

PLATTSMOUTH CITY COUNCIL

August 18, 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 August 18, 2014 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry D. Tilson. 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

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

Motion by Brookhouser, seconded by Wiemer to approve the Consent Agenda with the exception of the claim for Kerns Excavating in the amount of \$2,597.50, which will be considered separately.

- A Consider approval of the August 4, 2014 City Council Meeting Minutes
- B Consider setting the next regular City Council meeting for Tuesday, September 2, 2014 due to the Labor Day Holiday
- C Consider approval of claims

Claims Register Report as of 8/18/2014

Vendor Name Amount

Pay Date: 8/8/14
Com Ctr 19396.28
EMS 7835.94
General 16228.09
Library 6714.47
Park and Cemetery 4560
Police 34047.88
Senior 2119.02
Street 11735.37
Water and Sewer 13287.53

115924.58

Vendor Name

AMERITAS LIFE INSURANCE CORP (pension) 12953.34
CITY TREASURER 839.18
COLLECTION SERVICES CENTER 186
EYE MED VISION CARE 300.94
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 28361.75
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3732.57
UNITED STATES LIFE INSURANCE CO 213.41

Department : 01 - GENERAL ADMINISTRATION

CASS COUNTY REGISTER OF DEEDS 60
CHARTER BUSINESS 131.95
KONICA MINOLTA BUSINESS SOLUTIONS 163.26
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 801.99
SCHNEIDER AGENCY 249
THE COLUMBUS TELEGRAM 444.9
TYLER TECHNOLOGIES 18494.4
VERIZON WIRELESS 83.17
WASTE CONNECTIONS OF NEBRASKA INC 48.5
WINDSTREAM 249.92
WIREBUILT CO 75

Department : 02 - HUMANE/CODE ENFORCEMENT

HEARTS UNITED 85
NEBRASKA HUMANE SOCIETY 133
NEBRASKA PUBLIC POWER DISTRICT 109.93
PLATTSMOUTH ANIMAL HOSPITAL PC 102.63
SHELL FLEET PLUS 287.76

SPECIALTY RETAIL SHOPS HOLDING CORPORATION 78.4
VERIZON WIRELESS 40.01

Department : 03 - EMS

AMANDA BRINK 865.5
BRIAN JOSEPH FORMAN 239.95
FOUR STAR LAUNDRY 15.18
IDEAL PURE WATER 21.63
JEFF HENRY CHEVROLET 1367.08
KATHRYN SHARP 200
KONICA MINOLTA PREMIER FINANCE 34.98
LIFE-ASSIST INC 2075.1
MATHESON TRI-GAS INC 214.09
SHELL FLEET PLUS 808.99
VERIZON WIRELESS 254.16
WASTE CONNECTIONS OF NEBRASKA INC 14.58
WINDSTREAM 160.76

Department : 04 - POLICE

DAVID WALKER 110.96
DIGITAL ALLY 100
JEFF HENRY CHEVROLET 64.9
KONICA MINOLTA BUSINESS SOLUTIONS 102.06
KONICA MINOLTA PREMIER FINANCE 197.6
LINDER TIRE & AUTO INC 20
METHODIST HOSPITAL 700
MJN INC 300
MULLENAX AUTO SUPPLY 5.84
NEBRASKA ASSOC OF PROPERTY & EVIDENCE 50
SHELL FLEET PLUS 2128.74
THE COLUMBUS TELEGRAM 485.6
VERIZON WIRELESS 171.81
WINDSTREAM 308.85

Department : 05 - STREET

ALLIED OIL & TIRE CO 50
CINTAS CORPORATION #749 364.3
CONWAY OIL COMPANY 4173.31
DIAMOND VOGEL PAINT CENTER 992.66
FASTENAL COMPANY 25.17
MICHAEL TODD & COMPANY INC 567
MR LANDSCAPE NURSERY 240.22
MULLENAX AUTO SUPPLY 253.36
NEBRASKA PUBLIC POWER DISTRICT 7821.33
PLATTSMOUTH STATE BANK 17195
SHELL FLEET PLUS 956.54
TITAN MACHINERY 103.3
VERIZON WIRELESS 125.96

