

PLATTSMOUTH CITY COUNCIL

August 4, 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 4, 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, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Roger Johnson.

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

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

ITEM 5-CITIZEN DELEGATION

Charles Jones, Executive Director-Plattsmouth Main Street Association extended his gratitude to City Staff for preparing the Plaza for the Taste of Plattsmouth. They did a tremendous job and the event was very well attended as was the Saturday music in the Plaza.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

Motion by Kerns, seconded by Brookhouser to approve the Consent Agenda as presented.

- A Consider approval of the July 21, 2014 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 8/4/2014

Vendor Name Amount

Pay Date: 7/25/14
Com Ctr 19157.98
EMS 7734.72
General 15501.86
Library 6698.3

Park and Cemetery 4811.75
Police 33673.15
Senior 2113.33
Street 11185.24
Water and Sewer 12061.87

112938.2

Vendor Name

AMERICAN FAMILY LIFE 629.38
AMERITAS LIFE INSURANCE CORP 155.02
AMERITAS LIFE INSURANCE CORP (pension) 12036.79
BLUE CROSS BLUE SHIELD 47354.13
CENTRAL UNITED LIFE INSURANCE 265.44
COLLECTION SERVICES CENTER 186
DELTA DENTAL PLAN 2424.55
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 27397.71
MUTUAL OF OMAHA 740.76
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3531.23
NEBRASKA UNEMPLOYMENT COMP FUND 1909.44
PLATTSMOUTH STATE BANK 1074.62

Department : 01 - GENERAL ADMINISTRATION

BARONI ENTERPRISES 266
BLACK HILLS ENERGY 20.09
FIRST BANKCARD 99.95
HARLAN SEYFER 1034.79
KATHRYN SHARP 125
KEVIN LARSON 248.26
PITNEY BOWES INC 108
RDG PLANNING & DESIGN 2000
RICHARD MCKINLEY 146.56
THE PITNEY BOWES BANK INC 2000
WELCH LAW FIRM LLC 9919.5

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 16.99
LAMBERT VET SUPPLY 88.27
LINDER TIRE & AUTO INC 22.5
NEBRASKA HUMANE SOCIETY 241

Department : 03 - EMS

BLACK HILLS ENERGY 16.89
FOUR STAR LAUNDRY 20.59
IDEAL PURE WATER 16.37
KATHRYN SHARP 200
MATHESON TRI-GAS INC 207.7

WINDSTREAM 161.03

Department : 04 - POLICE

911 CUSTOM LLC 195

FIRST BANKCARD 70.66

JEFF HENRY CHEVROLET 33.3

KAHLER CONSTRUCTION 1687.5

KONICA MINOLTA BUSINESS SOLUTIONS 9.01

LYNN PEAVEY COMPANY 68.5

MJN INC 900

RYAN CRICK 67.5

Department : 05 - STREET

ALLIED OIL & TIRE CO 1245.95

BLACK HILLS ENERGY 49.74

BOMGAARS SUPPLY 360.85

GRAINGER 158.5

LONNIE ILES 500

LYMAN RICHEY CORPORATION 316.34

MICHAEL TODD & COMPANY INC 158

OLMSTED & PERRY ENGINEERING 10745.76

PLATTSMOUTH STATE BANK 43920.4

TITAN MACHINERY 105

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 724.66

BLACK HILLS ENERGY 20.85

BOMGAARS SUPPLY 39.46

CHARTER BUSINESS 40

EBSCO INDUSTRIES INC 1050.3

FIRST BANKCARD 1402.24

KAREN MIER 13

WINDSTREAM 59.74

Department : 07 - PARK & REC

AGRIVISION 2405.86

BOMGAARS SUPPLY 31.45

FASTENAL COMPANY 0.3

MENARDS 142.98

PROFESSION WASTE WATER SERVICES 250

TILSON AUTOMOTIVE 721.5

Department : 08 - CEMETERY

NEBRASKA PUBLIC POWER DISTRICT 30.95

PANKONIN'S INC 110.19

WINDSTREAM 103.77

Department : 10 - FIRE

BLACK HILLS ENERGY 16.89
FELD FIRE 1938.45
FIRE GUARD 1175.7
FORT DEARBORN LIFE INSURANCE CO. 165.12
FOUR STAR LAUNDRY 20.62
HEIMAN INC 349.75
IDEAL PURE WATER 16.38
KATHRYN SHARP 200
WINDSTREAM 161.03

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 41.03

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 100
BLACK HILLS ENERGY 369.3
BOMGAARS SUPPLY 8.99
COCA COLA REFRESHMENTS USA INC 63.94
FERGUSON ENTERPRISES 42.02
FOUR STAR LAUNDRY 677.5
JAMIE BOURQUE 15
MECHANICAL SALES INC 5014
MENARDS 31.72

Department : 18 - AQUATIC
AQUA CHEM INC 1451.13
BLACK HILLS ENERGY 1291.96
COCA COLA REFRESHMENTS USA INC 379.08
THE THOMPSON COMPANY 3883.7

Department : 20 - WATER
BLACK HILLS ENERGY 44.51
BOMGAARS SUPPLY 258.59
FASTENAL COMPANY 5.23
FIRST BANKCARD 124.83
HACH COMPANY 156.83
INDUSTRIAL ELECTRIC MOTORS 282
KRIZ DAVIS CO 64.82
MISSISSIPPI LIME COMPANY 7389.2
MUNICIPAL SUPPLY INC 608.7
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 325
NEBRASKA PUBLIC POWER DISTRICT 10558.83
OLMSTED & PERRY ENGINEERING 795
TRANSWOOD LOGISTICS INC 857.98
TYLER TECHNOLOGIES 90
UNITED SEED INC 170
UTILITY EQUIPMENT COMPANY 200.6

Department : 30 - SEWER
BERT GURNEY & ASSOCIATES 2390
BLACK HILLS ENERGY 251.15
BOMGAARS SUPPLY 168.49
KERSTEN PRECAST CONCRETE LLC 166
LYMAN RICHEY CORPORATION 276.45
NEBRASKA PUBLIC POWER DISTRICT 3617.12
PHONETICS INC 420
TYLER TECHNOLOGIES 90
USA BLUEBOOK 366.07
UTILITY EQUIPMENT COMPANY 29.82
RASMUSSEN MECHANICAL SERVICE CORP 609.84
SHELL FLEET PLUS 1153.07
STEUBE'S THRIFTWAY 2.98
TYLER TECHNOLOGIES 90
USA BLUEBOOK 495.43
UTILITY EQUIPMENT COMPANY 101.76

Department : 37 - ECONOMIC DEVELOPMENT - RV PARK
VALUATION SERVICES 4000

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Motion by Riese, seconded by Wiemer to approve Change Order No. 1 submitted by ISC Dynamics Inc. for the New Public Works Utility Building Project located at 444 13th Avenue with a net increase of \$7,950.00 for a total project cost of \$110,350.00, authorize payment and authorize the Mayor to execute Change Order No. 1. Following discussion, ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Motion by Brookhouser, seconded by Riese to approve and authorize payment of Pay Application No. 1 submitted by ISC Dynamic Inc. for the New Public Works Utility Building located at 444 13th Avenue in the amount of \$17,865.00 and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Dugan, seconded by Derby to approve and authorize payment of Pay Application No. 2 submitted by TAB Construction for the 2014 Street Repair and Overlay Project in the amount of \$98,111.08 and authorize the Mayor to execute Pay Application No. 2. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Steve Perry, Olmsted & Perry Consulting Inc. stated that Change Order No. 2 reflects the additions and deductions in the scope of work for the project. Motion by Riese, seconded by Wiemer to approve Change Order No. 2 submitted by TAB Construction for the 2014 Street Repair and Overlay Project with a net increase of \$2,084.92 for a total project cost of \$391,933.85 and authorize the Mayor to execute Change Order No. 2. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Bowman opened a public hearing at 7:09 p.m. to receive public comment regarding the annexation of land to the City of Plattsmouth, described as:

Land located west of Plattsmouth High School and east of Highway 75, legally described as, "A parcel of land being situate in part of the Southwest ¼ (SW1/4) of the Northwest ¼ (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 ¼ corner of said Section 24, thence N89°56'03"E (assumed bearing) along the south line of the NW ¼ a distance of 378.00 feet to a point on the easterly right-of-way line of State Highway 34/75; thence N5°10'08"E a distance of 949.40 feet along the said east right-of-way line to the point of beginning; thence continuing N5°10'08"E a distance of 381.81 feet; thence S89°54'09"E a distance of 458.03 feet; thence S5°08'48"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 Tax Lot 73 containing 4.00 acres, more or less."

No one spoke. Mayor Bowman closed the public hearing at 7:10 p.m.

ITEM 9 B

Council Member Riese 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°08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S50°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.

Motion by Riese, seconded by Wiemer to approve first 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°08"E A DISTANCE OF 949.40 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N51°08"E A DISTANCE OF 381.81 FEET; THENCE S89°54'09"E A DISTANCE OF 458.03 FEET; THENCE S50°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.**

City Administrator Erv Portis reviewed a memorandum that was given to the council which he briefly went over the main points. The Maintenance of Highway 75 in this area was also discussed. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1880 in to the record by title only.

ITEM 9 C

Council member Kerns introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-025: A resolution of the Mayor and City Council to call for payment, on September 4, 2014, General Obligation Bonds, Series 2007, dated July 6, 2007, in the total principal amount of \$1,420,000.

John Trecek, Ameritas Investment Corp. stated that the Resolution before the Council was to call the Bonds for the Fire Station Addition. The new bonds would be in the amount of \$1,445,000 with a reduced interest rate which would equal a savings of \$190,861.72 over the life of the issuance.

Motion by Kerns, seconded by Riese to adopt RESOLUTION NO. 14-025:

RESOLUTION NO. 14-025

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on September 4, 2014, after which date interest on the bonds will cease:

General Obligation Bonds, Series 2007, dated July 6, 2007, in the total principal amount of \$1,420,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$150,000	December 15, 2015	728092 CV7
80,000	December 15, 2016	728092 CS4
85,000	December 15, 2017	728092 CT2
490,000	December 15, 2022	728092 CW5
110,000	December 15, 2023	728092 CU9
240,000	December 15, 2025	728092 CX3
265,000	December 15, 2027	728092 CY1

Section 2. These bonds are to be paid at the principal corporate trust office of Wells Fargo Bank, National Association, Minneapolis, Minnesota.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the City Treasurer is hereby instructed to take appropriate action to mail notice to registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this _____ day of _____, 2014.

/s/ Michael C. Bowman, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-025 in to the record. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Council Member Dugan introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1877: An Ordinance authorizing the issuance of General Obligation Refunding Bonds, Series 2014, in the principal amount of \$1,445,000, issued for the purpose of refunding certain outstanding bonds of the city; prescribing the form of said bonds, providing for a sinking fund and for the levy and collection of taxes to pay said bonds; and ordering publication of the ordinance in pamphlet form

Motion by Dugan, seconded by Wiemer that the statutory rule requiring reading an ordinance on three different days be suspended and that ORDINANCE NO. 1877 be adopted on first reading by title only. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1877 in to the record by title only. Dugan moved for final passage of ORDINANCE NO. 1877, which motion was seconded by Wiemer. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1877 in to the record by title only.

ITEM 9 E

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-026: A resolution of the Mayor and City Council to call for payment, on September 4, 2014, Promissory Notes, Series 2012, dated September 17, 2012, in the total principal amount of \$500,000.00

Motion by Riese, seconded by Porter to adopt RESOLUTION NO. 14-026:

RESOLUTION NO. 14-026

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. That the following notes, in accordance with their option provisions, are hereby called for payment on September 4, 2014, after which date interest on the notes will cease:

Promissory Notes, Series 2012, dated September 17, 2012, in the total principal amount of \$500,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP number as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$500,000	September 15, 2014	839-02 FQ5

Section 2. These notes are to be paid at the office of the City Treasurer in Plattsmouth, Nebraska.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the City Treasurer is hereby instructed to take appropriate action to mail notice to registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this _____ day of _____, 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-026 in to the record. ROLL CALL: Yes-Wierner, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council member Riese introduced an ordinance numbered and title as follows: ORDINANCE NO. 1878: An ordinance providing for the issuance of Promissory Notes, Series 2014, in the amount of \$400,000 for the payment of outstanding Promissory Notes, series 2012; providing for a paying agent and registrar of the notes, agreeing to pay the notes and accrued interest from funds collected or to be collected upon current or subsequent tax levy; providing for the sale of the notes and ordering publication of the ordinance in pamphlet form.

Motion by Riese, seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that ORDINANCE NO. 1878 be adopted on first reading by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1878 in to the record by title only. Riese moved for final passage of ORDINANCE NO. 1878, which motion was seconded by Wiemer. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1878 in to the record by title only.

ITEM 9 G

Council member Kerns 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 Kerns, seconded by Porter to approve first reading of ORDINANCE NO. 1879 by title only. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-Derby. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1879 in to the record by title only.

ITEM 9 H

Motion by Porter, seconded by Tilson to set the Mayor’s annual pay to \$5,000.00 and each Council Member’s annual pay to \$3,400.00. Following discussion, said motion was amended by Porter to direct the preparation of an ordinance showing the Mayor’s annual pay to be \$5,000.00 and each Council Member’s to be \$3,400.00. Following discussion, ROLL CALL: Yes-Porter and Tilson. No-Wiemer, Derby, Kerns, Brookhouser and Riese. Absent-None. Abstain-Dugan. MOTION FAILED. Following further discussion, motion by Tilson, seconded by Porter to direct the preparation of an ordinance setting the Mayor’s annual pay to be \$4,500.00 and each Council Member’s annual pay to be \$2,400.00. Following discussion, ROLL CALL: Yes-Porter, Brookhouser and Tilson. No-Derby, Kerns, Riese and Wiemer. Absent-None. Abstain-Dugan. MOTION FAILED.

ITEM 9 I

8:06 p.m. Motion by Riese, seconded by Derby to temporarily recess as the Plattsmouth City Council. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None.

ITEM 9 J

8:07 p.m. Mayor Bowman convened the meeting as the Plattsmouth Board of Adjustment and Equalization.

ITEM 9 K

8:13 p.m. Motion by Riese, seconded by Dugan to reconvene as the Plattsmouth City Council. MOTION CARRIED on a voice vote.

ITEM L

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-021: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 907 SOUTH 1ST STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130013692 IN THE AMOUNT OF \$396.40.**

Motion by Riese, seconded by Dugan to adopt RESOLUTION NO. 14-021 by title only:

RESOLUTION NO. 14-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 907 SOUTH 1ST STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130013692 IN THE AMOUNT OF \$396.40.

WHEREAS, the owner of 907 South 1st 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 907 South 1st Street, Plattsmouth, Nebraska 68048 legally described as: Parcel #130013692 PLATTSMOUTH - PALMERS OUTLOTS LOTS 7 TO 10 BLK 2~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 September 23, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before September 23, 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 4th 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. 14-021 in to the record by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 M

Council member Dugan introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-022: **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 \$596.40**

Motion by Dugan, seconded by Riese to adopt RESOLUTION NO. 14-022 by title only:

RESOLUTION NO. 14-022

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 \$596.40.

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 \$596.40; 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 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 \$596.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than September 23, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before September 23, 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 4th day of August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Council member Brookhouser questioned the billing submitted by BUZZCUTS Lawn Care. City Attorney Roger Johnson read RESOLUTION NO. 14-022 in to the record by title only. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 N

Council member Dugan introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-023: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130004030 IN THE AMOUNT OF \$496.40.**

Motion by Dugan, seconded by Riese to adopt RESOLUTION NO. 14-023 by title only:

RESOLUTION NO. 14-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NEBRASKA; PARCEL #130004030 IN THE AMOUNT OF \$496.40.

WHEREAS, the owner of 426 Avenue A failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$496.40; 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 426 Avenue A, Plattsmouth, Nebraska 68048 legally described as: Parcel # 130004030 PLATTSMOUTH - OT LOT 9 BLK 18~specially benefitted the same in the amount of \$496.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than September 23, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before September 23, 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 4th day of August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-023 in to the record. ROLL CALL: Yes-Kerns, Riese, Dugan, Wiemer and Derby. No-Brookhouser, Tilson and Porter. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 O

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 14-024: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 2208 ANDIES STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130019003 IN THE AMOUNT OF \$283.44**

Motion by Riese, seconded by Dugan to adopt RESOLUTION NO. 14-024 by title only:

RESOLUTION NO. 14-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 2208 ANDIES STREET, PLATTSMOUTH, NEBRASKA; PARCEL #130019003 IN THE AMOUNT OF \$283.44.

WHEREAS, the owner of 2208 Andies Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$283.44; 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 2208 Andies Street, Plattsmouth, Nebraska 68048 legally described as: Parcel #130019003 PLATTSMOUTH - IDEAL HEIGHTS ADD LOT 13~specially benefitted the same in the amount of \$283.44 and that said amount is hereby levied

against said property which shall be due in a single payment not later than September 23, 2015, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before September 23, 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 4th day of August 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-024in to the record by title only. ROLL CALL: Yes-Derby, Porter, Kerns, Riese, Dugan and Wiemer. No-Brookhouser and Tilson. Absent-None. Abstain-None. MOTION CARRIED.

Motion by Dugan, seconded by Tilson to move ITEM 9 P after ITEM 10 (City Administrator Communication) and ITEM 11 (Mayor and City Council Communication). ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 P

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to Real Estate Negotiations. 8:46 p.m. Motion by Riese, seconded by Wiemer to convene to Closed Session to protect the public interest with regard to Real Estate Negotiations. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to Real Estate Negotiations.

9:03 p.m. Motion by Tilson, seconded by Brookhouser to reconvene to regular session. MOTION CARRIED, on a voice vote.

ITEM 12

9:03 p.m. Motion by Tilson, seconded by Porter to adjourn. MOTION CARRIED, on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk