

PLATTSMOUTH CITY COUNCIL

January 19, 2015

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 19, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Joe Dugan and Doug Derby. Council Members Absent: Terry D. Tilson and Wanda Wiemer. 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 Kerns to approve the Consent Agenda as presented

- A Consider approval of the January 5, 2015 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Nebraska Corn Grower's Association for an Annual Customer Appreciation Dinner being held at Church of the Holy Spirit, 520 South 18th Street, Plattsmouth on February 10, 2015 from 5:00 p.m. to 12:00 a.m.
- C Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on February 20, 2015 from 5:00 p.m. to 8:00 p.m.

- D Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on February 27, 2015 from 5:00 p.m. to 8:00 p.m.
- E Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on March 6, 2015 from 5:00 p.m. to 8:00 p.m.
- F Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on March 13, 2015 from 5:00 p.m. to 8:00 p.m.
- G Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on March 20, 2015 from 5:00 p.m. to 8:00 p.m.
- H Consider recommendation of approval of a Special Designated License filed by Holy Spirit Church of Plattsmouth for a Fund Raiser being held at St. John Elementary School, 520 South 18th Street, Plattsmouth on March 27, 2015 from 5:00 p.m. to 8:00 p.m.
- I Consider approval of claims

ClaimsRegisterReport

as of 1/19/2015

Vendor Name Amount

Pay Date: 1/9/15
 Com Ctr 6907.13
 EMS 8977.99
 General 16486.86
 Library 6577.93
 Park and Cemetery 2575.58
 Police 40366.85
 Senior 1890.5
 Street 11596.32

Water and Sewer 13114.67

108493.83

Vendor Name

AMERITAS LIFE INSURANCE CORP (pension) 14724.5
COLLECTION SERVICES CENTER 186
EYE MED VISION CARE 301.56
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 27295.35
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3862
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 7393.72
PLATTSMOUTH COMMUNITY CENTER 719.6
PLATTSMOUTH STATE BANK 1611.93
UNITED STATES LIFE INSURANCE CO 195.6

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 130
INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS 155
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 72.59
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 254.89
OLMSTED & PERRY ENGINEERING 326.08
PETTY CASH- CITY 7.97
RDG PLANNING & DESIGN 800
SCHNEIDER AGENCY 53230.45
SOUTHEAST AREA CLERKS ASSOC 10
THE COLUMBUS TELEGRAM 484.87
WASTE CONNECTIONS OF NEBRASKA INC 47.09
WINDSTREAM 254.15
WIREBUILT CO 75

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 174.92
URGENT PET CARE 139.18

Department : 03 - EMS

FOUR STAR LAUNDRY 13.82
IDEAL PURE WATER 7
KONICA MINOLTA PREMIER FINANCE 34.98
LA POLICE GEAR INC 403.73

LIFE-ASSIST INC 3733.95
MATHESON TRI-GAS INC 214.09
NEBRASKA PUBLIC POWER DISTRICT 255.96
STEUBE'S THRIFTWAY 72.24
WASTE CONNECTIONS OF NEBRASKA INC 15.16
WINDSTREAM 159.63

Department : 04 - POLICE

ARROWHEAD SCIENTIFIC INC 157.15
FASTENAL COMPANY 4.87
FIRST BANKCARD 104.92
FIRST WIRELESS 141.5
JACK'S UNIFORMS & EQUIPMENT 39.95
KONICA MINOLTA BUSINESS SOLUTIONS 104.44
KONICA MINOLTA PREMIER FINANCE 197.6
THE COLUMBUS TELEGRAM 28.19

Department : 05 - STREET

BGNE INC 75.15
BLUETARP FINANCIAL INC 149.99
CINTAS CORPORATION #749 364.3
MEESKE ACE HARDWARE 22.5
MENARDS 92.95
MULLENAX AUTO SUPPLY 890.39
NEBRASKA PUBLIC POWER DISTRICT 7927.49
NEBRASKA SALT & GRAIN CO 4864.13
OLMSTED & PERRY ENGINEERING 23425.83
PAYLESS OFFICE PRODUCTS 32.57
RHYLANDER WELDING & MFG INC 833.53
WASTE CONNECTIONS OF NEBRASKA INC 122.35
WINDSTREAM 107.86

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1321.57
CENTER POINT LARGE PRINT 258.84
GALE GROUP INC 18
IARCHIVES INC 5500
KONICA MINOLTA BUSINESS SOLUTIONS 80.55
KONICA MINOLTA PREMIER FINANCE 197.6
NEBRASKA LIBRARY COMMISSION 20
NEBRASKA PUBLIC POWER DISTRICT 480.71
OCLC INC 109.6
PLASTICARDS INC 430

WASTE CONNECTIONS OF NEBRASKA INC 15.14
WINDSTREAM 63.11

Department : 07 - PARK & REC
CHARTER BUSINESS 12.39
NEBRASKA PUBLIC POWER DISTRICT 199.91
WASTE CONNECTIONS OF NEBRASKA INC 227.2
WINDSTREAM 18.51

Department : 08 - CEMETERY
BLACK HILLS ENERGY 167.34

Department : 10 - FIRE
FASTENAL COMPANY 12.35
FOUR STAR LAUNDRY 13.82
IDEAL PURE WATER 7
KONICA MINOLTA PREMIER FINANCE 34.98
NEBRASKA PUBLIC POWER DISTRICT 255.97
P&W 386.5
TED'S MOWER SALES AND SERVICE 69.5
WASTE CONNECTIONS OF NEBRASKA INC 15.14
WINDSTREAM 91.25
WINDSTREAM 159.63

Department : 11 - SENIOR CITIZEN CTR
FOUR STAR LAUNDRY 137.82
NEBRASKA PUBLIC POWER DISTRICT 1367.58
OFE OIL INC 102.45
QUALITY SIGNS 135
STEUBE'S THRIFTWAY 319.64
THE THOMPSON COMPANY 4076.89

Department : 16 - ECONOMIC DEVELOPMENT
OLMSTED & PERRY ENGINEERING 1575
PLATTSMOUTH MAIN STREET ASSOCIATION 5500
THE COLUMBUS TELEGRAM 9.68

Department : 17 - COMMUNITY CENTER
ALEGENT CREIGHTON HEALTH 35
AQUA CHEM INC 210
CINDY BENSON 128.4
DEBRA S FLAHERTY 309.51
EGAN SUPPLY CO 914.76

FASTENAL COMPANY 33.69
FERGUSON ENTERPRISES 247.36
FIRST BANKCARD 61.7
FOUR STAR LAUNDRY 995.25
KARIN PATTERSON 56
KONICA MINOLTA BUSINESS SOLUTIONS 86.75
KONICA MINOLTA PREMIER FINANCE 278.83
MENARDS 157.12
MULLENAX AUTO SUPPLY 2.98
NEBRASKA PUBLIC POWER DISTRICT 4102.74
NOVA FITNESS EQUIPMENT 94.54
OKEEFE ELEVATOR CO INC 166.56
PLATTSMOUTH COMMUNITY CENTER 320
SAM'S CLUB 32.93
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 27.98
THE COLUMBUS TELEGRAM 138
TINA HARVEY 25
WASTE CONNECTIONS OF NEBRASKA INC 84.68

Department : 18 - AQUATIC
NEBRASKA PUBLIC POWER DISTRICT 139.16

Department : 20 - WATER
BLACK HILLS ENERGY 102.76
DPC INDUSTRIES INC 352.5
MENARDS 221.36
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 810.13
NEBRASKA PUBLIC POWER DISTRICT 80.47
ONE CALL CONCEPTS INC 23.58
OREILLY AUTOMOTIVE INC 94.83
PETTY CASH-WATER DEPARTMENT 449.23
SCHNEIDER AGENCY 9545.2
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 50.64
USA BLUEBOOK 24.95
WINDSTREAM 107.15

Department : 30 - SEWER
AMERICAN UNDERGROUND SUPPLY LLC 144.66
MIDWEST LABORATORIES INC 371
MULLENAX AUTO SUPPLY 12.3
OLMSTED & PERRY ENGINEERING 4524.96
ONE CALL CONCEPTS INC 23.57
SCHNEIDER AGENCY 9545.2

WINDSTREAM 108.38

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
OLMSTED & PERRY ENGINEERING 3501.25

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1890: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS FEBRUARY 4, 2015; TO REPEAL ORDINANCE NO. 1884 AND 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 first reading of Ordinance No. 1890 by title only. Following discussion, ROLL CALL: Yes-Brookhouser, Riese, Dugan, Derby, Porter and Kerns. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1890 in to the record by title only.

ITEM 9-NEW BUSINESS

Council Member Kerns stated that he is a potential bidder on the next three items (ITEM 9A; ITEM 9B; and ITEM 9C) so he will be abstaining from any discussion or action.

ITEM 9 A

Steve Perry, Consulting Engineers Inc. was available to answer any questions regarding the request to authorize publication of Notice and solicitation of sealed bids for the construction of CDBG Water and Street Improvements-NDED Contract No. 13-CIS-104. Following discussion, Motion by Riese, seconded by Derby to authorize publication of Notice and solicitation of sealed bids for the construction of CDBG Water and Street Improvements-NDED Contract No. 13-CIS-104. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Derby and Porter. No-None. Absent-Tilson and Wiemer. Abstain-Kerns. MOTION CARRIED.

ITEM 9 B

Steve Perry, Consulting Engineers, Inc. was available to answer any questions regarding the request to authorize publication of Notice and solicitation of sealed bids for the construction of 22nd Street Sanitary Sewer Extension. Motion by Brookhouser, seconded by Porter to authorize publication of Notice and solicitation of sealed bids for the construction of 22nd Street Sanitary

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

ITEM 9 C

Steve Perry, Consulting Engineers, Inc. was available to answer any questions regarding the request to authorize publication of Notice and solicitation of sealed bids for the construction of 1st Avenue Pavement Repair. Motion by Riese, seconded by Brookhouser to authorize publication of Notice and solicitation of sealed bids for the construction of 1st Avenue Pavement Repair. ROLL CALL: Yes-Porter, Brookhouser, Riese, Dugan and Derby. No-None. Absent-Tilson and Wiemer. Abstain-Kerns. MOTION CARRIED.

ITEM 9 D

Jeff Spiesch, a Planner for Metropolitan Area Planning Association (MAPA) gave a presentation: Heartland 2050. After reviewing the project, Spiesch stated that this is a three year study and it is grant funded. There is a Regional Compact that is a work in progress and MAPA will be asking communities to voluntarily sign.

ITEM 9 E

Motion by Kerns, seconded by Porter to direct the City Attorney to seek a court order to cause the owner of property located at 619 South 7th Street to demolish the structure and clear the property or to authorize the City of Plattsmouth to demolish the structure and clear the property. ROLL CALL: Yes-Riese, Dugan, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council member Kerns introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-006: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT AN ENVIRONMENTAL COVENANT WITH ACTIVITY AND USE LIMITATIONS AND A MATERIALS MANAGEMENT PLAN FOR RHYLANDER PARK PURSUANT TO THE NEBRASKA ENVIRONMENTAL COVENANTS ACT, NEB. REV. STAT. §§76-2601 TO 76-2613

Motion by Kerns, seconded by Riese to adopt RESOLUTION NO. 15-006 by title only:

RESOLUTION NO. 15-006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT AN ENVIRONMENTAL COVENANT WITH ACTIVITY AND USE LIMITATIONS AND A MATERIALS MANAGEMENT PLAN FOR RHYLANDER PARK PURSUANT TO THE NEBRASKA ENVIRONMENTAL COVENANTS ACT, NEB. REV. STAT. §§76-2601 TO 76-2613.

WHEREAS, Plattsmouth has cooperated with the Nebraska Department of Environmental Quality (NDEQ) in conducting an environmental response project at Rhylander Park together with an action plan pursuant to the State of Nebraska Section 128(a) State Response Program; and

WHEREAS, Section 128(a) of the environmental response project is articulated in the ENVIRONMENTAL COVENANT which is attached to and made part of this RESOLUTION.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth that the Environmental Covenant with activity and use limitations and a materials management plan for Rhylander Park is approved and shall be filed with the Cass County Nebraska Register of Deeds against the property legally described within the Environmental Covenant.

PASSED AND APPROVED this 19th day of January 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-006 in to the record by title only. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Derby, Porter and Kerns. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Brookhouser, seconded by Porter to approve the following personnel as new volunteer members of the Plattsmouth Emergency Medical Services Department: Andrea Dellovechio and Kiley Wheatley. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 H

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

ITEM 9 I

7:44 p.m.. Motion by Porter, seconded by Kerns to temporarily recess as the Plattsmouth City Council. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Derby and Porter. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 J

7:50 p.m. Motion by Riese, seconded by Brookhouser to reconvene as the Plattsmouth City Council. MOTION CARRIED on a voice vote.

ITEM 9 K

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-001: **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 \$333.44**

Motion by Brookhouser, seconded by Kerns to adopt RESOLUTION NO. 15-001 by title only:

RESOLUTION NO. 15-001

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 \$333.44.

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 \$333.44; 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 South 5th Street, Plattsmouth, NE 68048; Parcel #130059455 PLATTSMOUTH - OT N1/2 LOT 7 BLK 62~specially benefitted the same in the amount of \$333.44 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 10, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 10, 2015, 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 19th day of January 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-001 in to the record by title only. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan and Derby. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 L

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-002: **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 \$246.40**

Motion by Riese, seconded by Dugan to adopt RESOLUTION NO. 15-002 by title only:

RESOLUTION NO. 15-002

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 \$246.40.

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 \$246.40; 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 South 9th Street, Plattsmouth, NE 68048; Parcel #130012297 PLATTSMOUTH - STADELMANN'S ADD LOTS 14 & 15 BLK 2~specially benefitted the same in the amount of \$246.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 10, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 10, 2015, 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 19th day of January 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-002 in to the record by title only. ROLL CALL: Yes-Brookhouser, Riese, Dugan, Derby, Porter and Kerns. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 M

Council member Brookhouser introduced a resolution numbered and titled as follows:
RESOLUTION NO. 15-003: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 2315 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130175404 IN THE AMOUNT OF \$4,969.40

Motion by Brookhouser, seconded by Riese to adopt RESOLUTION NO. 15-003 by title only:

RESOLUTION NO. 15-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 2315 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA; Parcel #130175404 IN THE AMOUNT OF \$4,969.40.

WHEREAS, the owner of 2315 Lincoln Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$4,969.40; 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 2315 Lincoln Avenue, Plattsmouth, NE 68048; Parcel #130175404 PLATTSMOUTH - SWEDE'S INDUSTRIAL SITE LOT 3 (.87)~specially benefitted the same in the amount of \$4,969.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 10, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 10, 2015, 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 19th day of January 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Following discussion, City Attorney Roger Johnson read RESOLUTION NO. 15-003 in to the record by title only. ROLL CALL: Yes-Dugan, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 9 N

Council member Brookhouser introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-004: **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 \$546.40**

Motion by Brookhouser, seconded by Derby to adopt RESOLUTION NO. 15-004 by title only:

RESOLUTION NO. 15-004

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 \$546.40.

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 \$546.40; 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 \$546.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than March 10, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before March 10, 2015, 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 19th day of January 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-004 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Derby and Porter. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED.

ITEM 12

Mayor Lambert indicated the need for the council to go in to Closed Session to protect the public interest with regard to real estate negotiations and legal issues related to a contract, which may result in litigation. 8:25 p.m. Motion by Kerns, seconded by Brookhouser to convene to Closed Session to protect the public interest with regard to real estate negotiations and legal issues related to a contract, which may result in litigation. ROLL CALL: Yes-Dugan, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson and Wiemer. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to real estate negotiations and legal issues related to a contract, which may result in litigation.

9:12 p.m. Motion by Porter, seconded by Riese to reconvene in to regular session. MOTION CARRIED on a voice vote.

ITEM 13

9:12 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk