Plainview, Nebraska

BY: _____
Robert Smith, mayor

Date: _____

Douglas Backhaus

Date: _____

Subdivision Regulations of the City of Plainview, Nebraska

Part 1: Title, Purpose, and Definitional Framework

Section 13-1.01: Name and Citation of Titles

The regulatory framework outlined in this document shall be formally known, referred to, and cited as "The Subdivision Regulations of the City of Plainview, Nebraska".

Section 13-1.02: Legislative Purpose and Intent

The primary purpose of these regulations is to facilitate the orderly development of Plainview and its extraterritorial environs by ensuring, through prescribed rules and standards, functional arrangements of street layouts, adequate community facilities, and proper utility integrations.

Section 13-1.03: Definitions and Terminology

Whenever a term is not explicitly defined herein, the definitions contained within the Plainview Zoning Ordinance or the current Building Code shall prevail. For the purposes of the Subdivision Regulations, the following definitions shall apply:

Term	Definition
Alley	A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
Applicant / Subdivider	The titleholder of record, their legally authorized agent, or an entity holding notarized authorization to represent the legal owner of the property proposed for subdivision or land-disturbing activities.
Arterial Street	A street or highway used primarily for fast or high-volume traffic, including municipal extensions of rural arterials and high-volume rural collectors on the Pierce County road classification system.
Block	A tract or parcel of land bounded by public streets, streams, railroads, unplatted lands, or a combination thereof.
Bond / Surety	Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to

Term	Definition
	the Plainview City Council, intended to guarantee required public improvements.
City Engineer	The licensed professional engineer or engineering firm retained by the City of Plainview (e.g., Miller & Associates) to furnish engineering assistance, advise on infrastructure, and review plats for compliance with municipal standards.
Cluster Development	A subdivision development planned and constructed that groups housing units into patterns while providing a unified network of open space and wooded areas, meeting overall density regulations. Such developments must be at least five (5) acres in size.
Collector Street	A street intended to carry traffic from minor streets to arterial streets, typically serving as the principal entrance to residential developments.
Comprehensive Plan	The master plan for the improvement and development of Plainview, Nebraska, as adopted by the Planning Commission and City Council to guide long-term land use decisions.
Conservation Subdivision	Wholly or in majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided there is no increase in overall density and remaining land is used for common space.
Cul-de-sac	A short public way with one end open to traffic and the other end terminated by a vehicular turn-around.
Extraterritorial Jurisdiction (ETJ)	The area extending one (1) mile beyond the corporate limits of the City of Plainview wherein the municipality exercises subdivision and zoning authority pursuant to Nebraska State Statute.
Flood Plain	Lands subject to a one percent (1%) or greater chance of flooding in any given year, requiring specific hydrological mitigation during the platting process.
Lot, Flag	Lots landlocked from public right-of-way, except for a narrow tract of land of less width than required under assigned zoning, used primarily for access.

Term	Definition
Planning Commission	The advisory body appointed by the Mayor and City Council to review planning, zoning, and subdivision matters within Plainview and its ETJ, which also serves as the Board of Adjustments.
Subdivision Agreement	A legally binding contract between the subdivider and the City of Plainview specifying the terms of infrastructure financing, assessment schedules, and the installation of public improvements.

Part 2: General Provisions and Jurisdictional Mandates

Section 13-2.01: Jurisdiction and Applicability

The provisions established within these Subdivision Regulations shall apply to all land located within the corporate boundaries of the City of Plainview, Pierce County, Nebraska. Furthermore, the jurisdiction extends to all land lying within one (1) mile of the corporate limits of the City, as authorized by NRS § 17-1002, provided such land is not located within the jurisdiction of any other incorporated municipality.

Any plat made for a subdivision or part thereof within this jurisdiction must be prepared, presented for approval, and recorded as prescribed herein. The subdivision of a lot, tract, or parcel of land into two or more lots for the purpose of sale or development, whether immediate or future, shall be governed by these regulations. In accordance with NRS § 19-921, the provisions of these Subdivision Regulations shall not apply to the division of land where the smallest parcel created is more than ten (10) acres in area. Such divisions do not constitute a subdivision under Nebraska law and are absolutely exempt from the platting, engineering, and review requirements contained herein.

Section 13-2.02: Interpretation and Conflict with Zoning Codes

In interpreting and applying these regulations, the provisions shall be held to be minimum requirements for the promotion of public health, convenience, comfort, and general welfare. No final plat of land within the force and effect of the existing Plainview Zoning Ordinance shall be approved unless it perfectly conforms to these Subdivision Regulations.

Whenever there is a discrepancy or conflict between the minimum standards noted herein and those contained in the Zoning Ordinance, Building Regulations, or other official municipal codes, the most restrictive standard shall govern. For example, if a specific zoning overlay district requires a wider setback than what is outlined in the baseline subdivision street standards, the wider setback dictates the development parameters.

Section 13-2.03: Building Permits and Compliance

Unless a tract of land has been platted in strict accordance with the provisions of this regulatory framework, no building permit shall be issued by the City of Plainview. Furthermore, the subdivision of any lot or parcel by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations is strictly prohibited.

Section 13-2.04: Modifications and Waivers

Where a proposed subdivision encounters extraordinary hardship due to unusual topography or other non-self-inflicted conditions, the Plainview City Council, following a comprehensive report from the Planning Commission, may vary, modify, or waive certain requirements so that substantial justice may be done. However, the granting of such a waiver must not have the effect of nullifying the intent and purpose of the Comprehensive Plan or these regulations.

Part 3: Procedural Mechanics for Plat Approval

Section 13-3.01: Pre-Application Plans and Data

Prior to the formal filing of an application for the approval of a Preliminary Plat, the subdivider is strongly encouraged to submit pre-application plans and data in sketch form to the Planning Commission. This sketch plan shall include the tentative layout of streets, lots, and physical features in relation to existing topography, surrounding developments, and utility networks.

Section 13-3.02: Procedure for Approval of the Preliminary Plat

Before any subdivider or agent contracts for the sale of land or offers to sell any subdivision of land within the corporate limits or the one-mile ETJ, a Preliminary Plat must be formally filed and reviewed.

1. **Submission Requirements:** The applicant shall submit one physical copy and one digital copy of the Preliminary Plat to the City Clerk at least twenty-one (21) days prior to the next scheduled Planning Commission meeting. Upon receipt of a Preliminary Plat, the City Administrator or City Engineer shall determine if the application is complete within ten (10) business days. If deemed incomplete, the applicant shall be provided with a comprehensive, written itemization of all deficiencies.
2. **Distribution and Inter-Agency Review:** The City Clerk shall distribute copies of the Preliminary Plat to the City Engineer, the Police Department, the Fire Department, Plainview Public Schools, and Pierce County authorities (for ETJ plats) for technical review. For any proposed subdivision plat located partially or totally within the City's one-mile extraterritorial jurisdiction that contemplates public streets or improvements, a complete copy of all available application materials shall be submitted to the Pierce County Planning Commission. In accordance with NRS § 17-1002, the County Planning Commission shall be granted a four-week review period to officially comment on the appropriateness of the design and improvements. This statutory review period shall run concurrently with the City of Plainview's internal subdivision review activities.

3. **Public Hearing and Commission Review:** The Planning Commission shall hold a public hearing within 45 days of submission of the Preliminary Plat, preceded by notice published in a newspaper of general circulation in Plainview. The Commission will review the plat against the parameters of the Zoning Ordinance, assessing issues such as susceptibility to erosion, wetland buffers, and density limits.
4. **Denial Criteria:** The Planning Commission shall recommend denial, and the City Council may deny approval, if the proposed subdivision conflicts with any adopted component of the Plainview Comprehensive Plan, the Zoning Ordinance, or if the physical characteristics of the site demonstrate an unacceptable susceptibility to flooding, erosion, or siltation.
5. **Conditional Approval:** If the plat meets municipal standards, the Planning Commission shall recommend approval or conditional approval to the City Council. Approval of a Preliminary Plat does not constitute acceptance of the final subdivision; it serves as an endorsed guide for final engineering and surveying. Preliminary approval is valid for twelve (12) months from the date of City Council endorsement.

Section 13-3.02.01: Preliminary Plat Specifications

The Preliminary Plat must be drawn to scale, and must graphically detail the following information:

- A location map showing the general location of the proposed subdivision in relation to surrounding developments, with a north arrow, scale, and legend.
- The proposed names and addresses of the owner, subdivider, and the engineer, surveyor, or landscape architect responsible for the layout.
- Accurate boundary surveys and existing physical features including water courses, ravines, bridges, culverts, and present structures.
- The proposed lot layout, lot and block numbers, approximate lot dimensions, square footage, and grounds proposed to be dedicated for public use.
- The location and sizing of all proposed public improvements, including sanitary sewers, water mains, storm water drainage channels, and their respective flow lines and elevations.
- Existing zoning classifications and the proposed uses of the land.
- A draft copy of the Subdivision Agreement.

Section 13-3.03: Procedure for Approval of the Final Plat

The Final Plat must conform substantially to the approved Preliminary Plat and incorporate all mandated modifications resulting from the Planning Commission's review.

1. **Submission Timeline:** The Final Plat shall be submitted to the Planning Commission at least twenty-one (21) days prior to its consideration. The submission must one paper copy and one digital copy, alongside final construction and utility plans signed and sealed by a Professional Engineer licensed in the State of Nebraska.
2. **Review Criteria:** The Planning Commission and City Council shall review the Final Plat for strict adherence to the engineering specifications and the Subdivision Agreement.
3. **Certifications Required:** The Final Plat must include an accurate boundary survey. It must also feature a notarized dedication signed by all parties having a titled interest in the land, an abstractor's certificate stating there are no delinquent taxes against the platted land, and signature blocks for the Mayor, City Clerk, and Planning Commission Chairman.
4. **City Council Action:** The Final Plat requires final adoption by Ordinance by the Plainview City Council following a public hearing. The City Council shall take final action to approve, approve with conditions, or deny the Final Plat within thirty (30) days of receiving the Planning Commission's recommendation. Upon approval, the Mayor and City Clerk shall sign the plat, which the developer must then record with the Pierce County Register of Deeds. It is the responsibility of the developer to pay all associated filing fees.

Section 13-3.04: Subdivision Agreements

A comprehensive Subdivision Agreement must accompany all Final Plats. This legally binding contract between the developers and the City of Plainview must contain notarized signatures for each property owner and lienholder, as well as the Mayor and City Clerk.

The agreement must detail explicitly how the subdivision will be serviced with water, sanitary sewer, storm sewer, street paving, and electricity. It must establish the financing mechanisms, assessment schedules, fee schedules for future connection costs, and responsibilities for over-sized improvements (e.g., over-sized storm sewer pipes benefiting downstream municipal areas). A preliminary draft of the Subdivision Agreement must be submitted for review by the City Engineer and City Attorney prior to any recommendation for signature.

Section 13-3.05: Replats, Small Tract Subdivisions, and Lot Splits

To expedite minor spatial adjustments that do not negatively impact public infrastructure or increase municipal service burdens, the City Administrator and Planning Commission may utilize streamlined procedures.

Section 13-3.05.01: Small Tract Subdivisions

Whenever a subdivision or re-subdivision of a parcel consists of three (3) or fewer lots, the separate submission requirements for Preliminary and Final Plats may be waived to run

concurrently, provided the development does not conflict with the intent of these regulations. Concurrent plats must still provide comprehensive drainage plans, except in specific instances such as the subdivision of primarily developed tax lots or farmsteads creating no more than two lots, but even those exempt shall install culverts and other drainage infrastructure if necessary in order to ensure proper drainage.

Section 13-3.05.02: Administrative Subdivisions (Lot Splits and Boundary Adjustments)

Pursuant to NRS § 19-916, the City Administrator is hereby designated as the authorized municipal agent to administratively approve the further subdivision of existing lots and blocks, including lot line adjustments, lot consolidations, and minor lot splits. The City Administrator may approve such plats without Planning Commission or City Council review provided that:

1. The administrative subdivision creates no more than three (3) buildable tracts;
2. All required public improvements are already installed and available to serve the lots;
3. No new dedication of public rights-of-way, parks, or utility easements is required;
4. The resulting lots strictly comply with all minimum area, width, and coverage dimensions of the applicable base zoning district in the Plainview Zoning Ordinance; and
5. The division does not leave any parcel landlocked without direct frontage along a dedicated public street.

Part 4: Design Standards for Lots and Infrastructure

Section 13-4.01: Lot Design and Zoning Integration

The size, width, depth, shape, and orientation of all subdivided lots shall strictly conform to the minimum dimensional requirements and site development regulations established for the applicable base zoning and overlay districts as set forth in Article Four (Table 4-3) and Article Six of the Plainview Zoning Ordinance. Under no circumstances shall a subdivision plat create a lot that is dimensionally nonconforming with the Plainview Zoning Ordinance.

Section 13-4.02: Street Alignment and Design Standards

The arrangement, character, extent, width, grade, and location of all streets must conform to the Plainview Comprehensive Plan and integrate seamlessly with existing street networks. Proposed streets shall be extended by dedication to the boundaries of the subdivision to provide access to adjoining unplatted properties, ensuring future connectivity.

Section 13-4.02.01: Minimum Street Widths and Grades

Streets must be designed to safely manage projected traffic volumes, accommodate emergency vehicles, and integrate with the Nebraska Department of Transportation's (NDOT) design standards.

Street Classification	Minimum Right-of-Way (ROW) Width	Minimum Pavement Width	Minimum Number of Traffic Lanes	Maximum Grade	Minimum Centerline Radius	Minimum Pavement Thickness
Arterial Street	80 feet	44 feet	2	6%	700 feet	8 inches
Collector Street	70 feet	36 feet	2	10%	300 feet	8 inches
Local / Minor Street	60 feet	32 feet	2	10%	200 feet	6 inches
Cul-de-sac / Loop	60 feet	32 feet	2	10%	100 feet	6 inches
Marginal Access (Frontage)	50 feet	25 feet	2	8%	100 feet	6 inches

Section 13-4.02.02: Intersections and Cul-de-sacs

Streets shall intersect as nearly as possible at an angle of ninety (90) degrees; no intersection shall occur at an angle of less than sixty (60) degrees. Street curb intersections must be rounded by radii of at least twenty-five (25) feet. When the smallest angle of street intersection is less than seventy-five (75) degrees, the Planning Commission may require curb radii of greater length for safety.

Cul-de-sacs (minor terminal dead-end streets) shall not exceed six hundred (600) feet in length and must terminate in a vehicular turnaround with an outside pavement radius of at least fifty (50) feet and a ROW radius of at least sixty-five (65) feet. Street jogs with centerline offsets of less than one hundred fifty (150) feet at intersections are strictly prohibited to maintain traffic flow and minimize collision risks.

Section 13-4.02.03: Exception for Mobile Home Parks

Internal vehicular circulation systems, lot layouts, and infrastructure within Mobile Home Parks and Mobile Home Subdivisions shall be engineered and designed in strict accordance with the supplemental use regulations set forth in Section 603(e) of the Plainview Zoning Ordinance.

Section 13-4.03: Sidewalks and Pedestrian Circulation

Sidewalks must be constructed of cement concrete with a minimum thickness of four (4) inches and a minimum width of four (4) feet. The outer edge of the sidewalk shall generally be located one (1) foot outside the property line within the right-of-way. For collector and arterial streets, sidewalks are required on both sides of the street. For local residential streets, the Planning Commission may recommend, and the City Council may approve, sidewalks on only one side if it demonstrates sufficient pedestrian connectivity, though bilateral installation is the preferred standard. The subdivider need not install sidewalks simultaneously with street paving to avoid damage by heavy construction equipment; however, sidewalks must be completed on a lot-by-lot basis concurrently with building construction, or within six (6) months of a formal directive from the City.

Section 13-4.04: Easements and Utility Corridors

Easements across lots or centered on rear and side lot lines shall be provided for utilities where necessary. Such easements shall be at least twenty (20) feet in width (ten feet on each side of the rear lot line) and a minimum of ten (10) feet in width (five feet on each side of a side yard lot line).

Where a subdivision is traversed by a water course, a storm water easement or drainage right-of-way conforming substantially to the lines of the water course must be provided, featuring sufficient width to retain the water handling capacity of the channel.

Section 13-4.05: Storm Sewer and Drainage Systems

Post-development runoff (measured in cubic feet per second) shall not exceed 1.25 times the pre-development runoff rate during a twenty-five-year (25-year) storm event (representing a 4% probability of occurrence within a 24-hour period). Pre-development is defined as the condition prior to improvements being completed, including cultivated row crops. In determining the size or type of the storm sewer system, the design must be sufficient to handle the computed runoff to a 25-year frequency flood. The subdivider is responsible for the entire cost and expense of constructing the storm drain system.

The subdivider is responsible for the entire cost and expense of constructing the storm drain system. However, the City of Plainview, through the City Council, may agree to contribute up to one-half the difference in cost between a standard storm drain system (requiring up to a 36-inch diameter pipe) and an over-sized system (requiring pipe over 36 inches in diameter) if the over-sized infrastructure benefits the broader municipal watershed. A comprehensive drainage report, prepared by a registered professional engineer, must accompany the Preliminary and Final Plats. This report must detail calculations of storm water quantities, the capacity of proposed cross-drainage structures (culverts, bridges), and the design capacities of required detention or retention basins.

Section 13-4.06: Water System Distribution and Nitrate Mitigation

All new subdivisions must connect seamlessly to the municipal network to allow centralized treatment, blending, or potential reverse osmosis monitoring.

1. **Mandatory Connection:** Any proposed subdivision located within the corporate limits, or within the ETJ if situated within 500 feet of an adequate public water supply line, must connect to the municipal water system at the developer's expense. If the cost of connecting is equal to or less than 150% of the cost of installing individual water supply systems for all lots, municipal connection is strictly required.
2. **Design Standards:** Improvement plans for the permanent water system must show pipe sizes, type of pipe, locations of fire hydrants, and valves. Water mains shall generally be at least eight (8) inches in diameter. The maximum distance between fire hydrants shall be 300 feet, with each hydrant including an auxiliary valve. Gate valves must be installed such that a single main break does not require shutting down more than 800 feet.
3. **Approvals and Compliance:** All water system designs must be reviewed by the City Engineer and approved by the Nebraska Department of Health and Human Services to ensure compliance with MCL standards and system capacity limits. At least one (1) inch service connections from the water line to the property line of each lot must be installed with a curb valve and box.
4. **Unsewered Area Density and Nitrate Compliance:** For any proposed subdivision located within the Extraterritorial Jurisdiction (ETJ) where connection to the municipal water system is deemed infeasible, the subdivision shall strictly conform to the expanded minimum lot area requirements for Unsewered Areas as set forth in Section 616 and Table 6-2 of the Plainview Zoning Ordinance. Furthermore, in recognition of the City's ongoing efforts to maintain compliance with maximum contaminant levels (MCL) for nitrates, the City Engineer and the Nebraska Department of Environment and Energy (NDEE) must review and approve all private water supply proposals to ensure they will not be compromised by, nor exacerbate, local groundwater nitrate vulnerabilities.

Section 13-4.07: Sanitary Sewer Systems

Subdivisions within the corporate limits or within 500 feet of a public sewer in the ETJ must connect to the Plainview public wastewater treatment system.

- Sewer lines must be at least eight (8) inches in diameter.
- Manholes must be provided at all interceptor and lateral junctions, at the end of each line, and at all changes in direction, grade, and size.
- At least four (4) inch diameter service connections from the sewer line to the property line of each lot will be installed and marked.

- If a subdivision in the ETJ is beyond the functional or economic reach of municipal sewers, a private collection and treatment system may be authorized by the City Council. However, the subdivider must document acceptable percolation rates on each lot, and such lots must be adequately sized to allow for the safe operation of septic systems without contaminating groundwater or adjacent wells, in strict accordance with regulations of the Nebraska Department of Environment and Energy (NDEE).

Section 13-4.08: Flood Hazards and Topographical Constraints

Land subject to flooding and land deemed topographically unsuitable for residential or commercial development shall not be platted for such purposes. Such land may be set aside on the plat for uses compatible with the hazards associated with flooding or erosion (e.g., dedicated open space or conservation tracts). Fill may be used in areas subject to flooding to elevate streets and building pads, provided a hydrological certificate demonstrates that such fill will not serve to increase flood elevations by more than one (1) foot and will not result in adverse inundation of adjacent properties.

Part 5: Construction and Required Improvements

Section 13-5.01: Monuments and Markers

Certified land surveyors must establish permanent monuments at each section corner, angle point, block corner, lot corner, deflection point, and street centerline. Monuments must consist of an iron pipe or steel rod with a minimum diameter of 5/8 inch and a minimum length of 24 inches, and must be constructed of material capable of being detected by commonly used magnetic locators. Where the placement of a permanent monument at the true corner is impractical because of physical instability, the surveyor shall set a corner accessory monument and show its relationship by dimension to the true corner.

Section 13-5.02: Street Grading and Paving Construction

All streets must be graded to a minimum of fifteen (15) feet back of the curb or edge of pavement, and to within six (6) inches of the street grade established in the approved final plat construction plans. Higher design standards may be required by the City Engineer to provide for unusual soil conditions or extraordinary anticipated traffic volumes.

Section 13-5.03: Street Signs, Lighting, and Electrical Power

At least one (1) street sign shall be installed at the City's expense at each street intersection within or on the perimeter of the subdivision. Subject to City Council approval, the developer shall provide and install street lights at each entrance into a subdivision and at internal intersections as specified.

New subdivision lighting and electrical power must utilize underground wiring. Easements for such underground wiring must be clearly indicated on the plat, and installation must meet all applicable electrical and municipal specifications.

Section 13-5.04: Land Preparation and Erosion Control

To control erosion and sedimentation during and after land preparation, the subdivider must implement rigorous stabilization measures. The developer shall provide for disturbing only the areas needed for construction; removing only necessary trees and vegetation; installing required sediment basins and diversion dikes before disturbing the land that drains into them; and temporarily stabilizing graded land by seeding and mulching.

As land preparation is completed, the subdivider must permanently stabilize each segment with perennial vegetation and structural measures. Sediment basins that are to be retained for long-term storm water detention must be seeded to permanent vegetation no later than nine (9) months after completion and must be permanently maintained by the subdivider, HOA, or successors.

Part 6: Dedications and Reservations of Public Land

Section 13-6.01: Street and Alley Dedication

As a condition of Final Plat approval, the subdivider must dedicate to the public all streets and alleys as required by the Planning Commission and City Council.

Section 13-6.02: Parkland and Open Space Dedication

Before preliminary or final plat approval is granted, the City may require the subdivider to reserve sites for parks, playgrounds, open space, schools, and other public land consistent with the Comprehensive Plan. Reservation of land for public acquisition shall be for a period not to exceed two (2) years from the date the plat is recorded; if not acquired by the City within that timeframe, the subdivider may re-subdivide the site for alternative purposes.

Part 7: Improvement Procedures and Financial Guarantees

Section 13-7.01: Improvement Financing

In order to provide consistent financing of required subdivision improvements and to establish an equitable division of costs between the developer and the City, the developer is fundamentally responsible for financing the infrastructure that serves their plat. The developer shall pay all costs associated with the preparation of preliminary and final plats, including surveying, preliminary grading, engineering drawings, and related services. Unless otherwise agreed to by the City in a specific Improvement District arrangement, the developer shall pay for the complete installation of streets, water mains, sewer lines, and storm drains.

Section 13-7.02: Improvement Districts

As an alternative financing mechanism to stimulate growth, a developer may petition the City of Plainview to create a specifically designated statutory Improvement District (such as a Street Improvement District or Water Extension District governed by Chapter 17 and Chapter 19 of the Nebraska Revised Statutes) to allow for the municipal financing of street surfacing, sanitary sewers, and water mains within the subdivision. Depending on the City's financial condition and municipal bonding capacity, the City Council retains absolute discretion to grant or deny this request. The creation, special assessment levy, and execution of any Improvement District shall strictly adhere to the publication procedures, notice requirements, and protest provisions set forth in state statute.

Section 13-7.06: Time Limits, Inspections, and Release of Guarantees

Prior to the granting of Final Plat approval, the subdivider and the City Council must agree upon a deadline for the completion of all improvements. This deadline shall not exceed two (2) years from the date of Final Plat approval; however, the City Council may extend the deadline for one (1) additional year if the subdivider presents substantial justification and provides additional performance surety to cover inflation or increased construction costs.

Throughout the construction process, the developer's engineer and the Plainview City Engineer must regularly inspect the improvements for defects. The subdivider is responsible for paying all inspection costs and costs associated with required material testing. Upon completion, formal certification must be filed with the City Council stating that all improvements comply with municipal specifications and are free of defects and liens.

Part 8: Waivers, Annexation, and Amendments

Section 13-8.01: Granting of Waivers and Conditions

The Planning Commission may recommend, and the City Council may grant, waivers from the strict provisions of these regulations if specific criteria are met. The applicant must demonstrate that there are unique circumstances or conditions affecting the property that are not the result of actions by the subdivider; that the waivers are necessary for the reasonable development of the property; and that granting the waivers will not be detrimental to the public or injurious to adjacent properties.

Section 13-8.02: Planned Unit and Cluster Developments

The City Council may grant reasonable waivers to these regulations if the subdivider concurrently submits an application for, and obtains approval of, a Cluster Subdivision. In a cluster development, the City may allow reductions in individual lot sizes, widths, or setbacks. This is permitted provided the overall density remains consistent with the underlying zoning district and the remaining land is legally preserved as common open space or conservation land. The subdivider must explicitly indicate where the proposed plans vary from the baseline requirements of the Subdivision Chapter and present evidence supporting the request.

Section 13-8.03: Annexation Procedures

Subdivisions laid out adjoining or contiguous to the corporate limits of Plainview may be considered for annexation and inclusion within the corporate boundaries upon the approval and acceptance of the Final Plat by the City Council, provided that the governing body determines the lands comprising the subdivision are urban or suburban in character. In strict accordance with NRS § 17-405.01, the City shall not annex any portion of a platted subdivision that constitutes agricultural lands which are rural in character. The City Council reserves the right to require a Petition for Annexation from the property owners as a condition of extending municipal water and sanitary sewer services to the development.

Furthermore, any subdivision located within the extraterritorial jurisdiction that relies on public utilities (such as municipal water and sewer connections) or that features lands dedicated to the City, and is immediately adjacent to the corporate limits, shall be subject to annexation upon approval of the final plat. The City Council shall receive a Petition for Annexation from the owners of the subdivided properties. Upon annexation, the inhabitants of the addition are entitled to all rights, privileges, and municipal services of the City of Plainview. The recorded map or plat shall serve as the equivalent of a deed in fee simple absolute to the municipality for all streets, avenues, alleys, public squares, parks, and commons set apart for public use.