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Councilmember Schall introduced the following resolution and moved its adoption:

RESOLUTION 2013-1

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
BROKEN BOW, NEBRASKA, THAT:

Section 1. The Mayor and Council for said city find and determine that pursuant to Ordinance No. 2013-1130 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on January 22, 2013, notice was given by the Clerk of the City of Broken Bow, Nebraska, to the citizens of said City and to the owners of property therein of the time limit for filing claims for damages for the vacation of a street in the City of Broken Bow, Nebraska, described as follows, to-wit:

South H Street between South 16th Avenue and South 17th Avenue in the City of Broken Bow, Custer County, Nebraska

and the time and place for hearing on said claims be publication of a legal notice in the Custer County Chief, a newspaper published in Broken Bow, Nebraska, on January 24, 31 and February 7, 2013 and that the time limit for filing of said claims was February 12, 2013.

Section 2. The Mayor and Council of the City of Broken Bow further find and determine that no claims for damages for this vacation of said above described street were filed with the City Clerk of the City of Broken Bow, Nebraska, on or before February 12, 2013.

Section 3. The Mayor and Council of the City of Broken Bow, Nebraska, further find and determine that no citizen of said City nor any owner of property therein appeared at the regular meeting of the Mayor and Council of the City on February 12, 2013 at 12:00 Noon in reference to any claims for damages as the result of the vacation of the above described street in said City.

Passed and approved this 12th day of February, 2013.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer

RESOLUTION 2013-10

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

Section 1. The Council shall meet in the Council Chambers located at 314 South 10th Avenue, Broken Bow, Nebraska on the 14th day of May, 2013 at 12:00 Noon for the purpose of sitting as a Board of Equalization and levying special assessments on the lots and parcels of land abutting on or adjacent to the streets, avenues and alleys in which mains have been placed in connection with Sanitary Sewer Extension District No. 2012-1 and Water Extension District No. 2012-1. Notice of the time of holding such meeting and the purpose for which it is held shall be published in the Custer County Chief, a legal newspaper published in said City, at least four weeks (five consecutive weekly publications) before the date of said hearing or in lieu thereof personal service may be had on persons owning or occupying property to be assessed. All actions taken by the City Clerk with respect to the publication of such notice is hereby ratified. The Clerk is directed to cause said notice to be mailed to owners of property subject to assessment as provided by statute.

Section 2. The special engineer is directed to prepare and file in the office of the Clerk prior to the first publication of the Notice of the said hearing on special assessments a map of the property benefited by the improvements constructed in connection with Sanitary Sewer Extension District No. 2012-1 and Water Extension District No. 2012-1 and a tentative schedule of the assessments, which shall be open to the public.

PASSED AND APPROVED this 23rd day of April, 2013.

Cecil Burt, Mayor

ATTEST:

Elaine L. Bayer, City Clerk

I, the undersigned, City Clerk for the City of Broken Bow, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on April 23, 2013; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually correct and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Elaine L. Bayer, City Clerk

RESOLUTION NO. 2013-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

1. The Mayor and Council find and determine: That the Council has heretofore designated this time and place for considering and levying special assessments upon property specially benefited by sewer and water improvements in Sanitary Sewer Extension District No. 2012-1 and Water Extension District No. 2012-1 to pay the cost of constructing the same; that notice of the time and place of holding this meeting for said purpose has been duly given as provided by statute by publication in the Custer County Chief, a legal newspaper published in the City, for more than four weeks (five consecutive weekly publications) before the time designated therein for holding this meeting said publication being made in the issue of said paper published on April 11, April 18, April 25, May 2 and May 9, 2013; that the Mayor and Council have at this session heard all persons who desired to be heard in reference to the special benefits or damages thereto by reason of the construction of said improvements and with reference thereto have considered the advice of the engineer in charge of the construction of said improvements.
2. The Mayor and Council find and determine that at the hearing all assessments have been adjusted and equalized with reference to the benefits resulting from the improvements and have been apportioned among the several lots and parcels of land subject to assessment in proportion to the special benefits accrued to said lots and parcels of land respectively from such improvements; that no lot or parcel of land in said Districts has been damaged by the construction of said improvements; that the amount of benefits specially accruing to each lot and parcel of land in said projects by reason of the construction of said paving improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of said improvements. The benefits are equal and uniform and the assessments shown on the schedule hereinafter set out are according to front footage of the lots or real estate within the Districts.
3. There are hereby levied and assessed upon the several lots and parcels of land in Sanitary Sewer Extension District No. 2012-1 and Water Extension District No. 2012-1 special assessments to pay the cost of constructing said improvements in the amount in dollars and cents set out in the schedule below in the column headed "Special Assessments:

SEE ATTACHED SCHEDULE OF ASSESSMENTS

4. Said special assessments shall be a lien on the property on which they are levied from the date of the passage of this resolution and shall be certified by the City Clerk to the Treasurer of the City of collection; that the City Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the City

Treasurer for entry upon the proper tax list; that said assessments shall be payable to and collected by the City Treasurer.

5. Said assessments are payable in fifteen equal installments, the first of which shall be become delinquent not less than fifty (50) days from the date of adoption of the resolution, and the remaining installments shall become delinquent the 5th day of July, subsequent to the date of levy and thereafter, in one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen years respectively; that each of said installments shall draw interest from the date of the passage of this resolution at the rate of five point five percent per centum (5.5%) per annum, until the same become delinquent, and after the same become delinquent interest at the rate specified by law for delinquent special assessments for such projects shall be paid thereon; provided all said assessments may be paid at one time on any lot or land within fifty (50) days from the date of levy without interest.

PASSED AND APPROVED THIS 14th day of May, 2013.

ATTEST:

Mayor, Cecil Burt

Elaine L. Bayer, City Clerk

I, the undersigned, City Clerk for the City of Broken Bow, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on May 14, 2013; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Elaine L. Bayer, City Clerk

(SEAL)

Councilmember Adams introduced the following resolution and moved its adoption:

RESOLUTION 2013-12

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA, THAT:

Section 1. WHEREAS, the City of Broken Bow, Nebraska, is in the process of improving South K Street between South 3rd and South 5th Avenues; and

Section 2. WHEREAS, the City desires to purchase property from private land owners, specifically Teddy Trotter, Eldon McCandless, Bill Butler and the Methodist Church for the development of South K Street.

NOW, THEREFORE, IN CONSIDERATION OF THE DEVELOPMENT OF SOUTH K STREET, THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, by the passage of this resolution authorizes the City, by and through its representatives to enter into, negotiate and purchase the requisite amount of property to accomplish the development of South K Street.

Passed and approved this 25th day of June, 2013.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember Clay seconded the motion for the adoption of the resolution. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Adams, Clay and Schmick. Nays: None. Motion carried

Councilman _____ introduced the following resolution and moved its adoption:

CITY OF BROKEN BOW
RESOLUTION 2013-13

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA, that:

1. The City Council hereby directs the sale by the City of Broken Bow, Nebraska surplus property owned by the Broken Bow Fire Department and the Broken Bow Municipal Utilities to-wit:

- 2000 Ford F250 Pickup
- Various new and used yard lights
- Vintage Clothes Washer
- L-Shaped Office Desk

in the following manner and on the following terms: The sale shall be by sealed bids for cash to be opened at the Council Chambers in the City of Broken Bow, Nebraska, commencing at 12:00 Noon on September 24, 2013. Bids to be submitted by 5:00 P.M. on September 23, 2013. Bidder may submit bid for individual item or as a package.

2. The Large slide and one (1) of the unassembled swing sets may be seen west of the old Park shop. The other playground items may be viewed at the middle ballfield at Indian Hills on North 17th Avenue. Bids will be accepted until 12:00 noon on Tuesday, September 24th. For information you may contact Park Superintendent Dan Anderson at the Park Department for further information.

3. The Clerk shall cause notice of the sale and terms of the sale to be given pursuant to Neb Rev Stat 17-503.01.

4. The City reserves the right to reject all bids for said tract.

Passed and approved this _____ day of _____, 2013.

