

PLATTSMOUTH CITY COUNCIL
November 18, 2013

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:00 o'clock p.m. on November 18, 2013 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Roger Johnson.

Notice of this meeting was given in advance by publication in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. All proceedings hereafter shown were taken while the convened meeting was open to the public.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act and a copy of all documents being discussed at the meeting were available for inspection and indicated the location of such copies in the room where the meeting was being held.

ITEM 5-CITIZEN DELEGATION

No one spoke at citizen delegation.

ITEM 6-MAYORAL PROCLAMATIONS

- A There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

Motion by Tilson, seconded by Derby to approve the Consent Agenda as presented with additional claims list. City Administrator Erv Portis stated that the claim listed on the claims list for Kerns Excavating will be considered separately and should be excluded. Tilson amended his motion to approve the Consent Agenda excluding the claim for Kerns Excavating, which amended motion was seconded by Derby.

- A Consider approval of the November 4, 2013 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report
as of 11/18/2013

Payroll Claim

Pay Date: 11/15/13
General 15647.02

EMS 8360.01
Police 34956.22
Street 11982.59
Library 6586.39
Park and Cemetery 2755.2
Senior 2103.95
Com Ctr 9274.53
Water and Sewer 9851.87

101517.78

Dept Name Vendor Name Amount

VARIOUS DEPARTMENTS

AMERICAN FAMILY LIFE 665.91
AMERITAS LIFE INSURANCE CORP 23847.62
BLUE CROSS BLUE SHIELD 43823.81
CINTAS CORPORATION #749 15
CIT 981.48
CITY TREASURER 612.6
COLLECTION SERVICES CENTER 372
EYE MED VISION CARE 252.56
FRATERNAL ORDER OF POLICE 360
INTERNAL REVENUE SERVICE 50837.95
NEBRASKA DEPARTMENT OF REVENUE 6734.67
PLATTSMOUTH STATE BANK 1288.44
SHELL 5295.62
UNITED STATES LIFE INSURANCE CO 153.61

Department : 01 - GENERAL ADMINISTRATION

CASS COUNTY REGISTER OF DEEDS 42
CHARTER BUSINESS 40
CIACCIO ROOFING 13328
EGAN SUPPLY CO 76.05
ICMA 769.28
KONICA MINOLTA BUSINESS SOLUTIONS 114.8
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 100
NE DOL 36
PAPILLION SANITATION 48.5
PAYLESS OFFICE PRODUCTS 55.41
ROGER JOHNSON 8
WELCH LAW FIRM LLC 4264
WINDSTREAM 316.72
WIREBUILT CO 75

Department : 02 - HUMANE/CODE ENFORCEMENT

HEARTS UNITED 70

LAMBERT VET SUPPLY 129.75
NEBRASKA HUMANE SOCIETY 692
PLATTSMOUTH ANIMAL HOSPITAL PC 180
QUALITY SIGNS 165
SHOPKO STORES OPERATING CO LLC 13.98

Department : 03 - EMS

ALAMAR UNIFORMS 787.53
FOUR STAR LAUNDRY 15.52
IDEAL PURE WATER 3.5
KONICA MINOLTA PREMIER FINANCE 34.98
LIFE-ASSIST INC 895.32
MATHESON TRI-GAS INC 509.33
METRO BILLING SERVICES 476
MICHAEL WOOD 593.46
PAPILLION SANITATION 14.58
WINDSTREAM 108.76

Department : 04 - POLICE

DAVID WALKER 13.9
DEBRA S FLAHERTY 93
FIRST BANKCARD 119.25
JACK'S UNIFORMS & EQUIPMENT 49.47
KONICA MINOLTA BUSINESS SOLUTIONS 39.62
KONICA MINOLTA PREMIER FINANCE 197.6
POLICE CHIEFS ASSOC OF NEBRASKA 50
WINDSTREAM 298.35

Department : 05 - STREET

CINTAS CORPORATION #749 337.55
CONWAY OIL COMPANY 2734.26
EGAN SUPPLY CO 257.58
FASTENAL COMPANY 9.94
HOTSY EQUIPMENT CO 360.23
MEESKE ACE HARDWARE 25.74
MULLENAX AUTO SUPPLY 1058.6
PAPILLION SANITATION 119.04
PAYLESS OFFICE PRODUCTS 102.04
PLATTSMOUTH READY MIX INC 220.22
PLATTSMOUTH STATE BANK 178143.75
THIRTYFOUR SEVENTEEN VENTURES INC 172.65
TITAN MACHINERY 49.2
WINDSTREAM 109.91
WOODHOUSE FORD SOUTH INC 1377.73

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1000.79
BIBLIOTHECA INC 775

CENTER POINT LARGE PRINT 216.9
DOUG DUEY 692.66
HEARTLAND TECHNOLOGY SOLUTIONS 540
IARCHIVES, INC 12653.6
KONICA MINOLTA BUSINESS SOLUTIONS 77.19
KONICA MINOLTA PREMIER FINANCE 197.6
OCLC INC 129.02
PAPILLION SANITATION 14.56

Department : 07 - PARK & REC

BLACK HILLS ENERGY 52.84
EGAN SUPPLY CO 416.13
FASTENAL COMPANY 12.61
MEESKE ACE HARDWARE 25.74
MULLENAX AUTO SUPPLY 159.31
PAPILLION SANITATION 111.37
WINDSTREAM 53.4

Department : 08 - CEMETERY

CONWAY OIL COMPANY 1476.14
MULLENAX AUTO SUPPLY 32

Department : 10 - FIRE

DIANE LEONOVICZ 5
FORT DEARBORN LIFE INSURANCE CO. 178.88
FOUR STAR LAUNDRY 15.52
IDEAL PURE WATER 3.5
KONICA MINOLTA PREMIER FINANCE 34.98
MULLENAX AUTO SUPPLY 4.5
OFE OIL INC. 1959.9
PAPILLION SANITATION 14.56
STEUBE'S THRIFTWAY 11.53
WINDSTREAM 108.76

Department : 11 - SENIOR CITIZEN CTR

FERGUSON ENTERPRISES 140.94
OFE OIL INC. 78.5
STEUBE'S THRIFTWAY 486.52
THE THOMPSON COMPANY 4315.19
WINDSTREAM 125.08

Department : 12 - Debt

PLATTSMOUTH STATE BANK 9755

Department : 16 - Economic Development

QUALITY REMODELING 43875
E-Z CONTRUCTION CO 13150

Department : 17 - COMMUNITY CENTER

ALEGENT CREIGHTON HEALTH 35
AQUA CHEM INC 602.9
CHARTER BUSINESS 115
COMPUTER CABLE CONNECTION 435
COMPUTERS TO GO 1086
EGAN SUPPLY CO 103.7
FOUR STAR LAUNDRY 666
GALVIN GLASS 200.39
J FULCHER INC 29.8
KONICA MINOLTA BUSINESS SOLUTIONS 67.66
KONICA MINOLTA PREMIER FINANCE 278.83
KRIZ DAVIS CO 170
MENARDS 15.08
MICHAEL ANZALONE 120
PAPILLION SANITATION 101
SAM'S CLUB 99.74
SHOPKO STORES OPERATING CO LLC 21.97
WINDSTREAM 375.23

Department : 20 - WATER

DPC INDUSTRIES INC 1935.36
JUDDS BROTHERS CONSTRUCTION 26986.34
MISSISSIPPI LIME COMPANY 3640
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES 491.45
NEUVIRTH CONSTRUCTION INC 55930.42
ONE CALL CONCEPTS INC 43.65
RHYLANDER WELDING & MFG INC 80.25
WATER DEPARTMENT-PETTY CASH 415.94
WINDSTREAM 166.56

Department : 30 - SEWER

MATHESON TRI-GAS INC 45
MIDWEST LABORATORIES INC 265.15
MULLENAX AUTO SUPPLY 1.02
MUNICIPAL AUTOMATION & CONTROL 255
NE DOL 36
ONE CALL CONCEPTS INC 43.65
PAPILLION SANITATION 42.65
RAILROAD MANAGEMENT COMPANY III LLC 546.36
WINDSTREAM 47.88

Department : 40 - Keno

NEBRASKA DEPARTMENT OF REVENUE 612.3

ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1871: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-306 RELATED TO DOGS RUNNING AT LARGE; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-306.1 RELATED TO CATS RUNNING AT LARGE; TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-307 RELATED TO DOGS UNCOLLARED; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese, seconded by Wiemer to approve 3rd and final reading of ORDINANCE NO. 1871 by title only: **ORDINANCE NO. 1871: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-306 RELATED TO DOGS RUNNING AT LARGE; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-306.1 RELATED TO CATS RUNNING AT LARGE; TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-307 RELATED TO DOGS UNCOLLARED; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Following discussion, ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1871 in to the record by title only.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Council member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 13-058: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA PROVIDING FOR A RULE OF PROCEDURE RELATED TO THE ADOPTION OF RESOLUTIONS; PROVIDING FOR THE ADOPTION OF RESOLUTION UPON A MOTION SUPPORTED BY A SECOND WITH THE TITLE TO THE RESOLUTION READ BEFORE THE GOVERNING BODY AS A PREREQUISITE TO ADOPTION.**

Motion by Riese, seconded by Tilson to adopt RESOLUTION NO. 13-058:

RESOLUTION NO. 13-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA PROVIDING FOR A RULE OF PROCEDURE RELATED TO THE ADOPTION OF RESOLUTIONS; PROVIDING FOR THE ADOPTION OF RESOLUTION UPON A MOTION

SUPPORTED BY A SECOND WITH THE TITLE TO THE RESOLUTION READ BEFORE THE GOVERNING BODY AS A PREREQUISITE TO ADOPTION.

WHEREAS, Robert's Rules of Order provide for the adoption of written resolutions upon the reading of the same;

WHEREAS, Robert's Rules of Order provide for the adoption of rules to modify those general Rules created by Robert's Rules of Order; and

WHEREAS, for the purpose of expediency, the Mayor and City Council are supportive of the adoption of a rule modifying the requirement that written resolutions be read into the record prior to adoption so long as the same shall have a title by which the same may be read.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska that a written resolution which contains a title descriptive of the contents of the resolution may be adopted upon reading of the title into the record rather than by reading the body of the resolution.

BE IT FURTHER RESOLVED that the procedure for adoption of a written resolution be as follows: motion to adopt, second of the motion, reading by title or in full if no title, and then vote on motion to adopt.

PASSED AND APPROVED this _____ day of _____ 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-058 in to record. Following discussion, ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Pursuant to publication, the Mayor opened a public hearing at 7:10 p.m. with regard to a Class C Liquor License Application submitted by Eric Burns Inc. DBA Main Street Bar & Grill located at 226 Main Street, Plattsmouth NE 68048. Eric Burns, applicant, introduced himself and stated he was available to answer any questions. No one spoke. The Mayor closed the public hearing at 7:12 p.m.

ITEM 9 C

Motion by Kerns, seconded by Porter to give a favorable recommendation to the Nebraska Liquor

Control Commission with regard to the Class C Liquor License Application submitted by Eric Burns Inc. DBA Main Street Bar & Grill located at 226 Main Street, Plattsmouth NE 68048. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Brookhouser, seconded by Wiemer to approve the Housing Rehabilitation Program Application No. 12-PLAT-05 Change Order No. 4 for property located at 221 N. 14th Street, Plattsmouth in the amount of +\$250.00 for a total revised contract price of \$24,275.00 and authorize the Mayor to execute Change Order No. 4. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Brookhouser to approve the Nebraska Department of Roads Maintenance Agreement No. 21 Renewal for the period January 1, 2014 through December 31, 2014 and direct the Mayor to execute the agreement. Following discussion, ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Kerns, seconded by Riese to approve waiving the Plattsmouth Community Center membership activation fee of \$30.00 for all new members starting on Friday, November 29, 2013 for the remainder of 2013. Following discussion, ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Wiemer, seconded by Derby to approve the purchase of a video monitoring system from Audio Visual Solutions (AVS) of Bellevue, NE for \$6,200.00 to be placed at the Plattsmouth Community Center. Michael Lennen, Plattsmouth Recreation Director verified that the total is \$6,200.00, the maintenance of the equipment once purchased and the placement of the cameras was also discussed. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 H

Council Member Kerns stated that he would be abstaining from any discussion or action on this item as he is the president and major shareholder of Kerns Excavating Co., Inc.

Motion by Brookhouser, seconded by Tilson to approve payment of Invoice No. 12220 submitted by Kerns Excavating Company in the amount of \$300.00 for hauling of Case 621 Loader to and from dealer for repair. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Brookhouser and

Tilson. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 I

7:32 p.m. Motion by Riese, seconded by Porter to temporarily recess as The Plattsmouth City Council. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 J

7:32 p.m. Mayor Bowman convened the Plattsmouth City Council as the Plattsmouth Board of Adjustment and Equalization

PLATTSMOUTH BOARD OF ADJUSTMENT AND EQUALIZATION
November 18, 2013

ITEM 4

Motion by Brookhouser, seconded by Wiemer to approve the October 7, 2013 minutes of the Plattsmouth Board of Adjustment and Equalization. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 5

Pursuant to publication the Chairman opened the public hearing at 7:35 p.m. with regard to the Imposition of a special assessment on real estate at 1117 Avenue A, Plattsmouth, NE 68048: Parcel #130009237 PLATTSMOUTH-YOUNG & HAYS ADD LOT 3 & W1/2 VAC ALLEY BLK 29~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 5 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:35 p.m.

ITEM 6

Pursuant to publication the Chairman opened the public hearing at 7:36 p.m. with regard to the Imposition of a special assessment on real estate at 426 Avenue A, Plattsmouth, NE 68048: Parcel #130004030 PLATTSMOUTH – OT LOT 9 BLK 18~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 6 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:36 p.m.

ITEM 7

Pursuant to publication the Chairman opened the public hearing at 7:37 p.m. with regard to the Imposition of a special assessment on real estate at 206 11th Avenue, Plattsmouth, NE 68048: Parcel #130296554 PLATTSMOUTH – MEADOW HEIGHTS ESTATES LOT 13A~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 7 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:37 p.m.

ITEM 8

Pursuant to publication the Chairman opened the public hearing at 7:37 p.m. with regard to the Imposition of a special assessment on real estate at 1102 Avenue A, Plattsmouth, NE 68048: Parcel #130008540 PLATTSMOUTH – YOUNG & HAYS ADD LOT 8 BLK 22~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 8 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:38 p.m.

ITEM 9

Pursuant to publication the Chairman opened the public hearing at 7:38 p.m. with regard to the Imposition of a special assessment on real estate at 912 Avenue G, Plattsmouth, NE 68048: Parcel #130006866 PLATTSMOUTH – TOWNSENDS ADD LOTS 9 & 10 BLK 5~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 9 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:38 p.m.

ITEM 10

Pursuant to publication the Chairman opened the public hearing at 7:39 p.m. with regard to the Imposition of a special assessment on real estate at 619 South 7th Street, Plattsmouth, NE 68048: Parcel #130002291 PLATTSMOUTH – OUTLOTS N 121.5' OF S246.5' LOTS 55 & 56 SW1/4 SW1/4~18-12-14 (.20)~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 10 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:40 p.m.

ITEM 11

Pursuant to publication the Chairman opened the public hearing at 7:40 p.m. with regard to the Imposition of a special assessment on real estate at 636 South 7th Street, Plattsmouth, NE 68048: Parcel #130002089 PLATTSMOUTH – OUTLOTS PT LOT 26 DB 120 P235 SW1/4 SW1/4 18-12-14~(.15)~ resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2011. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit 11 to the Chairman as evidence to show cause for the special assessment. No one else spoke. The Chairman closed the public hearing at 7:40 p.m.

ITEM 12

7:41 p.m. Motion by Dugan, seconded by Derby to adjourn as the Plattsmouth Board of Adjustment and Equalization. MOTION CARRIED on a voice vote.

ITEM 9 K-PLATTSMOUTH CITY COUNCIL

7:41 p.m. Mayor Bowman reconvened the Plattsmouth City Council

ITEM 9 L

Council Member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 13-059: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1117 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130009237 IN THE AMOUNT OF \$499.90**

Motion by Riese, seconded by Dugan to adopt RESOLUTION NO. 13-059 by title only.

RESOLUTION NO. 13-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1117 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130009237 IN THE AMOUNT OF \$499.90

WHEREAS, the owner of 1117 Avenue A failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$499.90; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 1117 Avenue A, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130009237: PLATTSMOUTH-YOUNG & HAYS ADD LOT 3 & W1/2

VAC ALLEY BLK 29~ specially benefitted the same in the amount of \$499.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-059 in to the record by title only. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 M

Council member Brookhouser introduced a resolution numbered and titled as follows: **RESOLUTION NO. 13-060: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130004030 IN THE AMOUNT OF \$1,034.90**

Motion by Brookhouser, seconded by Dugan to adopt RESOLUTION NO. 13-060 by title only.

RESOLUTION NO. 13-060

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130004030 IN THE AMOUNT OF \$1,034.90.

WHEREAS, the owner of 426 Avenue A failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$1,034.90; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 426 Avenue A, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130004030: PLATTSMOUTH – OT LOT 9 BLK 18~ specially benefitted the same in the amount of \$1,034.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-060 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 N

Council member Brookhouser introduced a resolution numbered and titled as follows: **RESOLUTION NO. 13-061: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 206 11th AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130296554 IN THE AMOUNT OF \$1,034.90**

Motion by Brookhouser, seconded by Tilson to adopt RESOLUITON NO. 13-061 by title only.

RESOLUTION NO. 13-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 206 11th AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130296554 IN THE AMOUNT OF \$1,034.90.

WHEREAS, the owner of 206 11th Avenue failed to correct a nuisance threat following

notice to do so and the City abated the same at a cost of \$1,034.90; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 206 11th Avenue, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130296554: PLATTSMOUTH – MEADOW HEIGHTS ESTATES LOT 13A~ specially benefitted the same in the amount of \$1,034.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-061 in to the record by title only. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 O

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 13-062: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1102 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130008540 IN THE AMOUNT OF \$472.68**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 13-062 by title only.

RESOLUTION NO. 13-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1102 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130008540 IN THE AMOUNT OF

\$472.68.

WHEREAS, the owner of 1102 Avenue A failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$472.68; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 1102 Avenue A, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130008540: PLATTSMOUTH – YOUNG & HAYS ADD LOT 8 BLK 22~ specially benefitted the same in the amount of \$472.68 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-062 in to the record by title only. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 P

Council member Wiemer introduced a resolution numbered and titled as follows: **RESOLUTION NO. 13-063: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 912 AVENUE G, PLATTSMOUTH, NEBRASKA; PARCEL #130006866 IN THE AMOUNT OF \$1,034.90**

Motion by Wiemer, seconded by Riese to adopt RESOLUTION NO. 13-063 by title only.

RESOLUTION NO. 13-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 912 AVENUE G, PLATTSMOUTH, NEBRASKA; PARCEL #130006866 IN THE AMOUNT OF \$1,034.90.

WHEREAS, the owner of 912 Avenue G failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$1,034.90; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 912 Avenue G, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130006866: PLATTSMOUTH – TOWNSENDS ADD LOTS 9 & 10 BLK 5~ specially benefitted the same in the amount of \$1,034.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-063 in to the record by title. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 Q

Council member Wiemer introduced a resolution numbered and titled as follows: RESOLUTION NO. 13-064: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 619 SOUTH 7TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL**

#130002291 IN THE AMOUNT OF \$834.90

Motion by Wiemer, seconded by Brookhouser to adopt RESOLUTION NO. 13-064 by title only.

RESOLUTION NO. 13-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 619 SOUTH 7TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130002291 IN THE AMOUNT OF \$834.90.

WHEREAS, the owner of 619 South 7th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$834.90; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 619 South 7th Street, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130002291: PLATTSMOUTH – OUTLOTS N 121.5' OF S246.5' LOTS 55 & 56 SW1/4 SW1/4~18-12-14 (.20)~specially benefitted the same in the amount of \$834.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-064 in to the record by title only. Following discussion, ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Kerns, Brookhouser and Tilson. No-Porter. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 R

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 13-065: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 636 SOUTH 7TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130002089 IN THE AMOUNT OF \$522.68**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 13-065 by title only.

RESOLUTION NO. 13-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 636 SOUTH 7TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130002089 IN THE AMOUNT OF \$522.68.

WHEREAS, the owner of 636 South 7th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$522.68; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 636 South 7th Street, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130002089: PLATTSMOUTH – OUTLOTS PT LOT 26 DB 120 P235 SW1/4 SW1/4 18-12-14~(.15)~~ specially benefitted the same in the amount of \$522.68 and that said amount is hereby levied against said property which shall be due in a single payment not later than January 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before January 7, 2014, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 18th day of November 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-065 in to the record by title only. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Kerns. No-Porter. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 S

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement.

7:54 p.m. Motion by Riese, seconded by Wiemer to convene to Closed Session to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement.

8:40 p.m. Motion by Riese, seconded by Wiemer to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 12

8:55 p.m. Motion by Porter, seconded by Derby to adjourn. On a voice vote, MOTION CARRIED.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk