

PLATTSMOUTH CITY COUNCIL

January 20, 2014

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 January 20, 2014 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 and Wanda Wiemer. Council Members Absent: Doug Derby. Also present: 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.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

Motion by Dugan, seconded by Wiemer to approve the Consent Agenda as presented.

A Consider approval of the January 6, 2014 City Council Meeting Minutes

B Consider approval of claims

Claims Register Report
as of 1/20/2014

Dept Name Vendor Name Amount

Payroll Claim

Pay Date: 12/27/13
Com Ctr 7317.73
EMS 9817.19

General 16220.51
Library 6344.92
Park and Cemetery 2179.21
Police 38204.54
Senior 1689.83
Street 11975.92
Water and Sewer 13140.62

106890.47

VARIOUS DEPARTMENTS

AMERICAN FAMILY LIFE 665.91
AMERITAS LIFE INSURANCE CORP 13593.54
CINTAS CORPORATION #749 12
CITY TREASURER 594.14
COLLECTION SERVICES CENTER 186
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 26869.24
NEBRASKA DEPARTMENT OF REVENUE 3677.39
PLATTSMOUTH STATE BANK 1288.44

Department : 01 - GENERAL ADMINISTRATION

ALLEY POYNER MACCHIETTO ARCHITECTURE 8228.59
CASS COUNTY REGISTER OF DEEDS 10
COMPUTERS TO GO 28
EMC INSURANCE COMPANY 3000
FIRST BANKCARD 263.53
JOHN BAXTER 50
KONICA MINOLTA BUSINESS SOLUTIONS 13.51
MENARDS 11.97
OLMSTED & PERRY ENGINEERING 1152.5
PAYFLEX 640.02
PAYLESS OFFICE PRODUCTS 105.63
VERIZON WIRELESS 83.22
WELCH LAW FIRM LLC 1095
WINDSTREAM 305.31
WIREBUILT CO 75

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA HUMANE SOCIETY 145
PLATTSMOUTH ANIMAL HOSPITAL PC 83.7
SHOPKO STORES OPERATING CO LLC 28.95
VERIZON WIRELESS 40.01

Department : 03 - EMS

FOUR STAR LAUNDRY 19.24
HENRY COLLISION CENTER 294.77
IDEAL PURE WATER 16.37

KONICA MINOLTA BUSINESS SOLUTIONS 22.4
LIFE-ASSIST INC 511.3
MATHESON TRI-GAS INC 196.9
PAYFLEX 6.67
SHOPKO STORES OPERATING CO LLC 7.24
VERIZON WIRELESS 150
WINDSTREAM 107.05

Department : 04 - POLICE

CASS COUNTY SHERIFF 3509
FBINAA-NE INC 100
FORD MOTOR CREDIT COMPANY 19354
JEFF HENRY CHEVROLET 333.73
JOHN'S APPLIANCE 17.58
KONICA MINOLTA BUSINESS SOLUTIONS 64.62
MID-STATES ORGANIZED CRIME INFO 150
MULLENAX AUTO SUPPLY 18.98
NATIONAL LAW ENFORCEMENT SUPPLY 110.59
PAYFLEX 20.01
PAYLESS OFFICE PRODUCTS 128.83
VERIZON WIRELESS 120.05
WARGA BROADCASTING LLC 300
WINDSTREAM 300.32

Department : 05 - STREET

ASPHALT & CONCRETE MATERIALS 672.66
CINTAS CORPORATION #749 263.04
CONWAY OIL COMPANY 3058.78
FASTENAL COMPANY 33.16
HIGGINS HARDWARE 24.99
IMPACT MANUFACTURING 138.19
LINDER TIRE & AUTO INC 48
LOGAN CONTRACTORS SUPPLY CO 399.5
MARTIN MARIETTA AGGREGATES 381.13
MICHAEL TODD & COMPANY INC 745
MULLENAX AUTO SUPPLY 366.8
OLMSTED & PERRY ENGINEERING 1114.25
PAYFLEX 13.32
REDSHAW PAINT SUPPLY INC 428.61
TED'S MOWER SALES AND SERVICE 48.45
VERIZON WIRELESS 126.08
WHITE CAP CONSTRUCTION SUPPLY 240.54
WINDSTREAM 106.57

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1190.14
CENTER POINT LARGE PRINT 216.9
KONICA MINOLTA BUSINESS SOLUTIONS 71.67

OCLC INC 98.1
SPECIALTY STORE SERVICES 116.6

Department : 07 - PARK & REC

ALLIED OIL & TIRE CO 498.95
BLACK HILLS ENERGY 232.07
FASTENAL COMPANY 0.31
HIGGINS HARDWARE 6.99
MULLENAX AUTO SUPPLY 21.49
VERIZON WIRELESS 67.02
WINDSTREAM 53.43

Department : 08 - CEMETERY

PAYFLEX 6.66

Department : 10 - FIRE

ALAMAR UNIFORMS 93.47
FIRST BANKCARD 367.95
FOUR STAR LAUNDRY 19.26
GODFATHER'S 44.21
HONEYMAN RENT-ALL 115
IDEAL PURE WATER 16.38
INTERSTATE POWER SYSTEMS INC 1045.08
JONES & BARTLETT LEARNING LLC 1352
KONICA MINOLTA BUSINESS SOLUTIONS 22.41
MULLENAX AUTO SUPPLY 1101.11
PLATTSMOUTH RURAL FIRE DISTRICT 14618.5
WINDSTREAM 107.05

Department : 11 - SENIOR CITIZEN CTR

WINDSTREAM 120

Department : 16 - ECONOMIC DEVELOPMENT

OLMSTED & PERRY ENGINEERING 3057.7

Department : 17 - COMMUNITY CENTER

AQUA CHEM INC 187.2
AUDIO VIDEO SOLUTIONS 1400
CHARTER BUSINESS 319.84
COMPUTERS TO GO 54
EGAN SUPPLY CO 324.29
FISERV 187.5
FOUR STAR LAUNDRY 293.75
MICHAEL ANZALONE 30
PAYFLEX 6.66
QUALITY SIGNS 170
SHOPKO STORES OPERATING CO LLC 226.51
STEPHEN C. WARGA 36

VERIZON WIRELESS 51.7
WINDSTREAM 360.01

Department : 20 - WATER

HDR ENGINEERING INC 3883.66
MISSISSIPPI LIME COMPANY 3578.4
MULLENAX AUTO SUPPLY 22.5
NEBRASKA RURAL WATER 137.5
ONE CALL CONCEPTS INC 16.88
PAYFLEX 6.66
PAYLESS OFFICE PRODUCTS 158.09
SHOPKO STORES OPERATING CO LLC 35.98
TRANSWOOD LOGISTICS INC 861.74
TYLER TECHNOLOGIES 180
UTILITY EQUIPMENT COMPANY 482.07
VERIZON WIRELESS 94.56
WENTZ HOLDING LLC 750
WINDSTREAM 159.94

Department : 24 - DRUG FORFEITURE

HENRY COLLISION CENTER 1953.2
JEFF HENRY CHEVROLET 200
VERIZON WIRELESS 54.12

Department : 30 - SEWER

BLUETARP FINANCIAL INC 39.98
HDR ENGINEERING INC 2876.7
HIGGINS HARDWARE 4
MIDWEST LABORATORIES INC 217.5
NEBRASKA RURAL WATER 212.5
ONE CALL CONCEPTS INC 16.87
PAYLESS OFFICE PRODUCTS 20.99
SHOPKO STORES OPERATING CO LLC 15.48
VERIZON WIRELESS 31.52
WINDSTREAM 48.33

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Riese introduced an Ordinance numbered and titled as follows: **ORDINANCE NO. 1873: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 7, ARTICLE 1, SECTION 7-115 ENTITLED "LIEN"; TO**

REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Motion by Riese, seconded by Dugan to approve second (2nd) reading of ORDINANCE NO. 1873: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 7, ARTICLE 1, SECTION 7-115 ENTITLED “LIEN”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Council Member Tilson stated that constituents that contacted him were in favor of liens rather than losing money to the Collection Agency. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer and Porter. No-Tilson. Absent-Derby. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1873 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Steve Perry, Olmsted & Perry Consulting Inc. presented and reviewed the City of Plattsmouth Street Survey. Mr. Perry stated his firm assessed and evaluated the conditions, structural integrity, and overall navigability of the City’s existing streets. The parameters used to assess and evaluate the existing streets were reviewed. A rating of A-Excellent; B-Good; C-Fair; D-Poor; or F-Bad (failing) was given to every block of street surfacing. Recommendations were reviewed but it was indicated that the list of recommendations was not meant to be a specific priority list, but a means in which to begin the discussion regarding the City’s ability to fund the high priority areas.