Mayor

Attest:

City Clerk

Councilman _____ seconded the motion for the adoption of the above resolution. The Mayor stated the motion and the City Clerk called the roll. On roll call, the following voted in favor of the passage of said motion: _____

_____. The following voted against the same: _____. The Mayor thereupon declared said motion carried and said resolution adopted.

Councilman _____ introduced the following Resolution and moved its adoption:

RESOLUTION 2013-13

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA, that:

Section 1. The Mayor and Council hereby find and determine that this Council sitting as a Board of Equalization have heard and considered all objections and all parties wishing to be heard within the Sanitary Sewer Extension District No. 2008-1 and Water District 2008-1, that notice of the hearing by the Mayor and Council as a Board of Equalization has been given as required by law by personal notice to interested parties as required; that members of the Mayor and Council have personally inspected the improvements in said district and have consulted with the City's engineer with respect thereto; that none of the properties located in said district have been damaged by said improvements and that said improvements have conferred special benefit on said property in an amount not less than the amount of special benefits accruing by reason of said improvements are equitably and fairly apportioned among the properties receiving benefit in said District as levied and assessed in Section 2 of this Resolution; that all acts and things required to be done prior to the levying of special assessments against the properties within each of said District do exist and have been done as required by law

Section 2. There is hereby levied a special assessment in the amount of **\$22,300.36** against the lots and parcels of ground as hereinafter set forth to wit; **Lots 1 Pamida Addition, Broken Bow, Custer County, Nebraska.** Said assessment shall be assessed equally to the aforementioned lots. Said assessments are due and payable from and after the date of passage of this Resolution and shall become delinquent in 15 equal annual installments, with the first such installments becoming delinquent fifty days after the date of passage of this Resolution and the remaining 14 installments becoming delinquent, one in each year, on the anniversary date of the date of passage of this Resolution in each year until all said installments have fallen delinquent. Each of said installments, except the first, shall draw interest at the rate of 5.5% percent (5.5) per annum from the date of this Resolution until they become delinquent and after the same become delinquent they

shall bear interest at the rate provided by law. Said assessments shall be a lien on the lots and parcels of ground against which they have been levied from and after the date of passage of this Resolution.

Section 3. Said special assessments shall be certified by the City Clerk to the Treasurer of this City for collection. The City Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the County Clerk of Custer County for entry upon the property tax list; said special assessments shall be payable to the City Treasurer until so certified to the County Clerk and shall thereafter be collected by the County Treasurer.

Passed and approved this _____ day of _____, 2013.

Attest: _____, Mayor

City Clerk

Councilman _____ seconded the motion for the adoption of the above resolution. The Mayor stated the motion and the City Clerk called the roll. On roll call, the following voted in favor of the passage of said motion: _____

The following voted against the same: _____
The Mayor thereupon declared said motion carried and said resolution adopted.

**CITY OF BROKEN BOW
RESOLUTION
NO. 2013-14**

Councilmember _____ introduced the following resolution and moved its adoption:

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
BROKEN BOW, NEBRASKA:

Section 1. That the City of Broken Bow Park Department is the owner of personal property and desires to sell said personal property. That said personal property shall be deemed as surplus property and come from the Broken Bow Park Department and shall be sold to the general public at Davis Consignment Auction on October 5, 2013. A listing of said personal property is made a part of this resolution:

- 1990 John Deere Model 955 lawn tractor with 72" mower deck
- 1990 John Deere Snowblower to fit 955 tractor
- 1 Case 60" bucket wth Neville built grapple forks to fit Case skid-steer
- 1 3-Point 6' Tandem Disc

Councilmember _____ seconded the adoption of said resolution.

Ayes:

Nays:

Motion carried.

Dated this 10th day of September, 2013

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

**CITY OF BROKEN BOW
RESOLUTION NO. 2013-16**

Councilmember Schmick introduced the following resolution and moved its adoption:

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
BROKEN BOW, NEBRASKA:

Section 1. The Mayor and Council find and determine that the following items are in possession of the Broken Bow Police Department and deemed as surplus property and shall be sold to the general public at Davis Consignment Auction on October 5th, 2013. A Listing of said personal property is made a part of this resolution:

- (1) Men's Silver/Red Roadmaster Mt Fury – 15 speed – 26" - Fair Condition
- (2) Boys Black/Breen with Green Handlebars Decay Trick Bike – 20" – (Fair Condition
- (3) Girls Purple Roadmaster Mt Fury – 12 speed – 26" (Fair Condition/No Seat)
- (4) Men's Silver/Maroon Next Power X – 26" (Like New)
- (5) Girls Light Red/Silver Roadmaster Mt Sport - 18 speed – 26" (Fair Condition)
- (6) Girls Blue Diamond Back – 26" (Poor Condition/Seat Rotted)
- (7) Men's Fluorescent Orange/Black Huffy – 12 speed – 24: (Fair Condition)
- (8) Girls Dark Purple/Silver Huffy Black Water – 26" (Fair Condition)
- (9) Men's Red/Black Mongoose – 21 speed – 24" (Fair Condition)

Councilmember Clay seconded the adoption of said resolution

Ayes: Adams, Clay, Schmick and Schall.

Nays: None.

Passed and approved this 24th day of September, 2013.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember Schall introduced the following resolution and moved its adoption:

RESOLUTION 2013-17

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
BROKEN BOW, NEBRASKA, THAT:

Section 1. The Mayor and Council for said city find and determine that pursuant to Ordinance No. 2013-1135 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on September 10, 2013, notice was given by the Clerk of the City of Broken Bow, Nebraska, to the citizens of said City and to the owners of property therein of the time limit for filing claims for damages for the vacation of a street in the City of Broken Bow, Nebraska, described as follows, to-wit:

Two hundred forty-nine (249) feet by Forty (40) feet of South G Street
between South 18th Avenue and South 19th Avenue om Broken Bow, Custer
County, Nebraska

and the time and place for hearing on said claims be publication of a legal notice in the Custer County Chief, a newspaper published in Broken Bow, Nebraska, on September 19, 26 and October 3, 2013 and that the time limit for filing of said claims was on or before October 8, 2013.

Section 2. The Mayor and Council of the City of Broken Bow further find and determine that no claims for damages for this vacation of said above described street were filed with the City Clerk of the City of Broken Bow, Nebraska, on or before October 8, 2013.

Section 3. The Mayor and Council of the City of Broken Bow, Nebraska, further find and determine that no citizen of said City nor any owner of property therein appeared at the regular meeting of the Mayor and Council of the City on October 8, 2013 at 12:00 Noon in reference to any claims for damages as the result of the vacation of the above described street in said City.

Passed and approved this 8th day of October, 2013.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION 2013-18

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
BROKEN BOW, NEBRASKA, THAT:

Section 1. The Mayor and Council for said city find and determine that pursuant to Ordinance No. 2013-1137 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on September 24, 2013, notice was given by the Clerk of the City of Broken Bow, Nebraska, to the citizens of said City and to the owners of property therein of the time limit for filing claims for damages for the vacation of a street in the City of Broken Bow, Nebraska, described as follows, to-wit:

The alley between the State of Nebraska Equipment Yard and the east side of Becton-Dickinson property running south from the BNSFRR right-of-way 598 feet to the northeast corner of Mead Lumber in the City of Broken Bow, Custer County, Nebraska

and the time and place for hearing on said claims be publication of a legal notice in the Custer County Chief, a newspaper published in Broken Bow, Nebraska, on October 3, 10 and 17, 2013 and that the time limit for filing of said claims was on or before October 22, 2013.

Section 2. The Mayor and Council of the City of Broken Bow further find and determine that no claims for damages for this vacation of said above described street were filed with the City Clerk of the City of Broken Bow, Nebraska, on or before October 22, 2013.

Section 3. The Mayor and Council of the City of Broken Bow, Nebraska, further find and determine that no citizen of said City nor any owner of property therein appeared at the regular meeting of the Mayor and Council of the City on October 22, 2013 at 12:00 Noon in reference to any claims for damages as the result of the vacation of the above described street in said City.

Passed and approved this 22nd day of October, 2013.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer