

- 2014-1 Street Improvements
- 2014-2
- 2014-3
- 2014-4 BBFD Surplus Property
- 2014-5
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- 2014-7 Provided Utilities for Gandy Addition
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- 2014-9 Vacation of Street North K St
- 2014-10 Sale of Real Estate
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- 2014-12 Sale of Real Property
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- 2014-17
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- 2014-20 Sale of Personal Property less than \$5000
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- 2014-23 Vacation of Laural Parkway Dr
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- 2014-26 Amending 2013-17 Resolution

A meeting of the Mayor and City Council of the City of Broken Bow, Nebraska, was held at the in said City on the 13th day of November, 2014, at _____ o'clock P.M.

Present were: Mayor: _____; Council Members: _____

_____. Absent: _____. Notice of the meeting was given in advance thereof by _____, a designated method for giving notice, as shown by the (Affidavit of Publication) (Certificate of Posting Notice) attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

The Clerk reported that no written objections to the creation of Street Improvement Districts Nos. 2014-1 and 2014-2 were received.

Council Member _____ introduced the following resolution and moved its adoption. Council Member _____ seconded the foregoing motion and upon roll call vote on the passage and adoption of said resolution the following Council Members voted AYE: _____

_____. The following voted NAY: _____. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correction and complete copy of said resolution is as follows:

RESOLUTION 2014-22

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

1. That the Mayor and Council have heretofore created Street Improvement Districts Nos. 2014-1 and 2014-2; that notice of said creation was published as required by law, which notice set this time and place for a hearing date to determine the sufficiency of written objections which have been filed.
2. That as of the date of the passage of the ordinance creating the Districts:
 - a) The total front footage of property directly abutting upon the street or streets to be improved in the Districts is as follows:

District No.

2014-1

2014-2

Total Front Footage

and b) the total front footage of property represented by objections of owners of record title is as follows:

District No.

2014-1

2014-2

Total Front Footage

Represented by Objections

3. That objections to the Districts are insufficient, and all required facts and conditions exist for the creation of the Districts.

4. That the plans, specifications and estimates of cost of the engineers in connection with the construction of street improvements in Street Improvement Districts Nos. 2014-1 and 2014-2, which have heretofore been filed with the Clerk be, and the same are, accepted and approved and the Clerk is instructed to cause notice to bidders to be published as required by law for receiving bids as soon as possible.

PASSED AND APPROVED this 13th day of November, 2014.

ATTEST:

By _____
Mayor

City Clerk

(SEAL)

I, the undersigned, City Clerk, of 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 November 13, 2014; 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.

(SEAL)

City Clerk

**CITY OF BROKEN BOW
RESOLUTION
NO. 2014-4**

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 Fire Department and the Broken Bow Municipal Utilities are the owners of personal property and desires to sell said personal property. That said personal property shall come from the Broken Bow Fire Department and the Broken Bow Municipal Utilities and shall be sold to the general public at Davis Consignment Auction on April 12, 2014. A listing of said personal property is made a part of this resolution:

- Vintage Clothes Washer – Broken Bow Fire Department
- L-Shaped Office Desk – Broken Bow Fire Department
- 2000 F250 Pickup – Broken Bow Municipal Utilities
- Various new and used yard lights – Broken Bow Municipal Utilities

Section 2. Councilmember _____ seconded the motion. Upon roll call vote the following was:

Ayes:
Nays:
Motion carried.

Dated this 25th day of March, 2014

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember Schall introduced the following resolution and moved its adoption:

RESOLUTION 2014-7

BE IT NOW RESOLVED that on the City of Broken Bow performed the following:

- Provided utilities during the period of February 15, 2014 and March 10, 2014 and incurred costs amounting to \$72.26

That the legal description of said property is:

Lot Seven (7), Block Sixteen (16), J.P. Gandy Addition to the City of Broken Bow, Custer County, Nebraska

and said costs should be assessed against the foregoing real estate.

Councilmember Adams 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 was the vote in favor of the passage of said motion: Ayes: Schall, Schmick, Adams and Sonnichsen. Nays: None. The Mayor declared said motion carried and said resolution adopted.

Passed and approved this 13th day of May, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION 2014-9

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. 2014-5 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on April 22, 2014, 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:

North K Street between Blocks 24 and 25 Railroad Addition to the City of Broken Bow, Custer County, Nebraska; and North 16th Avenue between North K Street and North L Street (between Blocks Twenty-three (23) and Twenty-four (24) of the Railroad Addition) to 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 May 1, 8 and 15, 2014 and that the time limit for filing of said claims was May 27, 2014.

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 May 27, 2014.

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 May 27, 2014 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 27th day of May, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION 2014-10

BE IT RESOLVED BY THE MAYUOR 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 of real estate described as follows, to-wit:

A tract of land in the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32) in Township Seventeen (17) North, of Range Twenty (20) West of the 6th P.M. more particularly described as follows: Beginning at a point 664.0 feet east and 802.2 feet north of southwest corner of the Northwest Quarter (NW $\frac{1}{4}$), of said Section Thirty-two (32), thence west 344.0 feet, thence northwesterly by an angle of 45.0' right for 180.0 feet, thence northwesterly by an angle of 14°20' left for 248.5 feet to a point on the west line of said Northwest Quarter (NW $\frac{1}{4}$), said point being 1056.0 feet north of the southwest corner of said Section Thirty-two (32), thence east 206.25 feet, thence southeasterly for 541.0 feet, more or less, to the point of beginning

In the 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 June 10, 2014. Bids to be submitted by 12:00 Noon on Monday, June 9, 2014. The sale shall be for cash. The marketability of the title to the property is not guaranteed. The City will not furnish to the purchaser an abstract of title or title insurance.

2. The City believes the total fair maket value of said property is less than \$5,000 and therefore the Clerk shall cause notice of the sale and terms of the sale to be given pursuant to Neb Rev Stat 17-503.01. Posting in three laces for no less than seven days and further confirmed by ordinance thereafter.

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

Passed and approved this 27th day of May, 2014

Mayor

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember _____ seconded the motion for the adoption of the above resolution 2014-10. 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 therepon declared said motion carried and said resolution adopted.

Councilman Adams introduced the following resolution and moved its adoption:

CITY OF BROKEN BOW
RESOLUTION 2014-11

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

Section 1. This Public Agency shall and does hereby join with other Public Agencies and other governmental subdivisions in accordance with the provisions of the Nebraska law and in accordance with the Interlocal Cooperation Act, as applicable, by becoming a participant of the Fund by entering into a Declaration of Trust, which Declaration of Trust and Interlocal Agreement is hereby approved and adopted by this reference with the same effect as if it had been set out verbatim in this resolution. A copy of the Declaration of Trust is attached hereto and incorporated herein by this reference and shall be filed with the minutes at which this resolution was adopted.

Passed and approved this 24th day of June, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilman Sonnichsen 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: Schall, Sonnichsen and Adams. The following voted against the same: None. The Mayor thereupon declared said motion carried and said resolution adopted.

Councilman Schall introduced the following resolution and moved its adoption:

CITY OF BROKEN BOW
RESOLUTION 2014-12

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 Ambulance Service to-wit:

- 2005 Ford Crown Vic

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 July 8, 2014. Bids to be submitted by 5:00 P.M. on July 7, 2014. For information you may contact Andy Holland at 308-872-6424 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 vehicle.

Passed and approved this 24th day of June, 2014.

Mayor

Attest:

City Clerk

Councilman Adams 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: Sonnichsen, Schall and Adams. The following voted against the same: None. The Mayor thereupon declared said motion carried and said resolution adopted.

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION 2014-13

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. 2014-6 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on July 22, 2014, 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:

A tract of land located in part of Lot 3, Irregular Tracts, located in part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Thirty-three (33), Township Seventeen (17) North, Range Twenty (20) West of the 6th P.M., City of Broken Bow, Custer County, Nebraska, being more particularly described as follows:

Considering the east line of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 33 as bearing N00° 38'15"E and with all bearings contained herein relative thereto:

Commencing at the center of said Section 33; thence northerly along the said east line, N00°38'15"E, 378.99 feet to a point, said point being the true point of beginning; thence leaving said line and continuing northwesterly N83°39'21"W, 578.97 feet to a point; thence westerly N89°18'19"W, 125.53 feet to a point on the existing east right-of-way line of Industrial Park Avenue; thence northerly along said east right-of-way line N00°23'05"E, 80.000 feet to a point; thence easterly S89°18'19"E, 125.96 feet to a point; thence southeasterly S83°30'21"E, 578.89 feet to a point on the said east line of the Northwest Quarter (NW $\frac{1}{4}$), S00°38'15"W. 80.01 feet to a point, said point being the true point of beginning.

The above described tract contains 1.29 acres, more or less, and is subject to all easements and rights-of-way now of record

shall be, and the same hereby, is vacated and the time and place for hearing on said claims by publication of a legal notice in the Custer County Chief, a newspaper published in Broken Bow, Nebraska, on July 24, 31 and August 7, 2014 and that the time limit for filing of said claims was on or before August 11, 2014.

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 August 11, 2014.

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 August 12, 2014 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 August, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer

**CITY OF BROKEN BOW
RESOLUTION 2014-20**

Councilmember Schall introduced a resolution granting the sale of personal property and setting the value at less than \$5,000.00.

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 personal property owned by the City of Broken Bow Park Department is deemed surplus property and said property shall be sold to the general public at Davis Consignment Auction on October 4, 2014. A listing of said personal property is made a part of this resolution:

- 1995 Chevy ½ Ton 2-Wheel Drive Pickup
- 5 Old Green Metal Park Benches

Section 2. Notice of the sale of said property shall be posted within the City as required by law.

Section 3. Councilmember Sonnichsen seconded the motion. Upon roll call vote the following was:

Ayes: Sonnichsen, Schall, Adams and Schmick.

Nays: None

Motion carried.

Dated this 23rd day of September, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION 2014-23

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. 2014-22 of the City of Broken Bow, Nebraska, which was passed and approved by the Mayor and Council of said City on October 12, 2014, 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 vacation of Laural Parkway Dr., Beginning at a point on the West line of Lot 4 Block 3 of the Replat of Melham's Subdivision 38.4 feet north of the south line of Lot 4 Block 3 of the Replat of Melham's Subdivision, thence south along the West line of Block 3 of the Replat of Melham's Subdivision to the south line of Lot 1 Block 3 of the Replat of Melham's Subdivision thence West 310.13 Feet thence North 80 feet thence East 229.66 feet thence North 392.18 feet thence East 80.04 feet to the point of Beginning, 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 23, 30 and November 6, 2014 and that the time limit for filing of said claims was November 12, 2014.

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 November 12, 2014.

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 November 13, 2014 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 13th day of November, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. BayerD

RESOLUTION 2014-26

A resolution amending the legal description of Section 1 of Resolution 2013-17 which was filed at the Register of Deeds office in Custer County Nov. 4, 2013 Book 13 Page 7602.

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.

RESOLUTION 2014-26 SHALL BE AMENDED TO READ:

Section 1. The Mayor and Council for said city find and determine that pursuant to Ordinance No. 2014-25 repealing Ordinance No. 2013-1135 of the City of Broken Bow, Nebraska, passed and approved by the Mayor and Council of said City on December 23, 2014, 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

filings claims for damages for the vacation of a street in the City of Broken Bow, Nebraska, described as follows, to-wit:

248.8 feet of a parcel in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32-17-20, commencing at a point 40' north of the northwest corner of Lot 7 Block 2 of Jesse Gandy's Addition to the City of Broken Bow, running thence south 20', thence west a distance of 664', thence north 40', thence east 664', thence south 20' to the place of beginning; also known as the west 248.8 feet of County road #1250, 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 23rd day of December, 2014.

Mayor, Cecil Burt

ATTEST:

City Clerk Elaine L. Bayer