

PLATTSMOUTH CITY COUNCIL
February 2, 2009

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 February 2, 2009 at the City Hall in Plattsmouth Nebraska. Present were: Council Members: John Porter, Mike Bowman, Terry D. Tilson, Ruth Wassinger, Rod Jenkins, Art Tesarek, Doug Derby and Terry Kerns. Also present: City Administrator Ervin Portis, City Treasurer Peggy Wilsey 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.

Mayor Lambert 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.

CITIZEN'S DELEGATION:

No one spoke at Citizen's Delegation.

The Pledge of Allegiance was recited.

CONSENT AGENDA:

Motion by Wassinger, seconded by Tilson to consider Item D as a separate agenda item.
MOTION CARRIED.

Motion by Tilson, seconded by Bowman to approve consent Agenda Items A through C as listed:

- A Approval of January 19, 2009 City Council Meeting Minutes
- B Consider approval of Mayor's recommendation of the appointment of Leigh Jean Koinzan to the Library Board to fill a vacancy created when Books Utterback resigned whose term expires January 2013.
- C Consider recommendation for approval of a Special Designated License filed by Church of the Holy Spirit for February 27, March 6, March 13, March 20, March 27 and April 3, 2009 for a fund raiser at Church of the Holy Spirit, 520 South 18th Street, Plattsmouth from 4:30 p.m. to 10:00 p.m.

ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins.
No-None. Absent-None. Abstain-None. MOTION CARRIED.

Motion by Bowman, seconded by Jenkins to allow Kerns to abstain from any discussion or action on Item D (Approval of Claims) under the Consent Agenda. MOTION CARRIED.

CONSENT AGENDA ITEM D:

Motion by Bowman seconded by Jenkins to approve the claims as listed:

DATE 1/29/2009	CITY OF PLATTSMOUTH	PAGE
1		
CLAIMS REGISTER REPORT		
SALARIES 1/14/09-1/27/09		
General Admin		8,336.92
Humane Dept		678.35
Police Dept		21,028.57
Street Dept		8,173.18
Public Library		4,643.80
Parks		553.22
Oakhill Cemetery		1,203.11
Community Center		11,967.34
Senior Center		1,484.39
Payroll Sewer Dept.		2,757.43
Payroll Water Dept.		4,944.88
TOTAL SALARIES		65,771.19
ADVANCED OFFICE AUTOMATION 93.48		
ALLTEL		107.03
AMERITAS LIFE INSURANCE		6,807.39
AVID IDENTIFICATION SYSTEMS		526.66
BARNES DISTRIBUTION		74.24
BLACK HILLS ENERGY		6,713.10
BLUE CROSS BLUE SHIELD		31,222.96
BOBCAT OF OMAHA		88.16
BOMGAARS SUPPLY		699.50
CARTRIDGE WORLD		41.99
CASSGRAM		26.00
CENTRAL TRANSPORTATION		1,175.35
CHARTER BUSINESS		86.43
CHOICE ELECTRIC INC		760.00
DELTA DENTAL PLAN		1,865.10
DON'S PIONEER UNIFORM		155.90
ECHO GROUP INC		274.60
ED M. FELD EQUIPMENT CO.		544.00

EDISON CHOI	135.00
FARM PLAN	15.98
FASTENAL COMPANY	16.30
FOUR STAR LAUNDRY	31.50
GE CAPITAL	639.00
GENE'S SERVICE & SPORTS	49.00
GFOA	370.00
GRAINGER	62.43
HAWKINS INC	1,293.41
HD SUPPLY WATERWORKS LTD	710.95
HEIMAN INC	48.90
HIGGINS HARDWARE	36.78
IDEAL PURE WATER	14.00
INTERNATIONAL ASSOC	120.00
INTERNATIONAL CITY	700.40
INTERNAL REVENUE SERVICE	22,826.25
JOHN'S APPLIANCE	1,048.98
JOHNSTON SUPPLY	158.69
KENNEDY STORAGE	50.00
KERNS EXCAVATING COMPANY	220.00
LEAGUE OF NEB MUNICIPAL	666.00
LINDER TIRE & AUTO INC	1,326.00
LYMAN RICHEY SAND	93.70
MENARDS	212.40
MICHAEL ANZALONE	140.00
MIDWEST MINOR MEDICAL	23.00
MISSISSIPPI LIME COMPANY	3,153.75
MULLENAX AUTO SUPPLY	372.17
NEBRASKA DEPT OF REVENUE	4,898.70
NEBRASKA PUBLIC HEALTH	164.00
NEBRASKA PUBLIC POWER	212.38
NEBRASKA RURAL WATER	275.00
NEBRASKA SALT & GRAIN CO	1,388.31
NEXTEL PARTNERS	850.70
OCE IMAGISTICS	290.49
OFE OIL INC.	38.37
OLMSTED & PERRY ENGINEER	2,935.10
PAMIDA DISCOUNT CENTER	23.95
PANKONIN'S INC	57.33
PAYLESS OFFICE PRODUCTS	173.91
PITNEY BOWES INC.	145.00
PLATTSMOUTH CHAMBER OF COMMERCE	120.00
PLATTSMOUTH READY MIX	180.00

POLICE CHIEFS ASSOC	50.00
PRINTING IMAGES	149.55
SEARS COMMERCIAL ONE	236.88
SECRETARY OF STATE	20.00
SHERWIN-WILLIAMS	229.74
SPRINT	25.01
SUE BAKER	8.44
TERRY LINDSEY	376.88
THE UNION CENTRAL LIFE	155.02
THE WALDINGER CORPORATIO	951.76
THERESA HERMIDA	89.97
UNIVERSITY OF NE LINCOLN	85.00
UNMC PHYSICIANS	293.00
UTILITY EQUIPMENT COMPAN	36.02
WEIS FIRE & SAFETY EQUIP	457.54
WELLS FARGO FINANCIAL	177.49
Total Claims	100,892.02
Total Salaries and Claims	166,663.21

ROLL CALL: Yes-Porter, Bowman, Tilson, Wassinger, Jenkins, Tesarek and Derby. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

UNFINISHED BUSINESS

ITEM 7 A

Council Member Jenkins introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1783-AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDIANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Jenkins, seconded by Tilson that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1783 be adopted on first reading by title only. ROLL CALL: Yes-Jenkins, Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Jenkins moved for final passage of the ordinance, which motion was seconded by Tesarek. ROLL CALL: Yes- Tesarek, Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 7 B

Mayor Lambert indicated the need for the council to go into Executive Session to protect the

public interest regarding legal strategy for a nuisance property located at 504 Avenue C (owner of record is Roger O. and Dorata V. Macedo). 7:12 p.m. Motion by Kerns, seconded by Jenkins to convene to Executive Session to protect the public interest regarding legal strategy for a nuisance property located at 504 Avenue C (owner of record is Roger O. and Dorata V. Macedo) ROLL CALL: Yes- Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek, and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Executive Session was to protect the public interest regarding legal strategy for a nuisance property located at 504 Avenue C (owner of record is Roger O. and Dorata V. Macedo). 7:14 p.m. Motion by Jenkins, seconded by Tilson to reconvene into regular session. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

NEW BUSINESS

ITEM 8 A

7:15 p.m. Mayor Lambert opened a Public Hearing: To receive a report of the Economic Development Citizen Advisory Review Committee on the functioning and progress of the Economic Development Program for the period of Aug 2008 through Jan 2009. City Administrator Erv Portis introduced Jackie Morehead as the recently elected Chairperson of the Economic Development Citizens Advisory Review Committee. Mr. Portis and Ms. Morehead provided a summary of Economic Development activity for the period from October 1, 2008 through the end of January 2009. Total income for the period is \$127,028.92. Expenses have been \$27,167.00. No LB840 applications have been received or processed. One CDBG application was received, processed and approved. The City is presently servicing seven Economic Development loans and/or grants. 7:20 p.m. Mayor Lambert closed the Public Hearing.

ITEM 8 B

7:21 p.m. Mayor Lambert opened a Public Hearing: Proposed One and Six Year Road and Street Improvement Plan for 2009. Al Aylor was present to answer any questions. 7:22 p.m. Mayor Lambert closed the Public Hearing.

ITEM 8 C

Motion by Wassinger, seconded by Kerns to approve the One and Six Year Road and Street Improvement Plan for 2009. ROLL CALL: Yes- Kerns, Bowman, Tilson, Jenkins, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Motion by Jenkins, seconded by Wassinger to authorize a temporary transfer of Water Funds into the General Fund to meet the requirements of the fiscal year 2008/2009 adopted budget expenditures for the General Fund. This authorization will be only for the current fiscal year until such time in the fiscal year that sufficient General Fund revenue is received to pay budgeted

General Fund claims. All money temporarily taken from the Water Fund for General Fund purposes will be restored by the end of the current fiscal year. ROLL CALL: Yes- Bowman, Tilson, Jenkins, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11

7:35 p.m. Motion by Tesarek, seconded by Jenkins to adjourn. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

Attest:

/s/Peggy Wilsey, City Treasurer