ITEM 9 B

Steve Perry, Olmsted & Perry Consulting Inc. presented information and discussed the Highway 75 and 1st Avenue Right In-Right Out options. Two options (1-Median with Right in and Right out; and 2-North bound traffic with a left turn to go west with a curbed island) were extensively discussed. Both options have a positive impact on safety but some council members felt that neither option was the answer. Reduction of speed limit, stop lights and on-coming traffic flashing lights were also discussed. The City would be 100% funding this project.

ITEM 9 C

Pursuant to publication, Mayor Bowman opened a public hearing at 7:46 p.m. to hear and consider any comments regarding the CDBG #13-CIS-004 Comprehensive Investment & Stabilization Program-Phase 1 Needs Assessment. Emily Bausch, Southeast Nebraska Development District Community Development Specialist extensively reviewed the Plattsmouth Comprehensive Investment and Stabilization (CIS) project. The Low to Moderate Income target area was all of Plattsmouth South of 2nd Avenue. At the Neighborhood Public Meeting projects were prioritized with street paving first, followed by residential home owner-occupied rehabilitation, and higher wages & variety of jobs. All information gathered from the Needs

Assessment was used to compile an Action Plan. Ms. Bausch outlined the timeline from submission to award. No one else spoke. Mayor Bowman closed the public hearing at 8:47 p.m.

ITEM 9 D

Council Member Brookhouser introduced a resolution numbered and titled as follows:

RESOLUTION 14-007: A RESOLUTION OF THE PLATTSMOUTH CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT COMPREHENSIVE INVESTMENT AND STABILIZATION ACTION PLAN.

Motion by Brookhouser, seconded by Tilson to adopt RESOLUTION NO. 14-007 by title only:

RESOLUTION NO. 14-007

A RESOLUTION OF THE PLATTSMOUTH CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT COMPREHENSIVE INVESTMENT AND STABILIZATION ACTION PLAN.

WHEREAS, the City has implemented a Community Needs Assessment project for a Low to Moderate Income target area within the City limits in all neighborhoods south of 2nd Ave;

WHEREAS, the data from a needs assessment survey along with a neighborhood meeting and infrastructure assessment has been utilized to develop an action plan for the target area;

WHEREAS, The Mayor and City Council of the City of Plattsburgh, in regular session assembled at the Plattsburgh City Hall 136 South 5th Street, on this 20th day of January, 2014 hereby resolve as follows:

NOW THEREFORE: BE IT RESOLVED that the Mayor and City Council approve the attached action plan for potential and future projects within the target area should funding become available

Passed and Approved this 20th day of January, 2014

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-007 in to the record by title only.

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

ITEM 9 E

Motion by Brookhouser, seconded by Tilson to approve the appointment of Heather M. Herlick to Plattsburgh Planning Commission for a 3 year term (January 2014 through January 2017) to

fill a vacancy created due to the retirement of Billy Hale. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Porter, Kerns and Brookhouser. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 F

8:50 p.m. Motion by Porter, seconded by Kerns to temporarily recess as the Plattsmouth City Council. ROLL CALL: Yes-Wiemer, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 G

8:50 p.m. Mayor Bowman convened the council as the Plattsmouth Board of Adjustment and Equalization.

ITEM 9 H

9:09 p.m. Mayor Bowman reconvened the Plattsmouth City Council.

ITEM 9 I

Council Member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-002: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 612 CHICAGO AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130016713 IN THE AMOUNT OF \$1,034.90**

Motion by Riese, seconded by Brookhouser to adopt RESOLUTION NO. 14-002 by title only:

RESOLUTION NO. 14-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 612 CHICAGO AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130016713 IN THE AMOUNT OF \$1034.90.

WHEREAS, the owner of 612 Chicago Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$1034.90; 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 612 Chicago Avenue, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130016713: PLATTSMOUTH – OAKMONT ADD LOT 6~ specially benefitted the same in the amount of \$1034.90 and that said amount is hereby levied

against said property which shall be due in a single payment not later than March 11, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 11, 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 20th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO.14-002 in to the record by title only. Council Member Brookhouser questioned if an RFP could be put out for bids for the vendors that do the clean-up. Chief Rathman stated that they did go through that process and the vendors were unreliable. The Police Department uses two local vendors for clean-up and now they are both itemizing bills. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Porter and Kerns. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 J

Council Member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-003: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 504 AVENUE C, PLATTSMOUTH, NEBRASKA; PARCEL #130003425 IN THE AMOUNT OF \$1,627.40**

Motion by Riese, seconded by Brookhouser to adopt RESOLUTION NO. 14-003 by title only:

RESOLUTION NO. 14-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 504 AVENUE C, PLATTSMOUTH, NEBRASKA; PARCEL #130003425 IN THE AMOUNT OF \$1627.40.

WHEREAS, the owner of 504 Avenue C failed to correct a nuisance threat following

notice to do so and the City abated the same at a cost of \$1627.40; 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 504 Avenue C, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130003425: PLATTSMOUTH – OT S90' E1/2 LOT 10 & S90' LOTS 11 & 12 BLK 3~~ specially benefitted the same in the amount of \$1627.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 11, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 11, 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 20th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-003 in to the record by title only. City Attorney Roger Johnson stated that Mr. Macedo (property owner) presented no evidence to justify reducing the amount due. It was stated that the wall on this property fell in mid March and the initial notice was given in September so the property owner had approximately 6 months to do clean-up. Chief Rathman stated that the clean-up job was inspected and it was determined that the job was not done so the vendor doing the work was notified and did return to finish. ROLL CALL: Yes-Dugan, Wiemer, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 K

Council member Dugan introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-004: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 129 NORTH 6TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130005215 IN THE AMOUNT OF \$724.90**

Motion by Dugan, seconded by Wiemer to adopt RESOLUTION NO. 14-004 by title only:

RESOLUTION NO. 14-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 129 NORTH 6TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130005215 IN THE AMOUNT OF \$724.90.

WHEREAS, the owner of 129 North 6th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$724.90; 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 129 North 6th Street, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130005215: PLATTSMOUTH – OT S65' LOTS 5 & 6 BLK 28~ specially benefitted the same in the amount of \$724.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 11, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 11, 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 20th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUITON NO.14-004 in to the record by title only. Following discussion, ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Porter, Kerns and Brookhouser. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 L

Council member Wiemer introduced a resolution numbered and titled as follows:
RESOLUTION NO. 14-005: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 804 NORTH 9TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130006920 IN THE AMOUNT OF \$524.90

Motion by Wiemer, seconded by Dugan to adopt RESOLUTION NO. 14-005 by title only:

RESOLUTION NO. 14-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 804 NORTH 9TH STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130006920 IN THE AMOUNT OF \$524.90.

WHEREAS, the owner of 804 North 9th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$524.90; 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 804 North 9th Street, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130006920: PLATTSMOUTH – TOWNSENDS ADD LOT 12 BLK 5~ specially benefitted the same in the amount of \$524.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 11, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 11, 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 20th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO.14-005 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Porter. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 M

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-006: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1108 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130016276 IN THE AMOUNT OF \$524.90**

Motion by Brookhouser, seconded by Tilson to adopt RESOLUTION NO. 14-006 by title only:

RESOLUTION NO. 14-006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1108 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA; PARCEL #130016276 IN THE AMOUNT OF \$524.90.

WHEREAS, the owner of 1108 Lincoln Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$524.90; 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 1108 Lincoln Avenue, Plattsmouth, Nebraska 68048 legally described as: PARCEL #130016276: PLATTSMOUTH – O'NEILL'S ADD LOT 1 EXC S62.82' BLK 9~ specially benefitted the same in the amount of \$524.90 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 11, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 11, 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 20th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO.14-006 in to the record by title only.
ROLL CALL: Yes-Wiemer, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None.
Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 12

9:43 p.m. Motion by Porter, seconded by Kerns to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk