

PLATTSMOUTH CITY COUNCIL

July 6, 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 July 06, 2009 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Mike Bowman, Terry Tilson, Ruth Wassinger, Rod Jenkins and Art Tesarek. Absent was: Council Member: Terry Kerns. Also present: City Administrator Erv Portis, Deputy City Clerk 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.

The Pledge of Allegiance was recited.

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.

Council member Kerns arrived at 7:05 p.m.

CITIZEN'S DELEGATION:

Nancy Josoff, Cass County Election Commissioner addressed the Council regarding the Cass County "Going Green" campaign.

CONSENT AGENDA:

Motion by Wassinger, seconded by Bowman to approve the Consent Agenda excluding Item B and the amended claims list:

- A Approval of June 15, 2009 City Council Meeting Minutes
- C Consider recommendation for approval of a Special Designated License filed by Knights of Columbus for August 22, 2009 for a Reception at St. John's School, 500 So. 18th Street, Plattsmouth from 5:00 p.m. to 12:00 midnight
- D Jerry Hug, 1409 Tammy Lane-Request to close Tammy Lane (at Mark Street at east and west intersections) on Saturday, July 25, 2009 from 5:00 p.m. to 10:00 p.m. for a Neighbor Block Party
- E Consider approval of claims

DATE 7/03/2009 CITY OF PLATTSMOUTH

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CLAIMS REGISTER REPORT
01 GENERAL ADMINISTRATION

Gross Salaries 6/19/09
General Admin 11,999.19
Humane Dept 810
Police Dept 33,112.20
Street Dept 10,370.88
Public Library 5,863.88
Parks 1,763.63
Oakhill Cemetery 2,180.47
Community Center 11,745.46
Senior Center 1,732.92
Pool 10,360.58
Payroll Sewer Dept. 7,128.53
Payroll Water Dept. 3,961.15

TOTAL SALARIES 101,028.89

VARIOUS

AMERICAN FAMILY LIFE ASS	24.10
BLUE CROSS BLUE SHIELD	27,456.32
PLATTSMOUTH STATE BANK	1,545.84
THE UNION CENTRAL LIFE I	155.02
UNITED STATES LIFE INSUR	95.40

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI	7.00
CASS COUNTY NEBRASKA ECO	60.00
CASS COUNTY TREASURER	9,782.50
CHARTER BUSINESS	40.00
DELTA DENTAL PLAN	297.00
GROSS & WELCH PC LLO	1,501.80
IT'S GOT TO GO	489.00
KENNEDY STORAGE	50.00
NEXTEL PARTNERS	175.71
PAYFLEX	30.20
PAYLESS OFFICE PRODUCTS	17.99
PEGGY WILSEY	143.70
SOUTHEAST NE DEV DISTRIC	4,500.00
UNLIMITED VISION LLC	338.69
WELLS FARGO BANK	750.00
WELLS FARGO FINANCIAL LE	177.49

HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY	54.96
HEARTS UNITED	122.00
MID CON SYSTEMS INC	130.77
NEBRASKA HUMANE SOCIETY	70.00
NEXTEL PARTNERS	84.57

RESCUE SQUAD

EMS BILLING SERVICES INC	1,553.90
MED ALLIANCE GROUP	1,082.54

POLICE DEPARTMENT

ALAMAR UNIFORMS	1,188.03
CASS COUNTY SHERIFF	3,509.00
DELTA DENTAL PLAN	671.20
GALLS	217.94
NEXTEL PARTNERS	344.65
PAYFLEX	38.12
PITNEY BOWES INC.	351.93
POLICE PETTY CASH	57.35
PRODUCTIVE PRODUCTS	3,895.40
UNLIMITED VISION LLC	290.35
WARGA BROADCASTING LLC	300.00

STREET DEPARTMENT

ASPHALT & CONCRETE MATER	632.50
BLACK HILLS ENERGY	40.83
BOMGAARS SUPPLY	85.54
DELTA DENTAL PLAN	286.10
NEBRASKA PUBLIC POWER DI	86.11
NEXTEL PARTNERS	211.78
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	45.98
SAFETY-KLEEN CORPORATION	262.88

PUBLIC LIBRARY

BOMGAARS SUPPLY	15.98
DELTA DENTAL PLAN	118.30
EBSCO SUBSCRIPTION SERVI	1,772.19
PAYFLEX	7.92
POLARIS LIBRARY SYSTEMS	7,910.43

PARK & RECREATION

BLACK HILLS ENERGY	17.11
BOMGAARS SUPPLY	147.76
FARM PLAN	1.14
FASTENAL COMPANY	22.82
GRAINGER	28.67
IMPACT MANUFACTURING	46.74
MIDWEST FARMERS COOP	385.00
NEBRASKA PUBLIC POWER DI	75.78
ODEYS INC	576.09
PLATTSMOUTH READY MIX IN	530.30
WILES BROS. INC.	89.25

CEMETARY

DELTA DENTAL PLAN	49.50
NEBRASKA PUBLIC POWER DI	21.08
NEXTEL PARTNERS	26.53
PAYFLEX	7.92
FIRE DEPARTMENT	
ED M. FELD EQUIPMENT CO.	446.39
ERIC GRIMSHAW	166.23
FORT DEARBORN LIFE INSUR	154.80
HOWARD JOHNSON RIVERSIDE	1,104.35
MULLENAX AUTO SUPPLY	271.35
SENIOR CITIZEN CENTER	
LINDER TIRE & AUTO INC	15.00
NEBRASKA FOOD BANK NETWO	159.86
STEUBE'S THRIFTWAY	174.74
THE THOMPSON COMPANY	3,835.41
UNITED STATES POST OFFIC	88.00
UNMC PHYSICIANS GROUP 3	192.00
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	88.97
BLACK HILLS ENERGY	475.06
BOMGAARS SUPPLY	71.47
CI SOLUTIONS	908.00
DELTA DENTAL PLAN	68.80
FOUR STAR LAUNDRY	35.36
JEN RUDNICK	50.00
MICHAEL ANZALONE	240.00
NEXTEL PARTNERS	63.58
RONNIE BECKWITH	50.00
ROXANNE DOLECKI	75.00
SHARI BARRIES	380.00
AQUATIC	
AQUA CHEM INC	1,376.22
ASHLEY SUNDERMAN	117.82
BLACK HILLS ENERGY	2,728.38
BOMGAARS SUPPLY	131.01
DIAMOND VOGEL PAINT CENT	297.75
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
WATER DEPARTMENT	
BLACK HILLS ENERGY	17.11
BOMGAARS SUPPLY	209.45
CENTRAL TRANSPORTATION S	1,670.95
DELTA DENTAL PLAN	126.70
GREAT PLAINS ONE CALL SE	32.19
HAWKINS INC	1,127.54

HDR ENGINEERING INC	16,815.10
MIDWEST FARMERS COOPERAT	2,399.40
MISSISSIPPI LIME COMPANY	3,197.50
NEBRASKA PUBLIC HEALTH E	314.00
NEXTEL PARTNERS	209.68
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	21.37
USA BLUEBOOK	242.72
SEWER DEPARTMENT	
BLUE CROSS BLUE SHIELD	2,122.32
UNITED STATES LIFE INSUR	18.40
BOMGAARS SUPPLY	101.02
DELTA DENTAL PLAN	148.50
GRAINGER	68.73
GREAT PLAINS ONE CALL SE	32.20
HDR ENGINEERING INC	940.94
LINDER TIRE & AUTO INC	547.80
UTILITIES SERVICE GROUP	3,116.70
WATER ENVIRONMENT FEDERA	53.00

Total Claims \$137,947.26

Total Salaries and Claims \$238,976.15

DATE 7/06/2009 CITY OF
 PLATTSMOUTH PAGE 1
 CLAIMS REGISTER REPORT

ADDITIONS TO CLAIM LISTING 7/06/09

VARIOUS

Shell Gas	3,595.95
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RESCUE

Ofe	1,602.41
Holiday Inn	674.55
Independent Auto	259.79
Boundtree	2,400.51
Get Wireless	1,506.00
Zoll	645.00

PARK & RECREATION

Pepsi	590.00
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Community Center

Merideth Hansen	142.80
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STREET

Mike's Tool Service 89.99

Total Claim Additions 11,507.00

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

Motion made by Kerns, seconded by Tilson to approve Consent Agenda item B as listed contingent on insurance coverage with said approval contingent on receipt of proof of insurance for the event.

B Plattsmouth Volunteer Fire Department request for the closing of North 5th Street from Avenue A South to the Alley North of Main Street on Saturday, July 25, 2009 from 10:00 a.m. to 2:00 p.m. for Registration for the 3rd Annual Benefit Poker Run

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

UNFINISHED BUSINESS

ITEM 8A

Motion by Bowman, seconded by Porter to adopt:

RESOLUTION NO. 09-014

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA REGARDING PARKING.

WHEREAS the Plattsmouth City Council has considered modifying the on-street parking on the west side of South 8TH Street at 6TH Avenue, including the public safety; and

WHEREAS the City Council is authorized to regulate parking on the public streets.

NOW, THEREFORE, BE IT RESOLVED by the Plattsmouth City Council that there shall be no parking on the west side of South 8TH Street for a distance of 63 feet south of the south curblineline of 6TH Avenue, located in the City of Plattsmouth, Cass County, Nebraska, and that the same shall be posted "No Parking."

PASSED AND APPROVED this 6TH day of July 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No.09-014 in to the record. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9A

CONVENE AS THE BOARD OF ADJUSTMENT AND EQUALIZATION

Mayor Lambert opened public hearing at 7:16 p.m. regarding imposition of a special assessment on real estate legally described as 226 South 6th Street resulting from the cleanup of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2002. Brian Paulson, Police Chief spoke and presented evidence of the nuisance and need for a special assessment. Lambert closed the hearing at 7:23 p.m.

ITEM 10A

RECONVENE AS THE PLATTSMOUTH CITY COUNCIL

NEW BUSINESS

ITEM 11A

Motion by Jenkins and seconded by Wassinger, to adopt:

RESOLUTION NO. 09-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, AUTHORIZING THE CITY CLERK TO FILE WITH THE CASS COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT THE LOCATION, AND IN AMOUNT, STATED HEREIN.

WHEREAS, the property owner of 226 South 6th Street was notified to clean up said property which was in violation of the City of Plattsmouth Revised Municipal Ordinance 2002 or that the City would conduct the clean up and charge the property accordingly; and

WHEREAS, the owner of said property chose not to clean up the property which necessitated the City to complete the cleanup at a cost of \$240.00;

WHEREAS, the City sent the property owner a bill for said clean up which has not been paid; and

WHEREAS the City may file a Special Assessment for Improvements against said property for which the City provided clean up services for which it has billed and has not been paid.

NOW, THEREFORE BE, IT RESOLVED, by the City Council that the Plattsmouth City Clerk is hereby authorized to file, with the Cass County Treasurer, a Special Assessment for Improvements in the amount of \$240.00 against the property legally described as Plattsmouth-Original Town S49 1/2 ' of Lot 7 Blk 44.

PASSED AND APPROVED this 6TH day of July 2009.

/s/R. Paul Lambert, Mayor

Attest:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-015 in to the record. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11B

Brian Paulsen, Chief of Police presented the Code Enforcement Progress Report.

ITEM 11C

Received Resolution No. 09-02 from the Plattsmouth Airport Authority requesting the Airport Authority's tax request for budget year 2009-2010.

ITEM 11D

Motion by Kerns, seconded by Wassinger to approve a request made by Windstream to Place Buried Communication Cable on Public Right Of Way Within Corporate Limits of Plattsmouth, Cass County, Nebraska (Replace section of bad cable located at 4th Street and 7th Avenue). ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11E

Motion by Porter, seconded by Kerns to approve a request from Gary Hellwig, Public Works Director, to purchase a 2009 ¾ Ton Regular Cab Base Chevrolet Silverado pickup truck on State of Nebraska bid at a purchase price of \$20,785.00. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11F

Motion by Bowman, seconded by Jenkins to adopt:

RESOLUTION NO. 09-016

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT THE PLATTSMOUTH COMMUNITY CENTER UPON THE RENTAL OF THE SAME AND THE SATISFACTION OF ALL TERMS OF SAID RENTAL AGREEMENT.

WHEREAS, the City of Plattsmouth rents the Community Center for private functions as allowed by law;

WHEREAS, the Community Center is public property and the consumption of alcohol on public property is subject to approval by the City Council; and

WHEREAS the terms of the rental agreement for the Community Center contemplate the consumption of alcohol under prescribed conditions.

NOW, THEREFORE, BE IT RESOLVED by the Plattsmouth City Council that the consumption of alcohol at the Plattsmouth Community Center is authorized at private events upon the satisfaction of all the terms of the rental agreement between the tenant and the City.

BE IT FURTHER RESOLVED that this Resolution shall be a standing resolution.
PASSED AND APPROVED this 6TH day of July 2009.

/s/R. Paul Lambert, Mayor

Attest:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-016 in to the record. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11G

Motion by Derby, seconded by Tesarek to adopt:

RESOLUTION NO. 09-017

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT THE PLATTSMOUTH LIBRARY ON JULY 16, 17 AND 18, 2009 AS REQUESTED BY MARY PETERS-TOBACCO PLUS I IN CONJUNCTION WITH THE REDNECK DINNER THEATER PLAYERS.

WHEREAS, Mary Peters-Tobacco Plus I has requested the consent of the Plattsmouth City Council to consume alcohol at the Plattsmouth Library in conjunction with The Redneck Dinner Theater Players on July 16, 17 & 18, 2009; and

WHEREAS, the Plattsmouth Library is public property and the consumption of alcohol on public property is subject approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Plattsmouth City Council that the consumption of alcohol at the Plattsmouth Library is authorized on July 16, 17 & 18, 2009 in conjunction with The Redneck Dinner Theater Players as requested by Mary Peters-Tobacco Plus I.

PASSED AND APPROVED this 6TH day of July 2009.

/s/R. Paul Lambert, Mayor

Attest:

Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-017 in to the record. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11H

Motion by Wassinger, seconded by Jenkins to approve and authorize payment to Sampson

Construction Co., Inc. for Pay App. No. 18 FINAL in the amount of \$16,795.81 for the Plattsmouth Community/Senior Center. ROLL CALL: Yes- Bowman, Tilson, Wassinger, Jenkins, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

8:00 p.m. Motion by Jenkins, seconded by Tesarek to adjourn. MOTION CARRIED

/s/R. Paul Lambert, Mayor

ATTEST

/s/ Peggy A. Wilsey, Deputy City Clerk