

A meeting of the Mayor and Council of the City of Gothenburg, Nebraska, was held at the Council Chambers in said City on the 18th day of February, 1997, at 7 o'clock p.m. Present were: Mayor: Richard Blase; Council Members: Robert Shackleton, Kenneth Christensen, Joyce Hudson

Absent: Gary Norseen

Notice of the meeting was given in advance thereof by publication in The Gothenburg Times, a designated method for giving notice, as show by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council. 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.

Council Member Christensen introduced Ordinance No. 668 entitled:

ORDINANCE NO. 668

AN ORDINANCE OF THE CITY OF GOTHENBURG, NEBRASKA, CREATING WATER SERVICE DISTRICT NO. 5; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR CONSTRUCTION OF A WATER MAIN AND SUCH OTHER WORK AS IS NECESSARY AND INCIDENTAL THERETO; PROVIDING FOR ASSESSMENT OF THE COST OF SAID IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS OR BOND ANTICIPATION NOTES AND DISTRICT BONDS; PROVIDING FOR REPEALING OF ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND ORDERING THE PUBLICATION OF THE ORDINANCE.

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Hudson seconded the motion. The following Council Members voted AYE: Shackleton  
Hudson, Christensen,

The following voted NAY: none

The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinances.

Said Ordinance was then read by title and thereafter Council Member Shackleton moved for final passage of the

Ordinance, which motion was seconded by Council Member Christensen. The Mayor then stated the question was "Shall Ordinance No. 668 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hudson, Christensen, Shackleton

The following voted NAY: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 668

AN ORDINANCE OF THE CITY OF GOTHENBURG, NEBRASKA, CREATING WATER SERVICE DISTRICT NO. 5; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR CONSTRUCTION OF A WATER MAIN AND SUCH OTHER WORK AS IS NECESSARY AND INCIDENTAL THERETO; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COST AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR ASSESSMENT OF THE COST OF SAID IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS OR BOND ANTICIPATION NOTES AND DISTRICT BONDS; PROVIDING FOR REPEALING OF ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND ORDERING THE PUBLICATION OF THE ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA:

Section 1. Water Service District No. 5 of the City of Gothenburg, Nebraska is hereby created.

Section 2. Said Water Service District No. 5 shall include and encompass the designated portions of the following areas in the City of Gothenburg, Nebraska, and the limits, boundaries and improvements are defined and established as follows:

WATER SERVICE DISTRICT NO. 5

THE WATER MAIN TO BE CONSTRUCTED AND INCIDENTAL WORK CONNECTED THEREWITH IS:

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

A tract of land consisting of the North Half of the Southwest Quarter ( $N\frac{1}{2}SW\frac{1}{4}$ ) of Section 15, Township 11 North, Range 25 West of the Sixth Principle Meridian, within the City of Gothenburg, Dawson County, Nebraska lying East of the Westerly line of Avenue G extended, west of the easterly line of Avenue J extended, and South of the Southerly line of 5th Street extended. Excepted from the above described tract is a parcel of land owned by the Nebraska Department of Roads and commonly referred to as the State Maintenance Yard.

Section 3. The City's special engineer has made detailed plans and specifications for said improvements and an estimate of the cost thereof, which have been approved by the City Council. The Mayor and City Clerk are authorized to enter into a contract on behalf of the City for such work upon compliance with and in accordance with advertising, bidding and contracting procedures prescribed in Nebraska Revised Statutes Section 17-568.01, 1991, as amended. The City Council shall have and hereby reserves the right to reject any and all bids received.

Section 4. The work and improvements shall be made at public cost, but special assessments on any properties determined by the City Council to be especially benefitted thereby, proportionate to benefits, shall be levied to reimburse the City to the extent provided by law.

Section 5. The District created hereby is separate and distinct, and if the District is objected to by owners of record title representing more than 50% of the front footage of the property directly abutting on the water main to be constructed, the work will not be constructed in the District.

Section 6. For the purpose of paying for the construction of the water main and other necessary improvements incidental thereto, the Mayor and City Council of the City may issue district improvement warrants or bond anticipation notes of Water Service District No. 5 of the City of Gothenburg, Nebraska in the form and manner provided by law.

Section 7. To effect the final payment and retirement of said warrants or bond anticipation notes, and to pay for the cost of constructing the water main and other necessary improvements incidental thereto, the Mayor and City Council shall issue bonds in the form and manner provided by law.

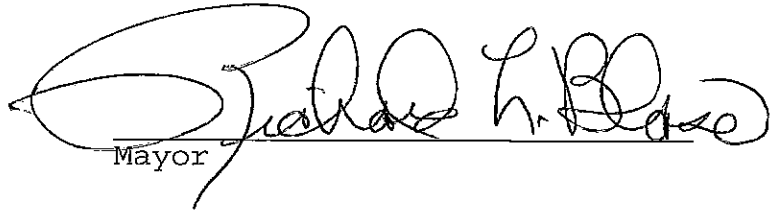
Section 8. This ordinance shall be published one time in The Gothenburg Times, a legal newspaper published and of general circulation in the City of Gothenburg, Nebraska, and shall take effect and be in full force from and after its passage, approval and publication as provided by law.

Section 9. After the passage, approval and publication of this ordinance as in Section 8 provided, there shall be published for two consecutive weeks, as provided by law, in The

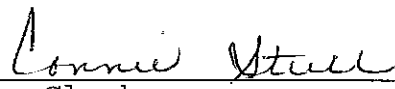
Gothenburg Times, a legal newspaper published and of general circulation in the City of Gothenburg, Nebraska, a notice with respect to the District created by the terms of this ordinance, which notice shall provide, among other things, that if owners of record title representing more than 50% of the front footage of the property directly abutting on the water main in said District shall file with the City Clerk within twenty (20) days after the first publication of said notice, writing objections to the creation of said District, the improvements in such District shall not be made as provided in this ordinance.

Section 10. All provisions of any prior ordinance of the City of conflict herewith are hereby repealed.

PASSED AND APPROVED this 18th day of February, 1997.

  
Mayor

ATTEST:

  
City Clerk

*10/10/97  
not. King 26*

*Public work  
Schwan  
Prof. [unclear]  
Stellman (No. 11-2nd)  
[unclear]*