

PLATTSMOUTH CITY COUNCIL
September 8, 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 September 8, 2009 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Kerns, Mike Bowman, Terry D. Tilson, Ruth Wassinger, Rod Jenkins, Art Tesarek and Doug Derby. Also present: City Administrator Erv Portis, City Clerk Sandra J. Meyer, 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.

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.

CITIZEN'S DELEGATION:

No one spoke at Citizen Delegation

MAYOR PROCLAMATION

The Mayor proclaimed September 20, 2009 as Youth Bowler's Day in the City of Plattsmouth.

CONSENT AGENDA:

Motion by Jenkins, seconded by Wassinger to approve all Consent Agenda items with one correction: in ITEM D delete the word south when referring to the direction to the alley between Main Street and Avenue A.

- A Approval of August 21, 2009 Special City Council Meeting Minutes
- B Consider approval of Windstream Addendum to Request to Place Buried Communications Cable on Public Right-of-Way within Corporate Limits of Plattsmouth, Cass County, Nebraska at Castaway Point Area
- C Consider the Mayor's recommendation of the appointment of Bobie Touchstone to the Plattsmouth Bridge Commission for a term of six years commencing on October 15, 2009 to fill a vacancy created by outgoing Commission Member Doug Duey
- D Consider approval of the street closing request made by the Plattsmouth Chamber of Commerce for Friday, October 2, 2009 for Cruizin' Main (Main Street from 7th Street to 3rd Street; Sixth Street from First Avenue south to the alley between Main Street and Avenue A; Fifth Street from First Avenue south to the alley between Main Street and Avenue A; and Fourth Street from First Avenue south to the alley between Main Street and Avenue A) from 4:00 p.m. to 9:00 p.m. (This is the same request as 2008)

- E Consider approval of The Fall Kids Expo/LesMills launch/membership drive and waive the \$30.00 joining fee at the Plattsmouth Community Center on October 10, 2009 from 9:00 a.m. to 1:00 p.m.
- F Consider approval of claims

Please note these are GROSS SALARIES 8/14/09 plus 8/28/09 not Net as before.

General Admin 24,599.09
 Humane Dept 1,620
 Police Dept 61,460.78
 Street Dept 21,058.28
 Public Library 12,404.10
 Parks 3,127.26
 Oakhill Cemetery 4,257.83
 Community Center 21,959.69
 Senior Center 3,456.44
 Pool 13,273.11
 Payroll Sewer Dept. 8,200.62
 Payroll Water Dept. 14,429.45
 TOTAL SALARIES 189,846.65

VARIOUS

AMERICAN FAMILY LIFE	24.10
AMERITAS LIFE INSURANCE	14,210.80
BLUE CROSS BLUE SHIELD	25,869.36
EMC NATIONAL LIFE COMPAN	98.65
FRATERNAL ORDER OF POLIC	210.00
MUTUAL OF OMAHA	628.58
PLATTSMOUTH STATE BANK	1,545.84
THE UNION CENTRAL LIFE I	155.02
UNITED STATES LIFE INSUR	110.60

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI	207.31
AMERITAS LIFE INSURANCE	498.88
ARTS LAWN SPRINKLER SERV	199.20
BEACHLER ENTERPRISES	320.00
BLUE CROSS BLUE SHIELD	1,185.44
BOMGAARS SUPPLY	11.54
D & D LASER INC	139.90
DELTA DENTAL PLAN	297.00
DOLLAR GENERAL	22.00

FIRST BANKCARD	57.93
GREAT PLAINS GOVT FINANC	170.00
HIGGINS HARDWARE	9.50
KENNEDY STORAGE	50.00
LEAGUE OF NEB MUNICIPALI	328.00
NEBRASKA DEPARTMENT OF R	25.00
NEBRASKA MUNICIPAL CLERK	35.00
NEBRASKA PUBLIC POWER DI	579.49
NEXTEL PARTNERS	165.11
PAYFLEX	30.20
PAYLESS OFFICE PRODUCTS	325.88
PITNEY BOWES INC.	145.00
PITNEY BOWES PURCHASE PO	2,018.99
PLATTSMOUTH STATE BANK	20.00
SCHNEIDER AGENCY	31,430.20
THE COLUMBUS TELEGRAM	1,083.97
WELLS FARGO FINANCIAL LE	177.49
HUMANE/CODE ENFORCEMENT	
NEBRASKA PUBLIC POWER DI	91.11
NEXTEL PARTNERS	274.04
NE DEPT AG	150.00
RESCUE SQUAD	
FOUR STAR LAUNDRY	164.20
WPS MEDICARE PART B	85.56
Verizon	104.6
Alamar Uniforms	112.48
Auto Body Authority	90.00
Bound Tree	1,699.07
D&D Communications	85.95
EMS Billing	3,092.41
Independent Auto	288.26
Linweld	545.98
Linder	117.00
Metro Community College	495.50
Ofe	945.20
POLICE DEPARTMENT	
CASS COUNTY SHERIFF	3,509.00
DELTA DENTAL PLAN	671.20
PAYFLEX	38.12
WARGA BROADCASTING LLC	300.00
STREET DEPARTMENT	
ASPHALT & CONCRETE MATER	808.50
BARNES DISTRIBUTION	155.39

BLACK HILLS ENERGY	83.80
BOMGAARS SUPPLY	153.84
COMPUTERS TO GO	229.99
DELTA DENTAL PLAN	286.10
DIAMOND VOGEL PAINT CENT	194.35
FARM PLAN	37.00
GENE KONKLER	195.00
LINDER TIRE & AUTO INC	96.00
LONNIE ILES	140.00
NEBRASKA PUBLIC POWER DI	5,593.55
NEXTEL PARTNERS	238.20
OLD DOMINION BRUSH	816.68
OMAHA STANDARD	1,552.14
PAYFLEX	7.92
ROSE EQUIPMENT INC	3,310.57
THE VILLAGE NURSERY	6.99
TINCHER CHRYSLER-PLYMOUT	45.94

PUBLIC LIBRARY

BAKER & TAYLOR BOOKS	3,817.40
BIBLIOTHECA INC	5,394.11
CENTER POINT LARGE PRINT	1,012.45
CHARTER BUSINESS	40.00
DELTA DENTAL PLAN	118.30
FIRST BANKCARD	1,704.80
HEARTLAND TECHNOLOGY SOL	720.00
HIGHSMITH INC	2,160.50
IKON OFFICE SOLUTION	30.25
IKON OFFICE SOLUTIONS	792.66
NEBRASKA LIBRARY ASSOCIA	370.00
NEBRASKA PUBLIC POWER DI	835.51
O'KEEFE ELEVATOR CO INC	324.08
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	34.71
PROQUEST LLC	183.71
WINDSTREAM	126.15

PARK & RECREATION

ALLIED OIL & SUPPLY INC	495.82
ARTS LAWN SPRINKLER SERV	197.35
BLACK HILLS ENERGY	34.21
BOMGAARS SUPPLY	153.45
FARM PLAN	337.28
HIGGINS HARDWARE	70.00
JOHN DEERE CREDIT	1,559.55

NEBRASKA PUBLIC POWER DI	134.33
PROFESSIONAL WASTE WATER	140.00

CEMETARY

DELTA DENTAL PLAN	49.50
NEBRASKA PUBLIC POWER DI	21.39
NEXTEL PARTNERS	222.31
PAYFLEX	7.92

FIRE DEPARTMENT

AUGGIE'S PERFORMANCE SHO	150.56
FORT DEARBORN LIFE INSUR	178.88
HIGGINS HARDWARE	141.43
INTERSTATE POWER SYSTEMS	63.94
MULLENAX AUTO SUPPLY	90.00

SENIOR CITIZEN CENTER

CITY TREASURER	4,750.00
FOUR STAR LAUNDRY	210.68
NO FRILLS SUPERMARKETS	97.32
PERMITE CO OF NEB AND IA	125.00

COMMUNITY CENTER

ADVANCED OFFICE AUTOMATI	35.75
AMERICAN RED CROSS HEART	271.00
BLACK HILLS ENERGY	639.13
CAROL FADKE	50.00
CHARTER BUSINESS	86.43
CIT TECHNOLOGY	12.65
DELTA DENTAL PLAN	68.80
DOLLAR GENERAL	33.50
FITNESS PRO PLUS	155.00
FOUR STAR LAUNDRY	106.08
JEN RUDNICK	25.00
MICHAEL ANZALONE	240.00
NEBRASKA AIR FILTER INC	283.17
NEBRASKA PUBLIC POWER DI	7,008.34
NEXTEL PARTNERS	67.73
PAMIDA DISCOUNT CENTER	351.96
RONNIE BECKWITH	100.00
ROXANNE DOLECKI	100.00
SHARI BARRIES	245.00
UNLIMITED VISION LLC	346.95

AQUATIC

ALLIED OIL & SUPPLY INC	114.13
AQUA CHEM INC	469.75
BLACK HILLS ENERGY	3,197.39

HIGGINS HARDWARE	14.00
NEBRASKA PUBLIC POWER DI	1,841.68
WINDSTREAM	45.17

DEBT SERVICE

PLATTSMOUTH STATE BANK	9,100.00
WATER & SEWER DEPARTMENT	6,113.22

WATER DEPARTMENT

ABC GLASS	170.00
BLACK HILLS ENERGY	34.20
BOMGAARS SUPPLY	144.25
CENTRAL TRANSPORTATION S	1,791.65
CITY TREASURER	1,661.10
DELTA DENTAL PLAN	126.70
FASTENAL COMPANY	51.49
FIRST BANKCARD	112.99
HAWKINS INC	1,510.92
HD SUPPLY WATERWORKS LTD	1,128.00
HIGGINS HARDWARE	24.28
HTM SALES INC	133.52
LINDER TIRE & AUTO INC	180.24
MIDWEST FARMERS COOPERAT	9.22
MISSISSIPPI LIME COMPANY	3,375.00
MUNICIPAL AUTOMATION & C	619.00
NEBRASKA PUBLIC HEALTH E	95.00
NEBRASKA PUBLIC POWER DI	7,932.29
NEXTEL PARTNERS	311.15
PAYFLEX	7.92
PLATTSMOUTH READY MIX IN	266.63
RACO INDUSTRIES	245.00
SENSUS METERING SYSTEMS	220.00
THE COLUMBUS TELEGRAM	243.45
USA BLUEBOOK	42.33
UTILITIES SECTION	682.00
UTILITY EQUIPMENT COMPAN	214.99
WATER DEPARTMENT-PETTY C	496.81

SEWER DEPARTMENT

AMERITAS LIFE INSURANCE	966.08
BLUE CROSS BLUE SHIELD	2,122.32
EMC NATIONAL LIFE COMPAN	196.62
MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	42.40
BOMGAARS SUPPLY	154.91
CITY TREASURER	1,236.08

DELTA DENTAL PLAN	148.50
FIRST BANKCARD	113.00
GRAINGER	250.19
HDR ENGINEERING INC	1,473.48
NEBRASKA ENVIRONMENTAL P	407.42
NEBRASKA PUBLIC POWER DI	2,747.86
NMC EXCHANGE LLC	38.33
PRUITT INC	33.48
ROE MACHINE & PATTERN WO	1,750.00
SCHNEIDER AGENCY	20,886.80
UTILITIES SECTION	682.00
Total Claim	\$226,164.79
Total Salaries and Claims	\$416,011.44

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

UNFINISHED BUSINESS

ITEM 8 A

Gary Hellwig, Public Works Director reviewed the information on the expense to change the style and color of the lettering to be placed on the South Water Tower. Hellwig presented two choices for lettering and a color chart of the various colors available. Wassinger suggested that the lettering would stand out if it were outlined in black. Motion by Wassinger, seconded by Derby to lay the issue of the style and color of the lettering for the South Water Tower over so that further pricing could be researched. On a voice vote MOTION CARRIED.

ITEM 8 B

Kevin Larson, City Inspector answered questions regarding his inspections of the following Mobile Home Courts and indicated if they were in compliance: Three Parks LLC Hill City Mobile Home Court-Not in compliance; Three Parks LLC Hi-View Mobile Home Court-Not in compliance; Morning Star Mobile Home Court-Not in compliance; Gordon's Mobile Home Court-In compliance; Cottonwood Mobile Home Court-In compliance; Robert's Mobile Home Court-In compliance; The Pines Mobile Home Court-In compliance; and South Side Mobile Home Court-In compliance. After discussion a motion was made by Wassinger, seconded by Tesarek to approve the five Mobile Home Courts that are in compliance contingent on payment of all fees required for the issuance of such license and set November 1, 2009 as the deadline for the three Mobile Home Courts that are not in compliance to come in to compliance. ROLL CALL: Yes-Bowman, Wassinger, Jenkins, Tesarek, Derby, Porter and Kerns. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 A

Council Member Bowman introduced an Ordinance numbered and titled: **ORDINANCE NO. 1791: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Jenkins that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1791 be adopted on first reading by title only. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Bowman moved for final passage of the ordinance, which motion was seconded by Tesarek. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 B

Council member Bowman introduced an ordinance numbered and titled: **ORDINANCE NO. 1792- AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2009; TO REPEAL ORDINANCE NO. 1787 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Porter that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1792 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 Bowman moved for final passage of the ordinance, which motion was seconded by Porter. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 C

Motion by Bowman, seconded by Wassinger to approve the Fraternal Order of Police, Lodge #34 Extension of Contract Agreement and direct the Mayor to execute the document. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Council member Bowman introduced an ordinance numbered and titled: **ORDINANCE NO. 1793- AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO APPROVE THE EXTENSION AGREEMENT BETWEEN THE CITY OF PLATTSMOUTH, NEBRASKA AND PLATTSMOUTH POLICE OFFICERS' ASSOCIATION, FRATERNAL ORDER OF POLICE, LODGE #34 WHICH ESTABLISH WAGES, SALARIES AND BENEFITS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM;**

AND TO PROVIDE AN EFFECTIVE DATE. Motion by Bowman, seconded by Jenkins that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1793 be adopted on first reading by title only. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Bowman moved for final passage of the ordinance, which motion was seconded by Jenkins. 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 9 E

Pursuant to publication, Mayor Lambert opened the public hearing at 7:49 p.m. with regard to the Fiscal Year 2009-2010 City of Plattsmouth Budget. No one spoke in favor or opposition to the budget. Mayor Lambert closed the public hearing at 7:50 p.m.

ITEM 9 F

Pursuant to publication, Mayor Lambert opened the public hearing at 7:50 p.m. with regard to the Final Property Tax Request for Fiscal Year 2009-2010 for the City of Plattsmouth. No one spoke in favor or opposition to the Final Tax Request. Mayor Lambert closed the public hearing at 7:52 p.m.

ITEM 9 G

Council Member Jenkins introduced a Resolution numbered and titled: **RESOLUTION NO. 09-024: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010 AND TO SET THE SAME USING THE BASE LIMITATION PERCENTAGE INCREASE OF 2.5% AND ALSO USING THE ADDITIONAL 1% INCREASE.** Motion by Jenkins, seconded by Wassinger to adopt Resolution No. 09-024.

RESOLUTION NO. 09-024

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010 AND TO SET THE SAME USING THE BASE LIMITATION PERCENTAGE INCREASE OF 2.5% AND ALSO USING THE ADDITIONAL 1% INCREASE.

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

WHEREAS a special public hearing was held as required by law to hear and consider comments concerning the budget for the fiscal year of October 1, 2009 through September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED that the budget is adopted for fiscal year of October 1, 2009 through September 30, 2010 with a dollar requirement totaling \$1,305,433.00.

BE IT FURTHER RESOLVED that the budget limit for 2009-2010 is set using the base limitation percentage increase of 2.5% and also using the additional 1% increase approved by this resolution.

BE IT FURTHER RESOLVED that the City Clerk is directed on behalf of the City of Plattsmouth to certify the budget and dollar requirements to the County Board and County Clerk of Cass County, Nebraska, and is further directed to file or cause the same to be filed with the State Auditor of Public Accounts, on or before September 20, 2009.

PASSED AND APPROVED this 8th day of September 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

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

ITEM 9 H

Council member Kerns introduced a Resolution numbered and titled: **RESOLUTION NO. 09-025**
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO SET THE TAX REQUEST FOR THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010. Motion by Kerns, seconded by Porter to adopt Resolution No. 09-025:

RESOLUTION NO. 09-025

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO SET THE TAX REQUEST FOR THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010.

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

WHEREAS *Neb. Rev. Stat. § 77-1601.02* provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the City Council of the City of Plattsmouth passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS a special public hearing was held as required by law to hear and consider comments concerning the final tax request for the fiscal year October 1, 2009 through September 30, 2010; and

WHEREAS it is in the best interests of the City of Plattsmouth that the amount of the property tax request for the current fiscal year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, BE IT RESOLVED that the tax levy is adopted for the fiscal year October 1, 2009 through September 30, 2010 with a dollar requirement totaling \$1,305,433.00 and that the property tax levy be set at \$.439916 per \$100.00 of valuation;

BE IT FURTHER RESOLVED that the Mayor and City Council of the City of Plattsmouth adopt a property tax request different than the amount of the tax request for the prior year; and

BE IT FURTHER RESOLVED that the City Clerk is directed on behalf of the City of Plattsmouth to certify the tax request and dollar requirements to the County Board and County Clerk of Cass County, Nebraska, and is further directed to file or cause the same to be filed with the State Auditor of Public Accounts, on or before September 20, 2009.

PASSED AND APPROVED this 8th day of September 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read the entire resolution 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 9 I

Pursuant to publication Mayor Lambert opened the public hearing at 7:57 p.m. with regard to the Class C Liquor License Application for The Grass is Always Greener Inc. DBA The Cigar Factory, 525 Main Street, Plattsmouth NE 68048. No one spoke in favor or opposition to the application. Mayor Lambert closed the public hearing at 7:58 p.m.

ITEM 9 J

Motion by Wassinger, seconded by Tesarek to make a favorable recommendation to the Nebraska Liquor Control Commission on the Class C Liquor License Application for The Grass is Always Greener Inc. DBA The Cigar Factory, 525 Main Street, Plattsmouth NE 68048. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 K

Motion by Porter, seconded by Jenkins to give a favorable recommendation for the Class I Liquor License Addition to Premises (Sidewalk Café) for SSRJ Inc. DBA Plattsmouth Keno. ROLL CALL: Yes-Jenkins, Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 L

Motion by Kerns, seconded by Bowman to give a favorable recommendation to the Nebraska Liquor Control Commission for a Manager Application for Sharon M. Colabello in connection with SSRJ Inc. DBA Plattsmouth Keno. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 M

Motion by Jenkins, seconded by Porter to approve Amendment No. 3 to Lottery Operator Agreement between SSRJ Inc. and the City of Plattsmouth and authorize the Mayor to execute the agreement. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 N

Pursuant to publication Mayor Lambert opened the public hearing at 8:07 p.m. with regard to the Application for Downtown Revitalization Initiative (Planning Phase). No one spoke in favor or opposition to the application. Mayor Lambert closed the public hearing at 8:09 p.m.

ITEM 9 O

Council member Bowman introduced a Resolution numbered and titled: **RESOLUTION NO. 09-026 AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR DOWNTOWN REVITALIZATION INITIATIVE (PLANNING PHASE)**. Motion by Bowman, seconded by Tilson to adopt Resolution No. 09-026:

**RESOLUTION 09-026
AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN
AN APPLICATION FOR CDBG FUNDS**

Whereas, the **City of Plattsmouth, Nebraska**, is an eligible unit of a general government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant (CDBG) Program, and,

Whereas, the City of Plattsmouth, Nebraska has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment respecting the application which is for an amount of \$19,500 in CDBG funds to develop a detailed plan and a set of priorities for implementation under Phase I of a "Downtown Revitalization" program; and,

NOW, THEREFORE, BE IT RESOLVED BY

the City Council of the City of Plattsmouth, Nebraska that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Signed: _____
R. Paul Lambert, Mayor

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

ITEM 10

Mike Bowman-Streets and Alleys Committee Chairman reviewed the request for a handicap parking sign at 3rd and Avenue B. Bowman suggested the situation be reviewed further before a decision is made.

ITEM 11

City Administrator Erv Portis reviewed LB426-Police Officers Retirement Act.

ITEM 14

8:25 p.m. Motion by Tesarek, seconded by Jenkins to adjourn. MOTION CARRIED

/s/ R. Paul Lambert, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk