

PLATTSMOUTH CITY COUNCIL

September 19, 2016

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:09 o'clock p.m. on September 19, 2016 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe 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 Damien Wright.

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 4-CITIZEN DELEGATION

John Warsing, 112 South 11th Street, stated that he and his wife owned several parcels of land in Plattsmouth. At no time has he ever owned the Old High School on Main Street.

Chief Steve Rathman, Plattsmouth Police Department introduced the new Evidence Tech, Lora Edgell and stated that this position will now be specific to nuisance enforcement.

City Attorney Damien Wright stated that he has been reviewing the state statutes as they pertain to nuisance abatement. In the near future he will be working with city staff to streamline the nuisance abatement process and establish criteria for levels of nuisance.

ITEM 5-MAYORAL PROCLAMATIONS

Mayor Lambert proclaimed September 10, 2016 as "Blue Star Memorial Monument Day" at the re-dedication ceremony of the Blue Star Memorial Monument.

ITEM 6 CONSENT AGENDA

Motion by Brookhouser, seconded by Tilson to approve the Consent Agenda as presented:

- A Consider approval of the September 6, 2016 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 9/19/16

Dept Name / Vendor Name Amount

Pay Date: 9/16/16

Com Ctr 8145.27

EMS 9375.13

General 13725.2

Library 6888.48

Parks and Cemetery 4090.18

Police 37872.61

Senior 2198.48

Street 13284.08

Water and Sewer 13210.78

108790.21

Various

AMERITAS 15397.62

COLLECTION SERVICES CENTER 280.8

EYE MED VISION CARE 403.22

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 26632.28

NEBRASKA DEPARTMENT OF REVENUE 3691.07

NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10982.71

PLATTSMOUTH COMMUNITY CENTER 104.06

PLATTSMOUTH STATE BANK 720.01

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 130

IRINA A HARRINGTON 75

KATHRYN SHARP 125

KONICA MINOLTA 1040.15

MEESKE ACE HARDWARE 99.67

MICROFILM IMAGING SYSTEMS 75

NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 2786

NEBRASKA DEPARTMENT OF REVENUE 25

NEBRASKA PUBLIC POWER DISTRICT 876.27

OLMSTED & PERRY ENGINEERING 1132.3

PAYLESS OFFICE PRODUCTS 54.94

SHELL FLEET PLUS 24.65

SOFTCHOICE CORPORATION 848.93

THE COLUMBUS TELEGRAM 433.9

THE FRAZIER COMPANY 635

VERIZON WIRELESS 83.31

WINDSTREAM 253.79

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA PUBLIC POWER DISTRICT 98.16
SHELL FLEET PLUS 112.72
VERIZON WIRELESS 40.01

Department : 03 - EMS
BOUND TREE MEDICAL LLC 71.81
CHARTER BUSINESS 7.88
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 2.43
IDEAL PURE WATER 26.5
LARUE DISTRIBUTING INC 142.2
MATHESON TRI-GAS INC 353.59
METRO BILLING SERVICES LLP 480
NEBRASKA PUBLIC POWER DISTRICT 380.21
SHELL FLEET PLUS 422.11
VERIZON WIRELESS 224.23
WALKERS INC 13.87
WINDSTREAM 175.26

Department : 04 - POLICE
ACTION BATTERIES UNLIMITED INC 373.99
BRIDGESTONE AMERICAS INC 461.62
CASS COUNTY REGISTER OF DEEDS 40
CORY J SCOTT 69.54
JACKS UNIFORMS & EQUIPMENT 645.69
JEFF HENRY CHEVROLET 90
MATTHEW E WATSON 336.06
PAYLESS OFFICE PRODUCTS 187.14
SHELL FLEET PLUS 1521.86
TODD HAMMOND 229.3
VERIZON WIRELESS 171.85
WINDSTREAM 322.18

Department : 05 - STREET
AGRIVISION EQUIPMENT GROUP LLC 224.96
CINTAS CORPORATION #749 325.65
ECHO GROUP INC 28.35
FASTENAL COMPANY 5.06
FOR HIRE LLC 125
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 274.97
IMPACT MANUFACTURING 51
JEFF HENRY CHEVROLET 333.2
LYMAN RICHEY CORPORATION 197.69
MEESKE ACE HARDWARE 25.77
MENARDS 69.99
MULLENAX AUTO SUPPLY 1798.98
NEBRASKA IOWA SUPPLY CO INC 1468.37
NEBRASKA PUBLIC POWER DISTRICT 7899.6

PAYLESS OFFICE PRODUCTS 17.79
SHELL FLEET PLUS 787.24
SID TOOL CO INC 206.99
STEUBES THRIFTWAY 3.45
VERIZON WIRELESS 166.62
VOGEL WEST INC 667.94
WASTE CONNECTIONS OF NEBRASKA INC 137.29
WILES BROS INC 382.5
WINDSTREAM 93.73

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 897.21
CENTER POINT LARGE PRINT 287.04
HAMILTON COLOR LAB INC 105
NEBRASKA PUBLIC POWER DISTRICT 741.31
NEBRASKA STATE HISTORICAL SOCIETY 910
OCLC ONLINE COMPUTER LIBRARY CENTER INC 118.93
PLASTICARDS INC 450

Department : 07 - PARKS
AGRIVISION EQUIPMENT GROUP LLC 162.49
CHARTER BUSINESS 34.01
ECHO GROUP INC 36.69
FERGUSON ENTERPRISES 457.26
MULLENAX AUTO SUPPLY 13.8
NEBRASKA PUBLIC POWER DISTRICT 209.21
PAYLESS OFFICE PRODUCTS 13.58
SHELL FLEET PLUS 227.92
VERIZON WIRELESS 31.51
WASTE CONNECTIONS OF NEBRASKA INC 128.52

Department : 08 - CEMETERY
BLACK HILLS ENERGY 22.04
MULLENAX AUTO SUPPLY 145.39
NEBRASKA IOWA SUPPLY CO INC 1088.5
PAYLESS OFFICE PRODUCTS 9.89
PRUITT OUTDOOR POWER 59.3
SHELL FLEET PLUS 97.68
TEDS MOWER SALES AND SERVICE 147.03
VERIZON WIRELESS 31.51

Department : 10 - FIRE
CHARTER BUSINESS 7.87
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 2.44
IDEAL PURE WATER 26.5
LARUE DISTRIBUTING INC 142.2
NEBRASKA PUBLIC POWER DISTRICT 380.21
SAMS CLUB 9.98

WALKERS INC 13.88
WINDSTREAM 175.26

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 166.89
NEBRASKA PUBLIC POWER DISTRICT 902.34
OFE OIL INC 74
STEUBES THRIFTWAY 264.4
THE THOMPSON COMPANY 4555.85
WALKERS INC 133.05

Department : 16 - ECONOMIC DEVELOPMENT
OLMSTED & PERRY ENGINEERING 555

Department : 17 - COMMUNITY CENTER
ALEGENT CREIGHTON HEALTH 175
AQUA CHEM INC 322.5
CHARTER BUSINESS 500.66
HYPE INITIATIVES INC 48
MULLENAX AUTO SUPPLY 2.47
NEBRASKA PUBLIC POWER DISTRICT 8121.01
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 37.45
VERIZON WIRELESS 51.8
WALKERS INC 57.6
WASTE CONNECTIONS OF NEBRASKA INC 118.84

Department : 18 - AQUATIC
NEBRASKA PUBLIC POWER DISTRICT 1945.26
STEUBES THRIFTWAY 3.96
THE THOMPSON COMPANY 21.1
WASTE CONNECTIONS OF NEBRASKA INC 118

Department : 19 - ECONOMIC DEV - DTR PHASE 2
DELTA ELECTRIC LLC 28562.34

Department : 20 - WATER
HD SUPPLY WATERWORKS LTD 913.46
LANGFELDT OVERHEAD DOOR 402
MISSISSIPPI LIME COMPANY 3955.5
MUNICIPAL SUPPLY INC 1390.43
NEBRASKA DEPARTMENT OF REVENUE 25
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 265.01
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 90
NEBRASKA PUBLIC POWER DISTRICT 56.25
OLMSTED & PERRY ENGINEERING 4792.45
ONE CALL CONCEPTS INC 44.85
PAYLESS OFFICE PRODUCTS 36.36
PETTY CASH WATER DEPARTMENT 450.27

SCHONSTEDT INSTRUMENT CO 305.42
SHELL FLEET PLUS 364.05
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 33.98
VERIZON WIRELESS 94.53
WESTECH ENGINEERING INC 43745
WINDSTREAM 171.52

Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 304.83

Department : 30 - SEWER
BOBCAT OF OMAHA 47.68
DPC INDUSTRIES INC 701.25
FASTENAL COMPANY 12.63
MENARDS 119
MIDWEST LABORATORIES INC 422.7
MULLENAX AUTO SUPPLY 49.6
NDEQ - FISCAL SERVICES 125
ONE CALL CONCEPTS INC 44.85
OREILLY AUTOMOTIVE INC 31.34
PAYLESS OFFICE PRODUCTS 30.78
SHELL FLEET PLUS 486.57
VERIZON WIRELESS 51.8
WILES BROS INC 42.05
WINDSTREAM 50.5

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
OLMSTED & PERRY ENGINEERING 922.85

Department : 40 - PLATTSMOUTH KENO
ADVANCED GAMING TECHNOLOGIES INC 200.34
Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 54.84

Department : 30 - SEWER
ACTION BATTERIES UNLIMITED INC 89.21
BLACK HILLS ENERGY 207.79
BOMGAARS SUPPLY 216.54
FASTENAL COMPANY 29.99
JOHN DEERE CREDIT 63.85
MID-IOWA SOLID WASTE EQUIPMENT 64.11
NEBRASKA PUBLIC POWER DISTRICT 3248.65
ONE CALL CONCEPTS INC 39.96
PHONETICS INC 420
TYLER TECHNOLOGIES 90
VERIZON WIRELESS 51.8
WELCH LAW FIRM LLC 2000

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

City Council member Kerns introduced an ordinance numbered and titled as follows: Ordinance No. 1916: **AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE FOR THE CITY OF PLATTSMOUTH, NEBRASKA, BY CHANGING CERTAIN BOUNDARIES FROM GENERAL COMMERCIAL DISTRICT (GC) TO URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT (R-2); TO REPEAL ALL ORDINANCES IN CONFLICT; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Kerns, seconded by Wiener to approve second reading of ORDINANCE NO. 1916 by title only. ROLL CALL: Yes-Dugan, Kerns, Riese, Brookhouser, Porter, Derby, Wiener and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Damien Wright. read Ordinance 1916 into the record by title only.

ITEM 8-NEW BUSINESS

ITEM 8 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:25 p.m. to hear and consider public comments regarding the Application for Class D Liquor License submitted by Casey's Retail Company dba Casey's General Store 3529, 16610 Bestmann Drive, Plattsmouth NE. No one spoke, and Mayor Lambert closed the hearing at 7:26 p.m.

ITEM 8 B

Motion by Brookhouser, seconded by Porter to give a favorable recommendation to the Nebraska Liquor Control Commission regarding an application submitted by Casey's Retail Company dba Casey's General Store 3529, P. O. Box 3001, One SE Convenience Blvd., Ankeny IA 50021 for a Class D Liquor License as provided for by the Nebraska Liquor Control Act for the following described location: 16610 Bestmann Drive, Plattsmouth, Cass County, Nebraska. ROLL CALL: Yes-Tilson, Wiener, Porter, Kerns, Riese, Dugan, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Porter, seconded by Riese to authorize the purchase of one (1) 2017 Ford Police Utility Vehicle from Anderson Ford Lincoln Mercury Mazda of Lincoln, NE at a total price of \$28,412.00 per unit (State Contract Price). Chief Rathman stated that the vehicle is a shell car-police motor and suspension. The additional cost to outfit the vehicle is about \$5,000.00. Chief Rathman also stated that the trade is two cruisers and we will be getting \$1,000.00 for each.

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

ITEM 8 D

Council member Brookhouser introduced an ordinance numbered and titled as follows: Ordinance No. 1917: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO APPROVE THE MEMORANDUM OF AGREEMENT AND CONTRACT EXTENSION BETWEEN THE CITY OF PLATTSMOUTH, NEBRASKA AND PLATTSMOUTH POLICE OFFICERS' ASSOCIATION, FRATERNAL ORDER OF POLICE, LODGE #34 WHICH ESTABLISHES WAGES, SALARIES AND BENEFITS; TO REPEAL ALL ORDINANCES IN CONFLICT, AND TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Erv Portis, City Administrator encouraged adoption so that an effective date of October 1, 2016 could be used. Council member Tilson stated that he would be abstaining from any discussion or action on this item as a family member is a signer on the agreement. Motion by Brookhouser, seconded by Wiemer that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1917 be adopted on first reading by title only. Council discussed that the only changes were to those officers who are the top of the pay scale for their position and that it should be noted that this is only a three (3) year agreement. ROLL CALL: Yes-Dugan, Wiemer, Porter, Brookhouser, Kerns, Riese and Derby. No-None. Absent-None. Abstain-Tilson. MOTION CARRIED. City Attorney Damien Wright read Ordinance No. 1917 in to the record by title only. Riese moved for final passage of the ordinance, which motion was seconded by Derby. ROLL CALL: Yes-Derby, Riese, Kerns, Brookhouser, Dugan, Wiemer and Porter. No-None. Absent-None. Abstain-Tilson. MOTION CARRIED. City Attorney Damien Wright read Ordinance No. 1917 in to the record by title only.

ITEM 8 E

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-008A: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA EXPRESSING ITS INTENTION TO CONSIDER THE ANNEXATION OF CERTAIN LAND DESCRIBED HEREIN; DESCRIBING BOUNDARIES OF THE LAND PROPOSED FOR ANNEXATION; APPROVING AND ADOPTING A PLAN FOR THE EXTENSION OF CITY SERVICES TO THE LAND PROPOSED FOR ANNEXATION AND MAKING SUCH PLAN AVAILABLE FOR INSPECTION; PROVIDING FOR A PUBLIC HEARING DATE, TIME, AND LOCATION ON THE PROPOSED ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH HEARING AND OF THE MAP DRAWN TO SCALE DELINEATING THE LAND PROPOSED FOR ANNEXATION; AND PROVIDING FOR THE DELIVERY OF A COPY OF THIS RESOLUTION TO ANY SCHOOL DISTRICT WITHIN THE AREA PROPOSED TO BE ANNEXED AND TO THE PLANNING COMMISSION FOR RECOMMENDATION.**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 16-008A by title only:

RESOLUTION NO. 16-008A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA EXPRESSING ITS INTENTION TO CONSIDER THE ANNEXATION OF CERTAIN LAND DESCRIBED HEREIN; DESCRIBING BOUNDARIES OF THE LAND PROPOSED FOR ANNEXATION; APPROVING AND ADOPTING A PLAN FOR THE EXTENSION OF CITY SERVICES TO THE LAND PROPOSED FOR ANNEXATION AND MAKING SUCH PLAN AVAILABLE FOR INSPECTION; PROVIDING FOR A PUBLIC HEARING DATE, TIME, AND LOCATION ON THE PROPOSED ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH HEARING AND OF THE MAP DRAWN TO SCALE DELINEATING THE LAND PROPOSED FOR ANNEXATION; AND PROVIDING FOR THE DELIVERY OF A COPY OF THIS RESOLUTION TO ANY SCHOOL DISTRICT WITHIN THE AREA PROPOSED TO BE ANNEXED AND TO THE PLANNING COMMISSION FOR RECOMMENDATION.

WHEREAS, *Neb. Rev. Stat.* § 16-117 authorizes cities of the first class to annex contiguous and adjacent lands following the adoption of a resolution stating its intent to so annex, together with a plan for extending City services to the area to be annexed; and

WHEREAS, the City Council has determined that it should consider the annexation of certain lands which are contiguous and adjacent to the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska that:

1. The City desires to consider the annexation of the following described real estate:

BEGINNING AT A POINT OF INTERSECTION OF THE SOUTH R.O.W. OF 1ST AVENUE AND THE EAST R.O.W. LINE OF 1ST STREET;

THENCE EASTERLY ON THE EXTENDED SOUTH R.O.W. OF 1ST AVENUE TO THE INTERSECTION OF THE SOUTHERLY EXTENDED WEST LINE OF KIM ADDITION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHERLY ALONG THE WEST LINE OF KIM ADDITION TO THE NORTHWEST CORNER OF LOT 4 OF KIM ADDITION; THENCE EASTERLY ALONG THE NORTH LINE OF LOT 4 KIM SUBDIVISION TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 4 OF KIM SUBDIVISION TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTHEASTERLY TO A POINT ON THE EAST R.O.W. OF RIVER ROAD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 118 PAGE 661 CASS COUNTY REGISTER OF DEEDS; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF AFORESAID TRACT OF LAND TO THE WEST BANK OF THE MISSOURI RIVER; THENCE

NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE SOUTHEAST CORNER OF LOT 23 OF CASTAWAY COTTAGES SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHEASTERLY ALONG THE EAST LINE OF THE AFORESAID LOT 23 TO THE SOUTHEAST CORNER OF OUTLOT 1 OF CASTAWAY ESTATES SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHEASTERLY ALONG THE EAST LINE OF AFORESAID OUTLOT 1 TO THE NORTHEAST CORNER OF SAID OUTLOT 1; THENCE NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE NORTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED BOOK 141 PAGE 82 CASS COUNTY REGISTER OF DEEDS, ALSO KNOWN AS THE PLATTSMOUTH BOAT LAUNCH AREA, TO THE NORTHEAST CORNER OF SAID TRACT; THENCE NORTHWESTERLY ALONG SAID NORTH LINE OF THE AFORESAID TRACT OF LAND TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID TRACT TO THE INTERSECTING NORTH R.O.W. LINE OF THE RELOCATION OF DOCK ROCK DESCRIBED IN MISC. BOOK 54 PAGE 241 CASS COUNTY REGISTER OF DEEDS; THENCE ALONG THE NORTH R.O.W. LINES OF DOCK ROAD AND NORTH LINES OF EAST MAIN STREET TO THE INTERSECTION OF SAID NORTH R.O.W. LINES AND THE INTERSECTING EAST LINE OF THE BNSF RAILROAD R.O.W., THENCE SOUTHERLY ALONG THE EAST R.O.W. LINE OF THE BNSF RAILROAD R.O.W. TO A POINT OF INTERSECTION WITH THE SOUTH R.O.W. LINE OF EAST MAIN STREET; THENCE EASTERLY ALONG THE SOUTH R.O.W. LINE OF EAST MAIN STREET TO THE INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE EAST R.O.W. LINE OF 1ST STREET; THENCE SOUTHERLY ALONG THE EAST R.O.W. LINE OF 1ST STREET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 82.6 ACRES MORE OR LESS.

2. The plan for the extension of city services to the proposed area, as presented at this meeting and incorporated herein by this reference, be, and the same hereby is, adopted and approved, subject to any changes by the City Council after public hearings on the proposed annexation and recommendation from the Planning Commission, and such plan is available for inspection in the office of the City Clerk at City Hall, 136 N. 55th Street, Plattsmouth, Nebraska, during regular business hours.

3. This matter is referred to the Plattsmouth Planning Commission for recommendation, which Commission shall hold a public hearing on October 20, 2016 at 7:30 p.m. at City Hall 136 North 5th Street, Plattsmouth, Nebraska.

4. The Mayor and City Council will hold a public hearing on the proposed annexation to receive testimony from any interested person on November 7, 2016 at 7:00 p.m. at City Hall, 136 N. 5th Street, Plattsmouth, Nebraska.

5. A copy of this resolution and map drawn to scale and delineating the area proposed to be annexed shall be published in the Plattsmouth Journal at least once not less than ten days before the date of the public hearing before the Mayor and City Council as referenced above.

6. A copy of this resolution shall be mailed by first class mail following its passage to the school board of any school district in the tract of land or lands proposed for annexation.

PASSED AND APPROVED this 19th day of September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Damien Wright read RESOLUTION NO. 16-008A in to the record by title only. ROLL CALL: Yes-Porter, Kerns Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Council member Porter introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-022: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 412 4th AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130242209 IN THE AMOUNT OF \$450.00**

Motion by Porter, seconded by Kerns to adopt Resolution No. 16-022 by title only:

RESOLUTION NO. 16-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 412 4th AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130242209 IN THE AMOUNT OF \$450.00.

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 \$450.00; 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 \$450.00 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Damien Wright read RESOLUTION NO. 16-022 in to the record by title only. ROLL CALL: Yes-Kerns, Wiemer, Tilson, Derby, Brookhouser, Porter, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 G

Council member Porter introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-023: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1305 17th AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130001163 IN THE AMOUNT OF \$565.00.**

Motion by Porter, seconded by Riese to adopt RESOLUTION NO. 16-023 by title only:

RESOLUTION NO. 16-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1305 17th AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130001163 IN THE AMOUNT OF \$565.00.

WHEREAS, the owner of 1305 17th Avenue failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$565.00; 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 1305 17th Avenue, Plattsmouth, NE 68048: Parcel #130001163 PLATTSMOUTH - OUTLOTS LOT 38 NE1/4 SE1/4 24-12-13 (1) ~ specially benefitted the same in the amount of \$565.00 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Council discussed the fact that there were no photos-Chief Rathman stated that it was an error of the Police Department. City Attorney Damien Wright read RESOLUTION NO. 16-023 in to the record by title only. ROLL CALL: Yes-Dugan, Brookhouser, Derby, Porter, Wiemer, Riese, Kerns and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 H

Council member Wiemer introduced a resolution numbered and titled as follows:

RESOLUTION NO. 16-024: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5TH STREET, PLATTSMOUTH, NE 68048: PARCEL #130059455 IN THE AMOUNT OF \$350.00.

Motion by Wiemer, seconded by Dugan to adopt RESOLUTION NO. 16-024 by titled only:

RESOLUTION NO. 16-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5TH STREET, PLATTSMOUTH, NE 68048: PARCEL #130059455 IN THE AMOUNT OF \$350.00.

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 \$350.00; 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 \$350.00 and that said amount is hereby levied against said property which shall be

due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Damien Wright read RESOLUTION NO. 16-024 in to the record by title only. ROLL CALL: Yes-Tilson, Kerns, Wiemer, Riese, Derby, Dugan, Brookhouser and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 I

Council member Brookhouser introduced a resolution numbered and titled as follows:
RESOLUTION NO. 16-025: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NE 68048: PARCEL #130004030 IN THE AMOUNT OF \$350.00.**

Motion by Brookhouser, seconded by Wiemer to adopt RESOLUTION NO. 16-025 by title only.

RESOLUTION NO. 16-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 426 AVENUE A, PLATTSMOUTH, NE 68048: PARCEL #130004030 IN THE AMOUNT OF \$350.00.

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 \$350.00; 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, NE 68048: Parcel #130004030 PLATTSMOUTH - OT LOT 9 BLK 18~ specially benefitted the same in the amount of \$350.00 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Damien Wright read RESOLUTION NO. 16-025 in to the record by title only. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Tilson, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 J

Council member Dugan introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-026: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 909 AVENUE D, PLATTSMOUTH, NE 68048: PARCEL #130003565 IN THE AMOUNT OF \$450.00.**

Motion by Dugan, seconded by Wiemer to adopt RESOLUTION NO. 16-026 by title only:

RESOLUTION NO. 16-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH,

NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 909 AVENUE D, PLATTSMOUTH, NE 68048: PARCEL #130003565 IN THE AMOUNT OF \$450.00.

WHEREAS, the owner of 909 Avenue D failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$450.00; 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 909 Avenue D, Plattsmouth, NE 68048: Parcel #130003565 PLATTSMOUTH - OT LOT 3 & E1/2 LOT 4 BLK 7~ specially benefitted the same in the amount of \$450.00 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Council again pointed out that there were no photos and that there was no detail on the invoice. The amount of the invoice for clean-up was also addressed. City Attorney Damien Wright read RESOLUTION NO. 16-026 in to the record by title only. ROLL CALL: Yes-Kerns, Tilson, Dugan, Derby, Wiemer, Riese and Porter. No-Brookhouser. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 K

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-027: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**

**PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE
LOCATED AT 412 4TH AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130242209
IN THE AMOUNT OF \$350.00.**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 16-027 by title only:

RESOLUTION NO. 16-027

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH,
NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 412 4TH
AVENUE, PLATTSMOUTH, NE 68048: PARCEL #130242209 IN THE AMOUNT OF
\$350.00.**

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 \$350.00; 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 \$350.00 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 7, 2017, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 7, 2016, 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 September 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Erv Portis, City Administrator stated that this property and one previously considered are approaching the \$5,000.00 mark for special assessments. City Attorney Damien Wright read RESOLUTION NO. 16-027 in to the record by title only. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Tilson, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11

8:00 p.m. Motion by Porter, seconded by Tilson to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk