

Planning Commission
Monday, February 9, 2026 6:00 PM
Columbus Community Building/Community Room
2500 14 Street
Columbus, NE 68601

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

{{Name: Agenda Item Name}}

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

...4-1407. Act, how cited.

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

Source: Laws 2004, LB 821, § 34.

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

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

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

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

Annotations

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

84-1409. Terms, defined.

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

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

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

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

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

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

Annotations

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

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

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

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

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

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

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

(c) Investigative proceedings regarding allegations of criminal misconduct;

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

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

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

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

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

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

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

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

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

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

Annotations

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

(1983).

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

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

(1)(a) Except as provided in subsection (9) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

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

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

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

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

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

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

(C) Posting written notice in three conspicuous public places in such city, village, or district.

Such notice shall be posted by the public body in the same three places for each meeting.

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

(iv) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public body shall (A) post such notice on its website, if available, (B) 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 Nebraska newspapers, and (C) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting pursuant to subdivision (1)(b)(iv)(A) and (C) of this section and a written record of the request to the newspaper pursuant to subdivision (1)(b)(iv)(B) of this section. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

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

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

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

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

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

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

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

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

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

- (viii) A community college board of governors;
- (ix) The Nebraska Brand Committee;
- (x) A local public health department;
- (xi) A metropolitan utilities district;
- (xii) A regional metropolitan transit authority; and
- (xiii) A natural resources district.

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

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

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used;

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

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

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

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

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in

such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

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

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

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

(8) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (2)(a) of this section may hold a meeting by virtual conferencing if:

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

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

(c) The public body complies with subdivisions (2)(b)(i) and (ii) of this section.

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

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

Laws 2022, LB908, § 1; Laws 2022, LB922, § 13; Laws 2024, LB287, § 74;
Laws 2024, LB399, § 4; Laws 2024, LB1370, § 8; Laws 2025, LB521, § 82.

Operative Date: May 31, 2025

Cross References

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

Annotations

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial

violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Annotations

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

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

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

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

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

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

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

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available

on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

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

Annotations

- Under prior law, if a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

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

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

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

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

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

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

Annotations

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void

proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).

- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

2. Minutes of January 12, 2026, meeting.

PLANNING COMMISSION
January 12, 2026

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on January 12, 2026, at 6:00 p.m. in the Columbus Community Building, Community Room, 2500 14 Street, Columbus, Nebraska. Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on December 31, 2026, with a copy of the proof of publication being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice and in the notice to the mayor, members of the city council, and members of the Planning Commission. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **Statement of Compliance with Open Meetings Act and roll call.** Chair Goc announced that a copy of the Open Meetings Act is available at this meeting. Present were members Steve Anderson, Colleen Bray, Robbin Cutsor, Bob Elsasser, Melissa Goc, Tom Lange, Fernando Lopez Jr., Josh Mueller and Tom Pillen. City staff members included City Attorney Gene Schumacher, City Clerk Shuraya Choat, City Engineer Rick Bogus, Assistant City Engineer Braden Labenz, Chief Building and Code Official Andy Woehrer, and Permit Technician Lindsay Smith. Also present was Mayor James Bulkley.
2. **Minutes of December 8, 2025, meeting.** The minutes were approved as presented with a motion by Bray and a second by Lange. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay".
3. **Public hearing – Application from Cushing Terrell on behalf of Les Schwab Group Holding, LLC for final plat of Les Schwab Subdivision (northeast corner of 23rd Street and E 11th Avenue).** Ron Isackson, Cushing Terrell on behalf of the applicant, explained the proposed subdivision will consist of three lots with Lot 2 housing the Les Schwab Tire Center, use of Lot 1 being determined in the future, and Lot 3 remaining a rural residential area at this time. Public infrastructure to be installed include a street extension and water, sewer, and storm water utilities. It was confirmed that nothing has changed from the preliminary plat. The public hearing closed with a motion by Mueller and a second by Lange. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". A recommendation was made with a motion by Mueller and a second by Lange to approve the final plat of Les Schwab Subdivision as it is consistent with the preliminary plat and is in accordance with the Columbus Land Development Ordinance. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay".
4. **Public Hearing – Application from Cushing Terrell on behalf of Les Schwab Group Holdings, LLC to rezone property located in Lots 1 and 2, Les Schwab Subdivision from "RR" (Rural Residential District) to "B-2" (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan. (northeast corner of 23rd Street and E 11th Avenue).** Isackson confirmed that rezoning of Lots 1 and 2 is necessary to accommodate

retail businesses and that Lot 3 will not be rezoned at this time. The public hearing closed with a motion by Mueller and a second by Elsasser. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. A recommendation was made with motion by Elsasser and a second by Mueller to approve the rezoning and amend the Future Land Use Map as the proposed zoning is a good fit and is in conformance with the Columbus Land Development Ordinance. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”.

5. **Public hearing – Application from Hazard Engineering on behalf of Cottonwood Heights, LLC for final plat of Heartland Crossing Addition (southwest corner of 38th Street and East 6th Avenue) (Continued from December 8, 2025, meeting.)** The public hearing was removed from the agenda with a motion by Anderson and a second by Bray. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”.
- 5.A. **Public hearing – Determine whether Heartland Crossing Addition should be included within the corporate city limits. (Continued from December 8, 2025, meeting.)** The public hearing was removed from the agenda with a motion by Cutsor and a second by Mueller. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”.
6. **Public Hearing – Application from Advanced Engineering Consulting Services, Inc. on behalf of Columbus Public Schools for final plat of Hidden Meadows Addition (southeast corner of 3rd Avenue and 38th Street). (Continued from December 8, 2025, meeting.)** The public hearing was removed from the agenda with a motion by Bray and a second by Elsasser. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”.
- 6.A. **Public hearing – Determine whether Hidden Meadows Addition should be included within the corporate city limits. (Continued from December 8, 2025, meeting.)** The public hearing was removed from the agenda with a motion by Elsasser and a second by Anderson. Anderson, Bray, Cutsor, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”.
7. **Building report for December 2025.** Woehrer reviewed the report. Bulkley gave a brief update on housing development in Columbus.
8. **Adjournment.** The meeting adjourned at 6:19 p.m.

OFFICE OF CITY ENGINEER

: Renee Whiting

- 3. Public hearing - Application from Cushing Terrell on behalf of Les Schwab Group Holdings, LLC to rezone property located in Lots 1 and 2, Les Schwab Subdivision from "RR" (Rural Residential District) to "B-2" (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan (northeast corner of 23rd Street and E 11th Avenue).**

NOTICE OF HEARING

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, February 9, 2026, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the application to rezone a tract of land located in Lots 1 and 2 Les Schwab Subdivision to the City of Columbus, Platte County, Nebraska, containing a calculated area of 381,853 square feet (8.7661 acres), more or less (northeast corner of 23rd Street and East 11th Avenue) from "RR" (Rural Residential District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate. At said time and place you may appear and be heard.

City of Columbus
Shuraya Choat, City Clerk

Publish: 01:29:26
Affidavit of Publication



Accountability - Dedication
Honesty - Integrity - Respect

MEMORANDUM

DATE: February 3rd 2026
TO: Tara Vasicek, City Administrator
FROM: Andy Woehrer, Chief Building & Code Official
RE: Rezone Lots 1 and 2 Les Schwab Subdivision from R-R Rural Residential District to B-2 General Commercial District.

RECOMMENDATION:

I recommend approval of the proposed rezoning from R-R Rural Residential District to B-2 General Commercial District and to amend the Future Land Use Map accordingly.

DISCUSSION:

We have received a rezoning application for Lots 1 and 2 Les Schwab Subdivision from R-R Rural Residential to B-2 General Commercial. The owner intends to develop the site for business development. This rezoning is consistent with the Columbus Land Development Ordinance and is suitable for the surrounding area.

FISCAL IMPACT:

None

ALTERNATIVE:

Deny the request for rezoning.

SIGNATURE:

By: Andy J. Woehrer

Approved By: [Signature]

REZONING APPLICATION

An application for a rezoning may be filed with the Community Development Office. Any such application will not be deemed submitted until all of the stated information is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications WILL NOT be placed on the Planning Commission Agenda until all such missing information is provided. Such completed application shall be submitted to the Community Development Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which time the public hearing on the application will be held.

PROPERTY OWNER NAME: The Estate of Leo E. Thiele C/O Thomas Thiele, Personal Representative

APPLICANT: Cushing Terrell on behalf of Les Schwab

APPLICANT MAILING ADDRESS: 411 E Main St Ste #101, Bozeman, MT 59715

APPLICANT PHONE NUMBER: 406-922-7107

APPLICANT EMAIL ADDRESS: ronisackson@cushingterrell.com

ATTORNEY/FIRM: David Gibson Assistant General Counsel - Les Schwab

ATTORNEY PHONE NUMBER: 541.416.5342

ATTORNEY E-MAIL ADDRESS: david.r.gibson@lesschwab.com

ADDRESS OF PROPERTY TO BE REZONED: TBD

LEGAL DESCRIPTION OF PROPERTY:

LOTS 1 & 2 OF LES SCHWAB SUBDIVISION. LOT 3 TO REMAIN RURAL RESIDENTIAL.

PRESENT ZONING CLASSIFICATION: RURAL RESIDENTIAL

REQUESTED ZONING CLASSIFICATION: GENERAL COMMERCIAL

DESCRIPTION OF THE REASON FOR THE REZONING APPLICATION:

The purpose of the rezoning is to facilitate the construction of Retail/Commercial establishments on proposed Lots 1 and 2 of the Les Schwab Subdivision. Proposed Lot 3 will remain as currently zoned.

NATURE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE: (Include aerial image of proposed development on property and existing surrounding zoning classifications, any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use)

I hereby apply for a Rezoning Application and have paid the \$500 application fee.

DATED THIS 18 DAY OF December, 2025.

Ron Isackson

Owner or Owner's Representative

Digitally signed by Ron Isackson
DN:
E=Ronisackson@cushingterrell.com,
CN=Ron Isackson, OU=Users,
OU=Bzmm, DC=ctagroup, DC=net
Date: 2025.12.18:57:57-07'00'

LES SCHWAB SUBDIVISION

A REPLAT OF LOT 3, THIELE 5TH ADDITION
 LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 16,
 TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M.,
 CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA

LEGAL DESCRIPTION:

Lot 3, Thiele 5th Addition, an Addition to the City of Columbus, Platte County, Nebraska.
 Containing a calculated area of 381,853 square feet (8.7661 acres), more or less

OWNERS CERTIFICATE:

I, Leo E. Thiele, owner of the real estate described hereon and shown on the accompanying plat, has caused such real estate to be platted as: Les Schwab Subdivision.
 The right-of-way and easements shown on this plat are hereby dedicated to the use and benefit of the public.

By: Leo E. Thiele, Owner

ACKNOWLEDGEMENT:

STATE OF _____ }
 COUNTY OF _____ } SS

Before me, a Notary Public, qualified and acting in said County, personally came Leo E. Thiele, known to me to be the identical person who signed the foregoing "Owners Certificate" and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and seal this ____ day of _____, 20____.

My Commission expires _____ Notary Public _____

CITY OF COLUMBUS APPROVAL:

This plat of Les Schwab Subdivision was approved by the City of Columbus

this _____ day of _____, 20____.

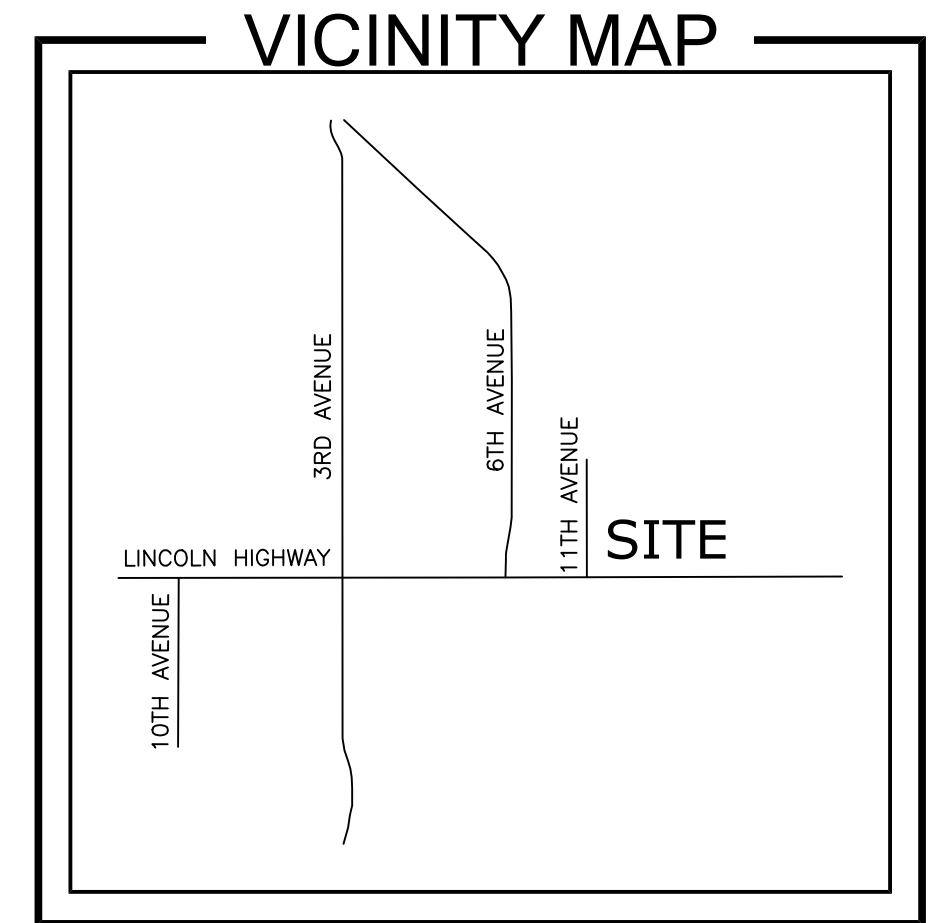
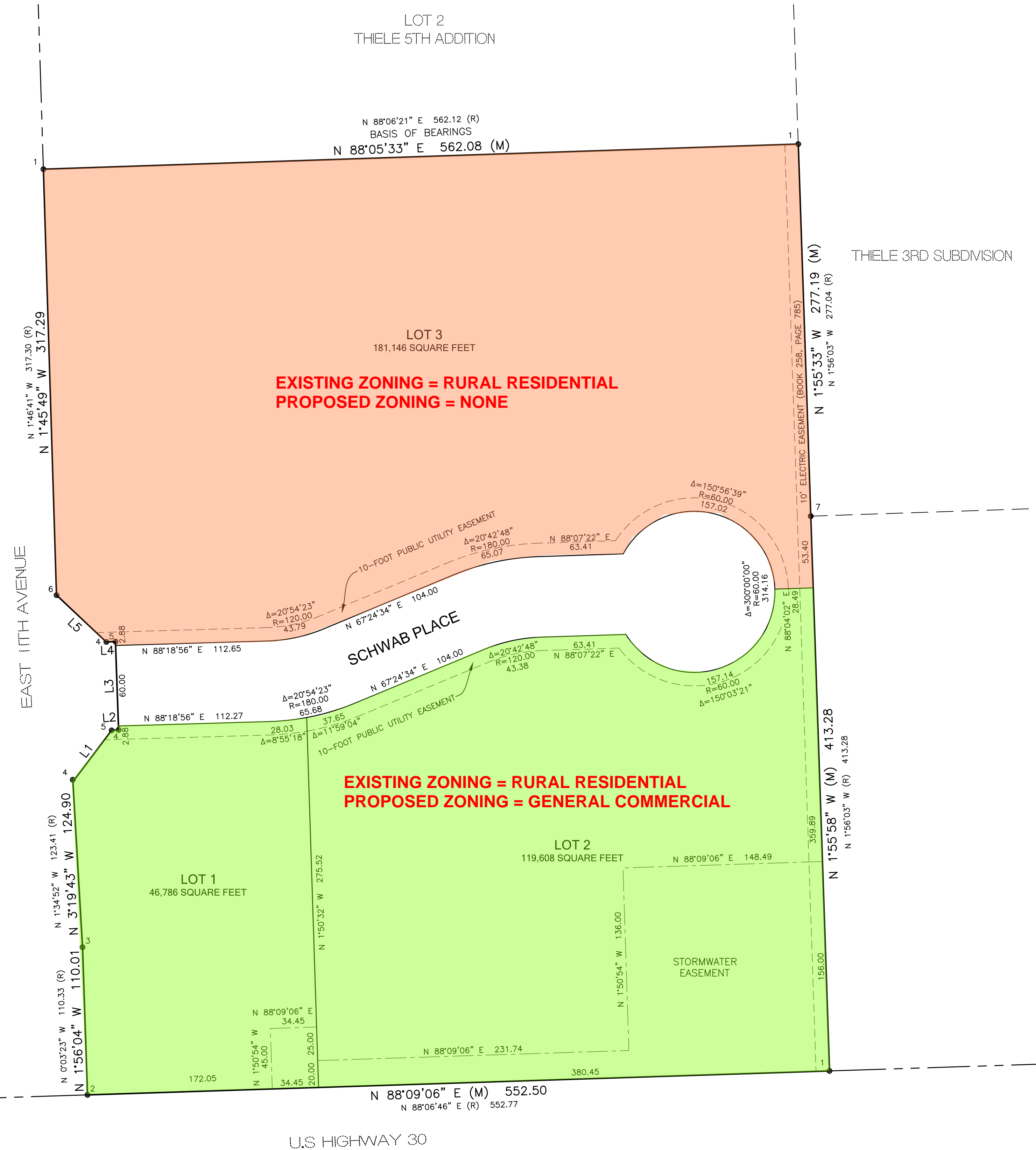
City Administrator _____ City Clerk _____

SURVEYOR'S STATEMENT:

The undersigned Professional Land Surveyor licensed in the State of Nebraska, hereby states and declares that the accompanying plat was surveyed and drawn under his responsible charge and accurately shows the described tract of land, and subdivision thereof, and that the applicable standards of practice have been met to the best of his knowledge and belief.

This statement is neither a warranty nor guarantee, either expressed or implied.

Mark S. Johannes _____ Date _____
 Nebraska Professional Land Surveyor No. 615
 For and on behalf of Compass Surveying & Mapping, LLC



- 1 FOUND 1 1/4" ORANGE PLASTIC CAP MARKED, "TA TREMEL LS455"
- 2 FOUND 1" ORANGE PLASTIC CAP INSIDE 1" PIPE MARKED, "LS 593"
- 3 FOUND 1" ORANGE PLASTIC CAP MARKED, "LS 593"
- 4 FOUND 1 1/4" ORANGE PLASTIC CAP MARKED, "BREUER RL5586"
- 5 FOUND 5/8" IRON ROD
- 6 FOUND 5/8" REBAR
- 7 FOUND 1" OUTSIDE DIAMETER PIPE

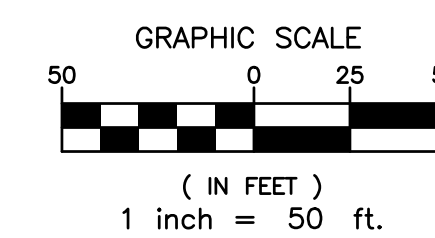
OWNER:

Leo E. Thiele
 5689 Steampunk St.
 Las Vegas, NV 89118

ZONING:

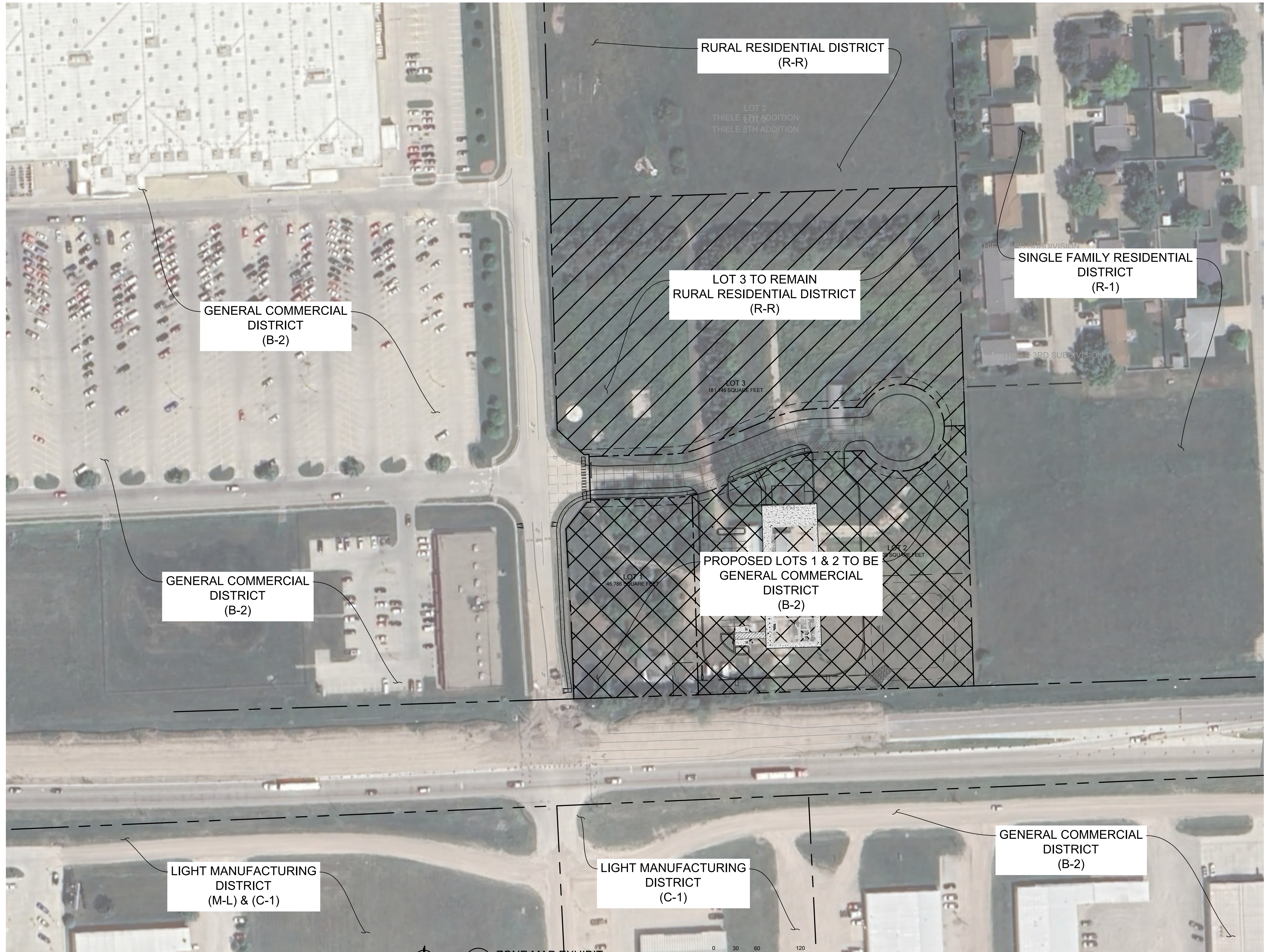
Commercial

LINE	BEARING	DISTANCE	BEARING	DISTANCE
L1	N 37°00'52" E	47.87	N 38°42'05" E (R)	47.89
L2	N 85°43'58" E	5.21	N 87°04'02" E (R)	5.19
L3	N 2°02'46" W	65.77	N 0°14'05" W (R)	65.66
L4	S 88°03'58" W	6.78	N 89°53'04" E (R)	6.79
L5	N 46°47'27" W	50.83	N 45°01'52" W (R)	50.83



REVISIONS:	PROJECT No.	25030
	DATE:	SEPTEMBER 13, 2025
	DRAWN BY:	MSJ
	CHECKED BY:	MSJ
	SHEET:	1 OF 1

COMPASS SURVEYING & MAPPING, LLC
 3253 WEST CAREFREE CIRCLE
 COLORADO SPRINGS, CO 80917
 719-354-4120
 WWW.CSAMLIC.COM
 INFO@SURVEYINGCOLORADO.COM



RURAL RESIDENTIAL DISTRICT (R-R)

LOT 2
THIELE 5TH ADDITION
THIELE 5TH ADDITION

SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

GENERAL COMMERCIAL DISTRICT (B-2)

LOT 3 TO REMAIN RURAL RESIDENTIAL DISTRICT (R-R)

LOT 3
181,746 SQUARE FEET

GENERAL COMMERCIAL DISTRICT (B-2)

PROPOSED LOTS 1 & 2 TO BE GENERAL COMMERCIAL DISTRICT (B-2)

LOT 1
46,788 SQUARE FEET

LOT 2
29,500 SQUARE FEET

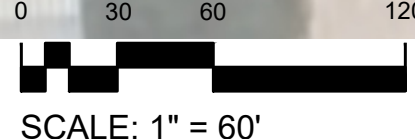
LIGHT MANUFACTURING DISTRICT (M-L) & (C-1)

LIGHT MANUFACTURING DISTRICT (C-1)

GENERAL COMMERCIAL DISTRICT (B-2)



1 ZONE MAP EXHIBIT



- 4. Public hearing - Application from Clark Grant on behalf of Dr. Jeffrey Gotschall and Tammi Gotschall for preliminary plat of J.C. and T.L. Gotschall 2nd Subdivision (west side of 26th Avenue and 33rd Street).**

NOTICE OF HEARING

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, February 9, 2026, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the preliminary plat of J.C. and T.L. Gotschall 2nd Subdivision, A tract of land located in part of Lot 1 and all of Lot 2, J.A. Fehringer 2nd Subdivision to the City of Columbus and in the N1/2 of the SE1/4 of the NW1/4 and the N1/2 of the N1/2 of the S1/2 of the SE1/4 of the NW1/4 all in Section 18, T17N, R1E of the 6th P.M., Platte County, Nebraska, more particularly described as follows: beginning at the Southeast corner of said N1/2 N1/2 S1/2 SE1/4 NW1/4; thence N 88°58'55" W, 503.24 ft. on the N1/2 N1/2 S1/2 SE1/4 NW1/4 to the Southeast corner of Lot 1 of Assisted Living Estates; thence N 00°01'41" W, 436.03 ft. on the East line of said Lot 1 and other surveyed subdivisions to the Southwest corner of J.C. and T.L. Gotschall Subdivision; thence S 89°00'50" E, 503.61 ft. on the South line of said J.C. and T.L. Gotschall Subdivision to the East line of said SE1/4 NW1/4; thence S 00°01'20" W, 436.31 ft. on the East line of said SE1/4 NW1/4 to the point of beginning, containing 5.04 acres more or less, which includes 0.20 acres used for county road purposes (west side of 26th Avenue and 33rd Street) at said time and place you may appear and be heard.

City of Columbus
Shuraya Choat, City Clerk

Publish: 01:29:26
Affidavit of Publication



Accountability - Dedication
Honesty - Integrity - Respect

MEMORANDUM

DATE: February 3, 2026
TO: Tara Vasicek, City Administrator
FROM: Richard J. Bogus, City Engineer
RE: J.C. and T.L. Gotschall 2nd Subdivision – Preliminary Plat

RECOMMENDATION:

I recommend the approval of the preliminary plat of J.C. and T.L. Gotschall 2nd Subdivision as it is amendable with the land use and is in accordance with the Columbus Land Development Ordinance.

DISCUSSION:

The subdivision consists mainly of 11 residential lots (13 lots total) with a private street with no outlet and sidewalk system (Block B, Lot 3). Improvements include the extension of water, sanitary sewer, and a storm water treatment facility (Block B, Lot 4). The subdivision is planned to be rezoned. The property is within the corporate limits.

FISCAL IMPACT:

None.

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By: Andrew Wochner

SIGNATURE:

By: Richard J. Bogus

Approved By: [Signature]

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
APPLICATION TYPE (CHECK BOX):**

PRELIMINARY PLAT

FINAL PLAT

DATE: December 19, 2025

NAME OF SUBDIVISION: J.C. and T.L. Gotschall 2nd Subdivision

NAME OF PROPERTY OWNER: Dr. Jeffrey Gotschall and Tammi Gotschall

APPLICANT CONTACT INFORMATION:

NAME OF REPRESENTATIVE: Clark J. Grant

ADDRESS OF REPRESENTATIVE (to include City, State, Zip):
1354 27th Ave., Suite 109, Columbus, NE 68601

PHONE NUMBER: 402-564-3274

REPRESENTATIVE E-MAIL: clark@grantattorney.com

NUMBER OF LOTS IN SUBDIVISION: 10

ADDRESS OF SUBDIVISION: 34th Street and 26th Ave., Columbus, NE 68601

PROPERTY OWNER CONTACT INFORMATION:

NAME OF PROPERTY OWNER: Dr. Jeffrey Gotschall and Tammi Gotschall

ADDRESS OF PROPERTY OWNER (to include City, State, Zip):
3360 26th Ave., Columbus, NE 68601

PHONE NUMBER: 402-276-0911

PROPERTY OWNER E-MAIL: jcgotschall@neb.rr.com

DEVELOPER INFORMATION:

NAME OF DEVELOPER: Dr. Jeffrey Gotschall and Tammi Gotschall

ADDRESS (to include City, State, Zip):
3360 26th Ave., Columbus, NE 68601

PHONE NUMBER: 402-276-0911

DEVELOPER E-MAIL: jcgotschall@neb.rr.com

SURVEYOR INFORMATION:

NAME OF SURVEYOR: Thomas Tremel

SURVEYOR LICENSE NO.: 455

ADDRESS (to include City, State, Zip):

1 Driftwood Drive, Columbus, NE 68601

PHONE NUMBER: 402-276-3690

SURVEYOR E-MAIL: ttremel@hotmail.com

ATTORNEY INFORMATION:

NAME OF ATTORNEY: Clark J. Grant

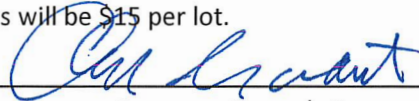
ADDRESS (to include City, State, Zip):

1354 27th Ave., Columbus, NE 68601

PHONE NUMBER: 402-564-3274

ATTORNEY E-MAIL: clark@grantattorney.com

I hereby apply for a Major Subdivision / Addition which follows the Columbus Land Development Ordinance requirements and have paid \$325.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.



Owner or Owner's Representative

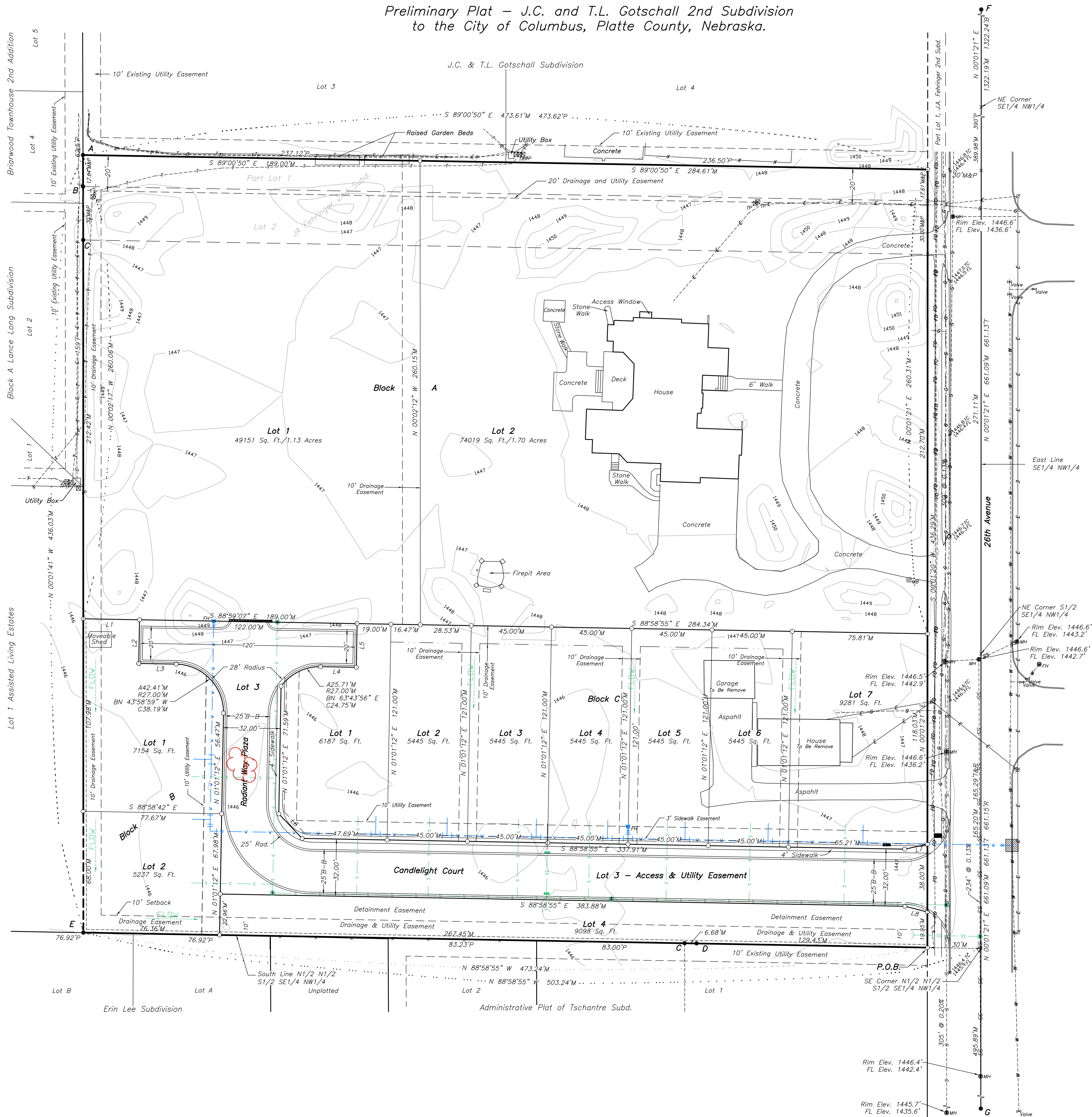
City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com

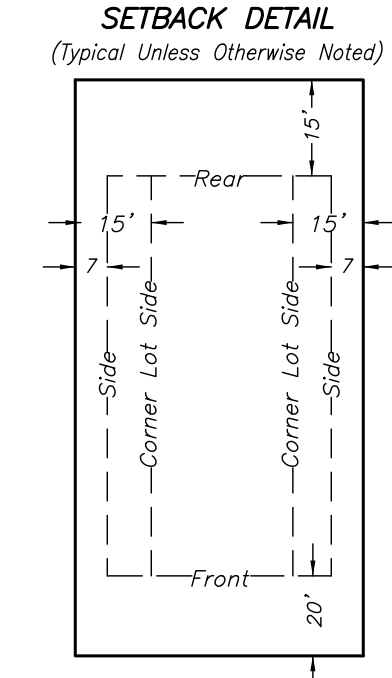
**UP-TO-DATE INFORMATION CAN BE FOUND IN CHAPTER 2, ARTICLE 3 PROCEDURES AND
ADMINISTRATION <https://www.columbusne.us/114/Land-Development-Zoning-Code>**

Preliminary Plat – J.C. and T.L. Gotschall 2nd Subdivision
to the City of Columbus, Platte County, Nebraska.



Line Table

LINE	BEARING	DISTANCE
L1	S 88°59'11" E	31.53'M
L2	N 01°01'12" E	24.50'M
L3	N 88°59'11" W	21.00'M
L4	S 88°59'11" E	20.00'M
L5	N 01°01'12" E	24.50'M
L6	S 43°26'50" E	13.00'M
L7	N 77°43'02" E	13.00'M
L8	S 75°37'27" E	13.00'M

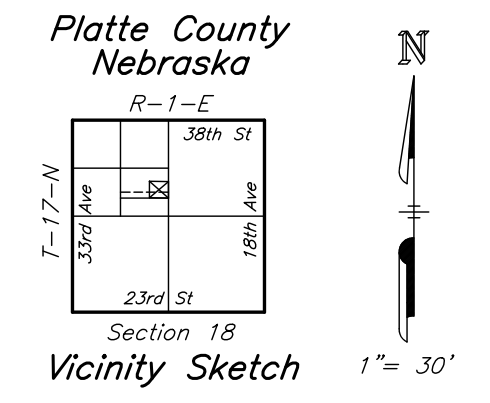


- LEGEND**
- Found Monument
 - × Computed Location
 - M Measured This Survey
 - T Recorded Measurement
 - R Recorded Measurement
 - B Recorded Measurement
 - P Plat Distance
 - W Valve
 - ∅ Power Pole
 - ∅TP Transformer Pole
 - ∅LP Light Pole
 - ∅ANC Anchor
 - ∅MH Manhole
 - ∅TP Telephone Pedestal
 - ∅FH Fire Hydrant
 - ∅MB Mail Box
 - ∅WG Warning Guard Post
 - ∅TC Top of Curb
 - ∅FL Flow Line
 - E—E—E— Overhead Electric
 - - - - - Underground Electric
 - x - x - x - Fence
 - T - T - T - Underground Telephone
 - FO - FO - FO - Underground Fiber Optic
 - G - G - G - Underground Gas
 - SS - SS - SS - 15" Storm Sewer
 - S - S - S - 12" Sanitary Sewer
 - S - S - S - Proposed Sanitary Sewer
 - W - W - W - 6" Water Line
 - W - W - W - Proposed Water Line

Owner:
Jeffrey & Tammi Gotschall
3360 26th Avenue
Columbus, NE 68601

Surveyor:
Thomas A. Tremel
Tremel Surveying, Inc.
1 Driftwood Drive
Columbus, NE 68601

Engineer:
Merlin Lindahl
9271 18th Avenue
Columbus, NE 68601



Flood Notes:

- A. Found 1" iron pipe with plastic cap (L.S. #536)
- B. Found 5/8" rebar with plastic cap (L.S. #455)
- C. Found 1" iron pipe
- D. Found 3/4" iron pipe
- E. Found 5/8" rebar as called out in deed, found 3/4" iron bar S 79°50'32" E, 0.07 ft. from 5/8" Rebar
- F. N1/4 Corner, Section 18, T17N, R1E – found 1" iron pipe with aluminum cap in monument well as recorded by B.D. Benck, L.S. #536 on December 13, 2013.
- Ties: 22.39' NW to survey mark in top of curb
- 42.58' SW to survey mark in top of curb
- 44.02' SE to survey mark in top of curb
- 1' E to centerline of 26th Avenue South
- 0.5' South to centerline of 38th Street E&W
- G. C1/4 Corner, Section 18, T17N, R1E – found 1" iron stake in monument well as recorded by T.A. Tremel, L.S. #455 on May 6, 1996.
- Ties: 50.09' NW to NE corner of house
- 65.53' SE to NW corner of house
- 59.29' NE to chiseled "X" in concrete
- 30.81' North to centerline of 31st Street East
- On centerline of 26th Avenue N&S

Zoning:
Current Zoning: R-1
Proposed Zoning Blocks B & C: R-2

Flood Plane:
Flood Zone: Zone X
Map Number: 31141C0330E
Effective Date: 04/19/2010
Community: City of Columbus 315272

Utilities:
Call 800.642.8434 for the actual location of the utilities before digging.
No Privately Owned Utilities were located unless otherwise shown.
Water/Sewer – City of Columbus (As shown)
Gas – Black Hills Energy (As shown)
Cable TV – Charter Communications (As shown)
Telephone – Frontier Communications (As shown)
Telephone – Allo Communications LLC (As shown)
Electric – Loup River Public Power District (As shown)
Fiber Optic – Midstates Data Transport (As shown)
Fiber Optic – City of Columbus (As shown)

Title Items File Number 5177(R)-2:
Easements, Reservations and Restrictions filed of record in the office of the Register of Deeds – County Clerk and indexed against the property are:
1. Easements for maintenance of existing utilities servicing the improvements on property. Platted easements as shown.
2. Terms, conditions and provisions of an Easement in favor of Jean K. Brase recorded June 4, 1996 in Book 90 at Page 183 of Miscellaneous Records, Platte County, Nebraska. This easement no longer exists when title property transferred into one owner.

Description:
A tract of land located in part of Lot 1 and all of Lot 2, J.C. and T.L. Gotschall 2nd Subdivision to the City of Columbus and in the N1/2 of the SE1/4 of the NW1/4 and the N1/2 of the N1/2 of the S1/2 of the SE1/4 of the NW1/4 all in Section 18, T17N, R1E of the 6th P.M., Platte County, Nebraska, more particularly described as follows: referring to the Southeast corner of said N1/2 N1/2 S1/2 SE1/4 NW1/4; thence N 88°58'55" W, 30.00 ft. on the South line of said N1/2 N1/2 S1/2 SE1/4 NW1/4; thence N 88°58'55" W, 473.24 ft. on the South line of said N1/2 N1/2 S1/2 SE1/4 NW1/4 to the Southeast corner of Lot 1 of Assisted Living Estates; thence N 0°01'41" W, 436.03 ft. on the East line of said Lot 1 and other surveyed subdivisions to the Southwest corner of J.C. and T.L. Gotschall Subdivision; thence S 89°00'50" E, 473.61 ft. on the South line of said J.C. and T.L. Gotschall Subdivision to the West right-of-way line of 26th Avenue; thence S 0°01'20" W, 436.29 ft. on the West right-of-way line of said 26th Avenue to the point of beginning, containing 4.74 acres more or less.

PLANNING COMMISSION:
This Preliminary Plat of J.C. and T.L. Gotschall 2nd Subdivision to the City of Columbus, Platte County, Nebraska, was approved by the Planning Commission on _____ Day of _____

Chairman _____

CITY COUNCIL:
This Preliminary Plat of J.C. and T.L. Gotschall 2nd Subdivision to the City of Columbus, Platte County, Nebraska, was approved by the City Council on _____ Day of _____

Mayor _____ City Clerk _____

PRELIMINARY PLAT
J.C. AND T.L. GOTSCHALL 2ND SUBDIVISION
COLUMBUS, PLATTE COUNTY, NE

TMT DRAWN	TMT SURVEYED	01/05/2025 DATE
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No. 1 Driftwood Drive – Columbus, NE 68601
Phone (402) 563-4569 – Fax (402) 563-3922

- 5. Public hearing - Application from Hazard Engineering on behalf of Cottonwood Heights, LLC for final plat of Heartland Crossing Addition (southwest corner of 38th Street and East 6th Avenue). (Applicant has requested this public hearing be continued to March 9, 2026.)**

From: Travis Hazard <thazard@hazardeng.com>

Sent: Friday, January 30, 2026 4:30 PM

To: Bogus, Richard <rick.bogus@columbusne.us>; Chris Bikus, The Orr Law Group
<chris@orrlawgrp.com>

Cc: Steve Kunkel, Stonebrook Exterior <stevek@kagllc.net>; Tom Jackson <tjack.son@outlook.com>;
'Shae Spitz, Cottonwood Heights LLC <shae.spitz@exprealty.com>; Mike@janssenheavyequip.com;
Woehrer, Andy <Andy.Woehrer@columbusne.us>

Subject: Heartland Crossing Addition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is SAFE.

Cottonwood Heights LLC is requesting the public hearing for the final plat of Heartland Crossing Addition be continued to March 9, 2026, at 6:00 p.m.

Travis Hazard
President

thazard@hazardeng.com

(402) 525-3651

567 W 15TH Street, Suite 101
Wahoo, Nebraska 68066

5.A. Public hearing - Determine whether Heartland Crossing Addition should be included within the corporate city limits. (Applicant has requested this public hearing continued to March 9, 2026.)

6. Public hearing - Application from ORR Law Group on behalf of Cottonwood Heights, LLC to rezone property located on the southwest corner of 38th Street and East 6th Avenue from "RR" (Rural Residential District) to "R-1" (Single-Family Residential District) and "R-2" (Two-Family Residential District) and "R-3" (Multiple-Family Residential District) and "B-2" (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan. (Applicant has requested this public hearing be continued to March 9, 2026.)

From: Chris Bikus <Chris@orrlawgrp.com>
Sent: Friday, January 30, 2026 1:42 PM
To: Woehrer, Andy <Andy.Woehrer@columbusne.us>; Bogus, Richard <rick.bogus@columbusne.us>
Cc: Travis Hazard, Hazard Engineering <thazard@hazardeng.com>; Steve Kunkel <stevek@stonebrookexterior.com>
Subject: RE: Rezone Application - Heartland Crossing Addition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is SAFE.

Hi Andy and Rick – happy Friday. Cottonwood/Heartland Crossing is in the process of buttoning up financing for the development; financing will likely not be closed in time to allow us to provide the public notices. Lets push to the March meeting.

Thanks all.

CMB

7. Public hearing - Application from Advanced Consulting Engineering Services, Inc. on behalf of Columbus Public Schools for final plat of Hidden Meadows Addition (southeast corner of 3rd Avenue and 38th Street). (Applicant has requested this public hearing be continued to March 9, 2026.)



COLUMBUS PUBLIC SCHOOLS
ADMINISTRATION OFFICE

February 2, 2026

Rick Bogus
City of Columbus
2500 14th Street, Suite 3
Columbus, NE 68602
Rick.bogus@columbusne.us

RE - Hidden Meadows Addition – Final Plat

Platte County School District No. 71-0001-00 (aka Columbus Public Schools) is requesting the public hearing for the final plat of Hidden Meadows Addition be continued to March 9, 2026, at 6:00 p.m. due to the continuation of the Heartland Crossing Addition final plat public hearing.

Sincerely,

A handwritten signature in black ink that reads "Chip Kay".

Dr. Chip Kay, Superintendent

“Engaging All Learners to Achieve Success”

2410 16th Street, Suite A | Columbus, Nebraska, 68601 | Ph: 402.563.7000 | Fx: 402.563.7005

ColumbusPublicSchools.org

- 7.A. Public hearing - Determine whether Hidden Meadows Addition should be included within the corporate city limits. (Applicant has requested this public hearing be continued to March 9, 2026.)
- 8. Public hearing - Redevelopment Plan for Keyes Redevelopment, LLC, Redevelopment Project (Redevelopment Area No. 3) located southeast of the intersection of 15th Street and 45th Avenue. (Applicant has requested this public hearing be continued to March 9, 2026.)**

KEYES DEVELOPMENT LLC

2815 14th St Columbus, NE 68601

February 6, 2026

Rick Bogus
City of Columbus
2500 14th Street, Suite 3
Columbus, NE 68602
Rick.bogus@columbusne.us

RE- Platte County parcel Nos. 710096390, 710165070 and 710165119– Final Plat:

Keyes Development LLC is requesting the public hearing for the final plat of Platte County parcel Nos. 710096390, 710165070 and 710165119 be continued to March 9, 2026, at 6:00 p.m.

Sincerely,



**Keyes Development LLC
Landon J Wiefeld**

9. Building report for January 2026.



City of Columbus

Building Department

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

January Building Report Comments

For the Residential area, permits were issued for five single-family homes, five six-unit townhomes, as well as various residential alterations and additions. Additionally, permits were granted for three decks, four accessory structures, and one fence during the month of January.

Plan reviews are currently underway for the Meadow Ridge Properties building, Tremel's building, storage building for Odbert, CCH Maintenance building, an addition at ADM, the City of Columbus Mock Bridge, and a couple wireless tower projects.

Andy Woehrer
Chief Building and Code Official
City of Columbus



City of Columbus Building Department Monthly Report

01/29/2026

JANUARY 2026 2025

	JANUARY 2026			JANUARY 2025		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structu	4	\$1639.93	\$344174.99	3	\$820.12	\$237760.00
Com Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Alteration	0	\$0.00	\$0.00	2	\$86.50	\$6000.00
Com New Construc	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Plumbing	3	\$181.00	\$65500.00	0	\$0.00	\$0.00
Deck	3	\$420.70	\$61500.00	1	\$56.45	\$6000.00
Demolition	0	\$0.00	\$0.00	1	\$30.00	\$13000.00
Egress Window	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Fence	1	\$32.00	\$7000.00	0	\$0.00	\$0.00
Gas line	1	\$32.00	\$1500.00	1	\$32.00	\$800.00
Res Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Addition Wo	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Alteration	3	\$343.55	\$49814.56	4	\$424.01	\$57761.90
Res New Construc	35	\$24803.19	\$6457883.00	1	\$803.48	\$223692.00
Res Plumbing	25	\$1808.00	\$163700.00	15	\$1485.00	\$316800.00
Res Pool	1	\$73.25	\$8776.18	0	\$0.00	\$0.00
Signs	1	\$37.00	\$4000.00	3	\$451.00	\$70423.00
Sprinklers	3	\$91.00	\$11800.00	0	\$0.00	\$0.00
Tree Removal	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Wireless Tower	1	\$264.00	\$50000.00	1	\$101.00	\$15000.00
YEAR TOTAL	81	\$29725.62	\$7225648.73	32	\$4289.56	\$947236.90

Population: All Records
 Permit.DateIssued Between 1/1/2025 12:00:00 AM
 AND 1/31/2026 11:59:59 PM

10. **Adjournment.**