VOGEL TRAFFIC SERVICES 3675.95
W W SANDBLASTING 120
WASTE CONNECTIONS OF NEBRASKA INC 117.66

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 750.7
CENTER POINT LARGE PRINT 216.9
EGAN SUPPLY CO 107.11
KIRSTEN WOOD 9
KONICA MINOLTA BUSINESS SOLUTIONS 53.53
KONICA MINOLTA PREMIER FINANCE 197.6
NEBRASKA LIBRARY COMMISSION 328.7
NEBRASKA PUBLIC POWER DISTRICT 728.06
OCLC INC 109.6
SPRAGUE ELECTRIC 200
TYLER TECHNOLOGIES 5548.32
WASTE CONNECTIONS OF NEBRASKA INC 14.56

Department : 07 - PARK & REC
BLACK HILLS ENERGY 20.09
FOUR STAR LAUNDRY 16.75
LINDER TIRE & AUTO INC 345
MULLENAX AUTO SUPPLY 444.83
NEBRASKA PUBLIC POWER DISTRICT 278.25
RANDALL J SCOTT 2800
SHELL FLEET PLUS 295.84
VERIZON WIRELESS 31.49
WASTE CONNECTIONS OF NEBRASKA INC 113.6
WILES BROS. INC. 88.06
WINDSTREAM 53.05

Department : 08 - CEMETERY
BLACK HILLS ENERGY 20.29
FOUR STAR LAUNDRY 1.25
MULLENAX AUTO SUPPLY 45.99
SHELL FLEET PLUS 126.79
SOFTCHOICE CORP 141.07
VERIZON WIRELESS 33.48

Department : 10 - FIRE
ALEX AIR APPARATUS INC 5712.65
FIRE GUARD 114.25
FOUR STAR LAUNDRY 15.18
IDEAL PURE WATER 21.62
KATHRYN SHARP 200
KONICA MINOLTA PREMIER FINANCE 34.98
MAIN STREET JEWELERS 119.9
MULLENAX AUTO SUPPLY 46.69

NEBRASKA STATE VOLUNTEER FIREFIGHTERS 840
OFE OIL INC. 1588.76
P&W 826.5
WASTE CONNECTIONS OF NEBRASKA INC 14.56
WINDSTREAM 160.76

Department : 11 - SENIOR CITIZEN CTR
DOODAD INC 3674
FOUR STAR LAUNDRY 130.38
OFE OIL INC. 131.3
STEUBE'S THRIFTWAY 369.54
THE THOMPSON COMPANY 4197.39

Department : 17 - COMMUNITY CENTER
3 GUYS AND A BALL LLC 150
BSN SPORTS INC 588.24
CHARTER BUSINESS 213.73
DAVID D WARREN 10
DEANA POHLMEIER 105.6
EGAN SUPPLY CO 55.78
FASTENAL COMPANY 28.62
FOUR STAR LAUNDRY 1016.25
GREENLIFE GARDENS 290
KONICA MINOLTA BUSINESS SOLUTIONS 110.84
KONICA MINOLTA PREMIER FINANCE 278.83
MONARCH OIL INC 1979
NEBRASKA SOFTBALL ASSOCIATION 310
NOVA FITNESS EQUIPMENT 118.5
PERMITE CO OF NEB AND IA 125
SAM'S CLUB 95.78
VALLERIE HRUSKA 35.04
VERIZON WIRELESS 51.68
WASTE CONNECTIONS OF NEBRASKA INC 101

Department : 18 - AQUATIC
AQUA CHEM INC 781.1
BARONI ENTERPRISES 149
FIRST BANKCARD 280.09
HEATHER WEAVER 300
MID-STATES SUPPLY COMPANY INC 78.1
NEBRASKA PUBLIC POWER DISTRICT 2873.68
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 47.94
WASTE CONNECTIONS OF NEBRASKA INC 113.22
WINDSTREAM 65.41

Department : 20 - WATER
AMERICAN UNDERGROUND SUPPLY LLC 378.74
D & D LASER INC 84.95

DPC INDUSTRIES INC 470
FASTENAL COMPANY 163.55
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 22.99
INDUSTRIAL ELECTRIC MOTORS 347.6
JEFF HENRY CHEVROLET 37.3
MICHAEL TODD & COMPANY INC 283.5
MISSISSIPPI LIME COMPANY 3704.75
NEBRASKA PUBLIC POWER DISTRICT 84.34
NEBRASKA SAFETY COUNCIL INC 265
NMC EXCHANGE LLC 154.75
ONE CALL CONCEPTS INC 49.68
O'REILLY AUTOMOTIVE INC 47.45
SHELL FLEET PLUS 778.59
STETSON BUILDING PRODUCTS INC 195.28
TRANSWOOD LOGISTICS INC 872.93
TYLER TECHNOLOGIES 3698.88
UTILITIES SECTION 778
VERIZON WIRELESS 94.47
WATER DEPARTMENT-PETTY CASH 392.01
WINDSTREAM 167.29

Department : 24 - DRUG FORFEITURE
AMERICAN UNDERGROUND SUPPLY LLC 140
D & D LASER INC 84.95
DEETER FOUNDRY INC 99

Department : 30 - SEWER
DPC INDUSTRIES INC 780
JEFF HENRY CHEVROLET 235.14
MICHAEL TODD & COMPANY INC 283.5
MIDWEST LABORATORIES INC 284
MULLENAX AUTO SUPPLY 34.99
ONE CALL CONCEPTS INC 49.67
SHELL FLEET PLUS 310.25
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 25.62
TYLER TECHNOLOGIES 3082.4
USA BLUEBOOK 185.1
UTILITIES SECTION 778
VERIZON WIRELESS 54.1
VERIZON WIRELESS 31.49
WASTE CONNECTIONS OF NEBRASKA INC 42.64
WINDSTREAM 49.81

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
MARK MOREHEAD CONSTRUCTION 750

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Consider approval and authorize payment of Pay Application No. 1 submitted by Pioneer Excavating for the New Public Works Utility Building concrete floor located at 444 13th Avenue in the amount of \$20,611.00 and authorize the Mayor to execute Pay Application No. 1. LAID OVER TO A FUTURE MEETING. NO ACTION TAKEN.

ITEM 8 B

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-027: NDOR Project No. URB-6404(1)-City pledges sufficient funds to finance its share of the project; concurs in selection of the contractor; and authorizes the Mayor to sign the contract(s).

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 14-027:

RESOLUTION 14-027

WHEREAS, there has been signed by the City of Plattsmouth on the 2nd day of July, 2012, and the State on the 17th day of July, 2012, an agreement providing for the construction of a Federal Aid Project at the following location: 4th Avenue from 16th St - Hillcrest, Plattsmouth

, and

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as URB-6404(1), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on July 31, 2014, at which time 3 bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

TAB Holding Company, Inc., DBA TAB Construction, Omaha, NE
Concrete Pavement: \$152,978.49

NOW THEREFORE, in consideration of the above facts, the City Council of the City of Plattsmouth, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Council hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Council hereby authorizes the Mayor to sign the contract(s) with the above mentioned Contractor(s) for the above mentioned work on behalf of the City.

DATED THIS 18th DAY OF August, A.D. 2014

CITY OF PLATTSMOUTH

ATTEST:

Sandra Meyers
(City Clerk)

Michael C. Bowman
(Mayor)

Council Member Steve Riese, 2nd by Wiener

Moved the adoption of said resolution.

Roll Call: 7 yea, 0 nay, 1-Absent

Resolution adopted, signed and billed as adopted.



City Attorney Roger Johnson read RESOLUTION NO. 14-027 in to the record by title only. Following discussion, ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED

ITEM 8 C

Council member Porter introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1879: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 5, ARTICLE 1, SECTION 5-117 ENTITLED "HOURS OF SALE" AS THE SAME RELATES TO THE SALE OF ALCOHOLIC BEVERAGES; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Porter, seconded by Riese to suspend the reading on 3 separate days and to adopt ORDINANCE NO. 1879 on 3rd and final reading by title only. ROLL CALL: Yes-Wiemer, Porter, Kerns, Brookhouser, Riese and Dugan. No-Derby. Absent-Tilson. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1879 in to the record by title only.

ITEM 8 D

Council Member Dugan introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1880: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ANNEXING CERTAIN LANDS ADJACENT TO THE CITY OF PLATTSMOUTH, NEBRASKA AND DEFINING THE BOUNDARIES THEREOF AS FOLLOWS: A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW 1/4) OF THE NORTHWEST 1/4 (NW1/4) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N89°56'03" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW 1/4 A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT -OF-WAY LINE OF STATE HIGHWAY 34/75; THENCE N51°0'08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°0'08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S508'48"W ALONG THE WEST RIGHT-OF-WAY LINE OF 2ND AVENUE A DISTANCE OF 381.81 FEET; THENCE N89°54'09"W A DISTANCE OF 458.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL BEING SUBLLOT 1 OF TAXLOT 73 CONTAINING 4.00 ACRES, MORE OR LESS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Dugan, seconded by Porter to approve second reading of ORDINANCE NO. 1880: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ANNEXING CERTAIN LANDS ADJACENT TO THE CITY OF PLATTSMOUTH, NEBRASKA AND DEFINING THE BOUNDARIES THEREOF AS FOLLOWS: A PARCEL OF LAND**

BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW 1/4) OF THE NORTHWEST 1/4 (NW1/4) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N89°56'03" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW 1/4 A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT -OF-WAY LINE OF STATE HIGHWAY 34/75; THENCE N51°0'08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°0'08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S50°8'48"W ALONG THE WEST RIGHT-OF-WAY LINE OF 2ND AVENUE A DISTANCE OF 381.81 FEET; THENCE N89°54'09"W A DISTANCE OF 458.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL BEING SUBLOT 1 OF TAXLOT 73 CONTAINING 4.00 ACRES, MORE OR LESS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE.

ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1880 in to the record by title only.

ITEM 8 E

Motion by Brookhouser, seconded by Porter to direct the preparation of an ordinance setting the Mayor annual pay at \$3,500.00 and the Council annual pay at \$2,000.00. Council member Wiemer reminded the council that the elected official can get a free membership to the Plattsmouth Community Center. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Riese, seconded by Brookhouser to approve a Street Closing or Event Permit Application submitted by Plattsmouth Chamber of Commerce for October 3, 2014 (Rain Date October 11, 2014) for Cruizin Main from 10:00 a.m. to 10:00 p.m. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-028: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR A SPECIAL EVENT SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA REV. STATUTE § 39-1359**

Motion by Riese, seconded by Porter to adopt RESOLUTION NO. 14-028:

RESOLUTION NO. 14-028

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR A SPECIAL EVENT SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA REV. STATUTE § 39-1359.

WHEREAS, the City of Plattsmouth acknowledges and accepts the duties set out in Neb. Rev. Stat. § 39-1359(2) and, if a claim is made against the State, the City shall indemnify, defend and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of a special event.

WHEREAS, a portion of United States Highway 34 also known as Main Street; a portion of United States Highway 34 also known as South 6th Street from Main Street to 1st Avenue and 1st Avenue to Chicago Avenue; and a portion of United States Highway 34 also known as South 3rd Street from Main Street to 2nd Avenue, all located within the corporate limits of the City of Plattsmouth.

WHEREAS, the City must notify the Nebraska Department of Roads of a proposed closure of a State Highway or United States Highway under its control and jurisdiction, and the City must agree to indemnify the State of Nebraska.

WHEREAS, Plattsmouth Chamber of Commerce has requested the closure of US Highway 34, also known as Main Street, from 3rd Street to 6th Street on October 3, 2014 for a special event (Cruizin Main) from 10:00 a.m. to 10:00 p.m.; South 6th Street from Main Street to 1st Avenue on October 3, 2014 from 10:00 a.m. to 10:00 p.m.; and South 3rd Street from Main Street to 2nd Avenue on October 3, 2014 from 10:00 a.m. to 10:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Plattsmouth, Nebraska that, US Highway 34 be closed: Main Street, from 3rd Street to 6th Street on October 3, 2014 for a special event (Cruizin Main) from 10:00 a.m. to 10:00 p.m.; South 6th Street from Main Street to 1st Avenue on October 3, 2014 from 10:00 a.m. to 10:00 p.m.; and South 3rd Street from Main Street to 2nd Avenue on October 3, 2014 from 10:00 a.m. to 10:00 p.m. and that the City of Plattsmouth accepts the duties set out in Neb. Rev. Stat. § 39-1359(2), if a claim is made against the State, the City shall indemnify, defend and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of a special event, and so notify the Nebraska Department of Roads.

PASSED AND APPROVED this 18th day of August 2014.

City of Plattsmouth, Nebraska
/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-028 in to the record by title only. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 C

Tabitha Foster, Executive Director of the Plattsmouth Chamber of Commerce reviewed the proposed changes to the 2014 Cruizin Main Event with allowing alcohol to be consumed while viewing the entries in the event. Following further discussion, Motion by Brookhouser, seconded by Porter to give a favorable recommendation for approval of a Special Designated License filed by Plattsmouth Chamber of Commerce for an Event-Cruizin Main, being held on Main Street, Richey Street to 7th Street; 3rd Street-Main Street to 1st Avenue; 4th Street-the east west alley ½ block north of Main Street to 1st Avenue; 5th Street-the east west alley ½ block north of Main Street to 1st Avenue; 6th Street-Avenue A to 1st Avenue; the City Parking Lot (located east west alley ½ block south of Main Street on 4th Street-between 4th Street and 5th Street); the Entertainment Plaza at 4th and Main; and 3rd Street-Main Street to Avenue A will only be open to traffic to and from the Law Enforcement Center (barricades with “No Outlet” signs will be placed at 3rd Street and Avenue A), Plattsmouth on October 3, 2014 (alternate date of October 11, 2014) from 2:00 p.m. to 11:00 p.m. After further discussion, ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 D

Tabitha Foster, Executive Director of the Plattsmouth Chamber of Commerce reviewed the plans for wrist bands, monitoring, barricades and the checking/requirements for identification. Motion by Brookhouser, seconded by Porter to authorize the consumption of alcoholic beverages on public property for the Plattsmouth Chamber of Commerce event, Cruizin Main, on October 3, 2014 (alternate date October 11, 2014) from 4:00 p.m. to 10:00 p.m. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Derby to approve the Application for a Sidewalk Café submitted by Sisters Café, LLC, 534 Main Street, Plattsmouth, Nebraska. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council member Brookhouser introduced an ordinance numbered and title as follows: ORDINANCE NO. 1881: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH,**

NEBRASKA TO ENACT CHAPTER 4, ARTICLE 1, SECTION 4-144 OF THE PLATTSMOUTH MUNICIPAL ORDINANCES 2011, PROHIBITING NOISES MADE BY MECHANICAL DEVICES OPERATED BY COMPRESSED AIR AND USED TO ASSIST BRAKING ON ANY SEMITRACTOR; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND TO PROVIDE AN EFFECTIVE DATE

Motion by Brookhouser, seconded by Wiemer that the first reading of ORDINANCE NO. 1881 be approved. Following discussion, ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1881 in to the record by title only.

ITEM 9 G

Council member Kerns stated that he would be abstaining from any discussion or action as he is the President and majority shareholder for Kerns Excavating. Motion by Brookhouser, seconded by Dugan to authorize payment of Invoice #12634 submitted by Kerns Excavating in the amount of \$2,597.50 for services and labor at a water leak at the Union Pacific tracks and Highway 66. ROLL CALL: Yes-Wiemer, Derby, Porter, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.

ITEM 9 H

Motion by Riese, seconded by Wiemer to approve the appointment of the following proposed new volunteer members of the Plattsmouth Emergency Medical Services Department: Newman Retzlaff; Jeremy Naser; Jared Cornell; Stephen Menchacha; and Matthew Schorfheide. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 I

Motion by Wiemer, seconded by Derby to approve the Plattsmouth Emergency Medical Services Department Roster as presented. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 J

Motion by Riese, seconded by Dugan to approve the appointment of the following proposed new member to the Plattsmouth Volunteer Fire Department: Charlie Wilkins. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 K

Motion by Porter, seconded by Riese to approve the Plattsmouth Volunteer Fire Department roster as presented. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby, Porter and

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

ITEM 9 L

7:33 p.m. Motion by Riese, seconded by Dugan to temporarily recess as the Plattsmouth City Council. ROLL CALL: Yes-Wierner, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-None.

ITEM 9 M

7:34 p.m. Mayor Bowman convened the meeting as the Plattsmouth Board of Adjustment and Equalization.

ITEM 9 N

7:46 p.m. Motion by Dugan, seconded by Riese to reconvene as the Plattsmouth City Council. MOTION CARRIED on a voice vote.

ITEM O

Council member Kerns introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-029: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 412 4th AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130242209 IN THE AMOUNT OF \$346.40.**

Motion by Kerns, seconded by Riese to adopt RESOLUTION NO. 14-029 by title only:

RESOLUTION NO. 14-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 412 4th AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130242209 IN THE AMOUNT OF \$346.40.

WHEREAS, the owner of 412 4th Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$346.40; 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 412 4th Avenue, Plattsmouth, NE 68048; Parcel #130242209 PLATTSMOUTH - OT LOTS 8 & 9 BLK 62~specially benefitted the same in the amount of \$346.40 and that said amount is hereby levied against said property which shall be

due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Following discussion, City Attorney Roger Johnson read RESOLUTION NO. 14-029 in to the record by title only. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 P

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-030: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5th STREET, PLATTSMOUTH, NEBRASKA; Parcel #130059455 IN THE AMOUNT OF \$443.44**

Motion by Brookhouser, seconded by Wiemer to adopt RESOLUTION NO. 14-030 by title only:

RESOLUTION NO. 14-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5th STREET, PLATTSMOUTH, NEBRASKA; Parcel #130059455 IN THE AMOUNT OF \$443.44.

WHEREAS, the owner of 415 South 5th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$443.44; 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 415 S 5th Street, Plattsmouth, NE 68048; Parcel #130059455 PLATTSMOUTH - OT N1/2 LOT 7 BLK 62~specially benefitted the same in the amount of \$443.44 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-030 in to the record by title only. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 Q

Council member Dugan introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-031: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 311 11TH AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130391780 IN THE AMOUNT OF \$316.40**

Motion by Dugan, seconded by Brookhouser to adopt RESOLUTION NO. 14-031 by title only:

RESOLUTION NO. 14-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 311 11TH

AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130391780 IN THE AMOUNT OF \$316.40.

WHEREAS, the owner of 311 11th Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$316.40; 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 311 11th Avenue, Plattsmouth, NE 68048; Parcel #130391780 PLATTSMOUTH - O'NEILL'S ADD LOT 6 BLK 2~specially benefitted the same in the amount of \$316.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-031 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 R

Council member Wiemer introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-032: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 623 SOUTH 9TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130012297 IN THE AMOUNT OF \$656.40**

Motion by Wiemer, seconded by Riese to adopt RESOLUTION NO. 14-032 by title only:

RESOLUTION NO. 14-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 623 SOUTH 9TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130012297 IN THE AMOUNT OF \$656.40.

WHEREAS, the owner of 623 South 9th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$656.40; 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 623 S 9th Street, Plattsmouth, NE 68048; Parcel #130012297 PLATTSMOUTH - STADELMANN'S ADD LOTS 14 & 15 BLK 2~specially benefitted the same in the amount of \$656.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-032 in to the record by title only.
ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None.
Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 S

Council member Dugan introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-033: **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 \$346.40**

Motion by Dugan, seconded by Wiemer to adopt RESOLUTION NO. 14-033 by title only:

RESOLUTION NO. 14-033

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 \$346.40.

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 \$346.40; 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 619 S 7th Street, Plattsmouth, NE 68048; Parcel #130002291 PLATTSMOUTH - OUTLOTS N121.5' OF S246.5' LOTS 55 & 56 SW1/4 SW1/4~18-12-14 (.20)~ specially benefitted the same in the amount of \$346.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-033 in to the record by title only. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Wiemer, Derby and Kerns. No-Porter. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 T

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-034: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1232 CLINTON STREET, PLATTSMOUTH, NEBRASKA; Parcel #130306703 IN THE AMOUNT OF \$244.96**

Motion by Brookhouser, seconded by Riese to adopt RESOLUTION NO. 14-034 by title only:

RESOLUTION NO. 14-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1232 CLINTON STREET, PLATTSMOUTH, NEBRASKA; Parcel #130306703 IN THE AMOUNT OF \$244.96.

WHEREAS, the owner of 1232 Clinton Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$244.96; 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 1232 Clinton Street, Plattsmouth, NE 68048; Parcel #130306703 PLATTSMOUTH - SOUTH PARK ADD LOTS 5 & 6 BLK 28~specially benefitted the same in the amount of \$244.96 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-034 in to the record by title only. ROLL CALL: Yes-Wierner, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 U

Council member Wierner introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-035: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1232 CLINTON STREET, PLATTSMOUTH, NEBRASKA; Parcel #130312541 IN THE AMOUNT OF \$244.96**

Motion by Wierner, seconded by Porter to adopt RESOLUTION NO. 14-035 by title only:

RESOLUTION NO. 14-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1232 CLINTON STREET, PLATTSMOUTH, NEBRASKA; Parcel #130312541 IN THE AMOUNT OF \$244.96.

WHEREAS, the owner of 1232 Clinton Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$244.96; 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 1232 Clinton Street, Plattsmouth, NE 68048; Parcel #130312541 PLATTSMOUTH - SOUTH PARK ADD N50' VAC 13TH AV S OF BLK 28~specially benefitted the same in the amount of \$244.96 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-035 in to the record by title only. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 V

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-036: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 203 SOUTH 5TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130057517 IN THE AMOUNT OF \$396.40**

Motion by Brookhouser, seconded by Wiemer to adopt RESOLUTION NO. 14-036 by title only:

RESOLUTION NO. 14-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 203 SOUTH 5TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130057517 IN THE AMOUNT OF \$396.40.

WHEREAS, the owner of 203 South 5th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$396.40; 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 203 S 5th Street, Plattsmouth, NE 68048; Parcel #130057517 PLATTSMOUTH - OT N1/2 LOTS 2 TO 6 BLK 45~specially benefitted the same in the amount of \$396.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than October 7, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before October 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 August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-036 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 W

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to negotiations for the purchase and sale of Real Estate. 7:55 p.m. Motion by Porter, seconded by Kerns to convene to Closed Session to protect the public interest with regard to negotiations for the purchase and sale of Real Estate. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to negotiations for the purchase and sale of Real Estate.

8:13 p.m. Motion by Riese, seconded by Wiemer to reconvene to regular session. MOTION CARRIED, on a voice vote.

ITEM 12

8:18 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