

PLATTSMOUTH CITY COUNCIL

January 3, 2011

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 January 3, 2011 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Kerns, Mike Bowman, Terry Tilson, Pat Dugan, 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 Mayor 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.

ITEM 5-CITIZEN DELEGATION

No one spoke at citizen delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

Motion by Tilson, seconded by Tesarek to approve the consent agenda as listed:

- A Consider approval of December 20, 2010 City Council Meeting Minutes
- B Consider approval of the Plattsmouth Volunteer Fire Department Roster
- C Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 12/17/2010 not Net as before.

General Admin 12,271.22

Humane 1,112.80

Police 28,032.37

Street 11,374.67

Public Library 4,889.39

Parks

Oakhill Cemetery 1,532.13

Community Center 8,055.71  
Senior Center 2,123.18  
Pool 0  
Sewer 4,304.37  
Water 7,618.45  
Rescue 2,906.54  
TOTAL SALARIES 84,220.83

VARIOUS

AMERICAN FAMILY LIFE 24.10  
BLUE CROSS BLUE SHIELD 30,024.62  
DELTA DENTAL PLAN 52.00  
MUTUAL OF OMAHA 581.90  
PLATTSMOUTH STATE BANK 1,264.60  
SHELL 4,769.86  
STATE OF NE 218.21  
THE UNION CENTRAL LIFE I 155.02  
UNITED STATES LIFE INSUR 91.21

GENERAL ADMINISTRATION

CHARTER BUSINESS 40.00  
D & D LASER INC 364.75  
DANA F. COLE & COMPANY L 135.00  
DELTA DENTAL PLAN 260.00  
FIRST BANKCARD 93.73  
IKON 52.80  
INTERNL INSTITUTE FO MUN 135.00  
JOHN BAXTER 50.00  
KRIZ DAVIS CO 29.10  
OFE OIL INC. 14.00  
PAYLESS OFFICE PRODUCTS 79.41  
PITNEY BOWES 2,000.00  
PITNEY BOWES INC. 145.00  
SHARP'S CLEANING 107.00  
WELLS FARGO FINANCIAL LE 177.49

HUMANE/CODE ENFORCEMENT

AVID IDENTIFICATION SYST 86.51  
BOMGAARS SUPPLY 6.99  
HEARTS UNITED 70.00  
MEESKE ACE HARDWARE 5.23

POLICE

CASS COUNTY SHERIFF 3,509.00  
DELTA DENTAL PLAN 705.20  
JACK'S UNIFORMS & EQUIPM 1,105.95  
NEXTEL PARTNERS 287.92  
PITNEY BOWES INC. 351.93  
STATE OF NE dept roads 19.80  
TILSON AUTOMOTIVE 1,274.25  
WARGA BROADCASTING LLC 300.00

STREET

ASPHALT & CONCRETE MATER 671.00

BAUM HYDRAULICS CORPORAT	136.60
BLACK HILLS ENERGY	568.22
BOMGAARS SUPPLY	186.38
DELTA DENTAL PLAN	300.60
IOWA PRISON INDUSTRIES	2,332.50
MICHAEL TODD & COMPANY I	1,193.42
NEBRASKA PUBLIC POWER DI	35.57
PALFLEET TRUCK EQUIP	784.54
SAFETY-KLEEN CORPORATION	298.56
PUBLIC LIBRARY	
BAKER & TAYLOR BOOKS	694.17
CHARTER	40
DELTA DENTAL PLAN	104.00
FIRST BANKCARD	606.47
IKON OFFICE SOLUTIONS	1094.50
JOHN'S APPLIANCE	189.00
NEBRASKA PUBLIC POWER DI	492.13
PARK & RECREATION	
BLACK HILLS ENERGY	188.59
BOMGAARS SUPPLY	17.99
FARM PLAN	324.46
CEMETERY	
DELTA DENTAL PLAN	52.00
NEBRASKA PUBLIC POWER DI	46.01
FIRE DEPARTMENT	
FELD FIRE	2,016.51
FOUR STAR LAUNDRY	25.79
HIGGINS HARDWARE	38.32
IDEAL PURE WATER	14.00
MULLENAX AUTO SUPPLY	147.11
NEBRASKA STATE FIRE MARS	240.00
TRI-MUTUAL AID FIREFIGHT	150.00
SENIOR CITIZEN CENTER	
BLACK HILLS ENERGY	211.50
STEUBE'S THRIFTWAY	97.02
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	52.78
ALLISON WELCH	100.00
AMANDA MISER	150.00
BETTINA MOSLEY	100.00
BLACK HILLS ENERGY	1,903.50
BOMGAARS SUPPLY	3.49
DEBBIE BAGGENSTOSS	100.00
DELTA DENTAL PLAN	72.30
DIANNE POGREBA	50.00
DONNA HOLMES	80.00
FISERV	187.50
IKON	323.84
JEN RUDNICK	25.00
KAREN MOREHEAD	125.00

KELLEY SCANLAN	58.00
MARY HOLLY ALLEN	50.00
MICHAEL ANZALONE	240.00
PAMIDA DISCOUNT CENTER	13.26
SARAH ASCHENBRENNER	50.00
SEI SECURITY EQUIPMENT	420.00
SHARI BARRIES	120.00
VOSS LIGHTING	293.00
AQUATIC	
BLACK HILLS ENERGY	19.35
ECONOMIC DEVELOPMENT	
PLATTSMOUTH MAIN STREET	5,000.00
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
EMS	
ALS AFFILIATES	50.00
DELTA DENTAL PLAN	52.00
JEFF L ROBISON	613.00
LINWELD	34.50
OFE OIL INC.	1,548.20
VERIZON WIRELESS	105.18
WATER	
BOMGAARS SUPPLY	177.59
DANA F. COLE & COMPANY L	54.00
DELTA DENTAL PLAN	133.20
HD SUPPLY WATERWORKS LTD	2,384.57
NEBRASKA PUBLIC HEALTH E	159.00
NEBRASKA PUBLIC POWER DI	22.30
SEWER	
BLUE CROSS BLUE SHIELD	2,425.76
CENTRAL UNITED LIFE INSU	265.44
MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	30.40
BOMGAARS SUPPLY	296.11
DANA F. COLE & COMPANY L	36.00
DELTA DENTAL PLAN	156.00
HD SUPPLY WATERWORKS LTD	19.25
MIDWEST LABORATORIES INC	283.60
NEBRASKA RURAL WATER ASS	100.00
25 Burke Trust - Fire	
LA POLICE GEAR INC	279.96
Total Claims \$87,158.58	
Total Claims and Salaries \$171,379.41	

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Kerns introduced a Resolution numbered and titled: RESOLUTION NO. 11-001: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE, SUBJECT TO THE CONDITIONS HEREOF, A SPECIAL USE PERMIT FOR THE PLATTSMOUTH COMMUNITY SCHOOL DISTRICT, CASS COUNTY SCHOOL DISTRICT NO. 1, TO OPERATE PRIMARY AND SECONDARY EDUCATION FACILITIES IN A GENERAL COMMERCIAL DISTRICT (GC) ON PROPERTY LOCATED AT 15508 2<sup>ND</sup> AVENUE, PLATTSMOUTH, NEBRASKA.**

Motion by Kerns, seconded by Bowman to adopt Resolution No. 11-001:

**RESOLUTION NO. 11-001**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE, SUBJECT TO THE CONDITIONS HEREOF, A SPECIAL USE PERMIT FOR THE PLATTSMOUTH COMMUNITY SCHOOL DISTRICT, CASS COUNTY SCHOOL DISTRICT NO. 1, TO OPERATE PRIMARY AND SECONDARY EDUCATION FACILITIES IN A GENERAL COMMERCIAL DISTRICT (GC) ON PROPERTY LOCATED AT 15508 2<sup>ND</sup> AVENUE, PLATTSMOUTH, NEBRASKA.**

WHEREAS, application was made for a special use permit;

WHEREAS, the Planning Commission recommended approval of the application; and

WHEREAS, a public hearing on the application was held October 4, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the application of Plattsmouth Community School District, Cass County School District No. 1, for a special use permit to operate primary and secondary education facilities in a GC (General Commercial) District on property located at 15508 2<sup>ND</sup> Avenue, legally described as Plattsmouth Outlots, Pt Db 147, P465, Northwest ¼ 24-12-13 (.63 Acres), is approved subject to the following conditions which shall be satisfied at the School District's expense:

1. Stop signs shall be placed on the minor approach at all drives from the proposed site onto 2<sup>nd</sup> Avenue where traffic control signs are currently not in place.
2. The existing sidewalk at the entrance of the school be extended to the west of 2<sup>nd</sup> Avenue.
3. A crosswalk shall be striped to accommodate pedestrian crossing of 2<sup>nd</sup> Avenue from Plattsmouth High School to the Vocational Education Classrooms. Manual on Uniform Traffic Control Device (MUTCD) approved school crossing

signs (S1-1 and W16-7P shall be placed at the crosswalk location and a school advance crossing assembly (S1-1 and W16-9P) approximately 200 feet in advance of the crossing on both the Northbound and Southbound approach.

PASSED AND APPROVED this 3<sup>RD</sup> day of January 2011.

/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-Dugan, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Council Member Bowman introduced a Resolution numbered and titled: **RESOLUTION NO. 11-002: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO PROHIBIT OVERNIGHT PARKING IN PUBLICLY OWNED PARKING LOTS IN THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA WHICH ARE LOCATED IN ZONING DISTRICTS OTHER THAN CENTRAL BUSINESS DISTRICT.**

After introduction of Resolution No. 11-002, motion by Bowman to amend Resolution No. 11-002 to specify no parking between 2:00 a.m. and 6:00 a.m. and adopt Resolution No. 11-002 as amended. Mayor Lambert deemed the motion dead for lack of a second.

Mayor Lambert expressed his concerns regarding parking in the Senior Center parking lot during the winter months and the problems it creates when plowing/removing snow. Kerns questioned the issue at the old pool parking lot (4<sup>th</sup> Avenue) directly east of the Memorial Ball Field. After further discussion, Motion by Kerns, seconded by Porter to adopt Resolution No. 11-002 as amended by the City Attorney (would effect the Senior/Community Center only and from 2:00 a.m. to 5:00 a.m.).

#### **RESOLUTION NO. 11-002**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO PROHIBIT PARKING AT THE PLATTSMOUTH COMMUNITY CENTER PARKING LOT BETWEEN 2:00 A.M. AND 5:00 A.M.**

WHEREAS the Plattsmouth City Council has considered the public safety; and

WHEREAS the City Council is authorized to regulate parking in public areas.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of

Plattsmouth, Nebraska that there shall be no parking at the Plattsmouth Community Center parking lot between 2:00 a.m. and 5:00 a.m. and that the same be posted.

PASSED AND APPROVED this 3<sup>RD</sup> day of January 2011.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Council Member Tilson stated that he was not comfortable with amending 50% of the Resolution amidst a meeting and he thought that they would be getting more information. Council Member Dugan questioned what the penalties would be. Penalties would be a ticket and subject to towing.

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

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Motion by Kerns, seconded by Dugan to approve the Department of Roads Maintenance Agreement No. 21 Certificate of Compliance and direct the Mayor to execute the Certificate. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 9 B

City Administrator Ervin Portis stated that the City received 3 bids for the 3 year “Farm Lease” for approximately sixty-six (66) acres, more or less, of farmable ground near the City of Plattsmouth but none were submitted with all elements required on the Instructions to Bidders. Motion by Dugan, seconded by Derby to receive and reject all bids and rebid in a simplified format. ROLL CALL: Yes-Kerns, Bowman, Tilson, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 9 C

Motion by Porter, seconded by Kerns to approve Graham Construction Application and Certificate for Pay, Application No. 6, Main Street Corridor Improvement Project, in the amount of \$444,692.03, authorize payment and direct the Mayor to execute Pay Application No. 6. ROLL CALL: Yes-Tilson, Dugan, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 D

Motion by Tilson, seconded by Porter to receive with regrets the resignation of First Ward Council Member, Ruth K. Wassinger. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Dugan, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 E

Motion by Derby, seconded by Bowman to approve the recommendation of the Mayor to appoint Ruth Wassinger to fill the expired term of Mike Schuldt on the Economic Development Application Review Committee. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 F

Motion by Tilson, seconded by Porter to approve setting January 29, 2011 9:00 a.m. to 1:00 p.m. as a Special City Council Meeting. ROLL CALL: Yes-Bowman, Tilson, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 G

Mike Wilson, Chief of the Plattsmouth Volunteer Fire Department gave his annual report to the Mayor and Council. The Department has 53 members in good standing-7 did not meet the annual requirements for a member in good standing status. 212 calls were answered for 2010-73 call increase from 2009 (106 City calls/106 Rural calls). 3,129 man hours were put in from alarm time to return to station. 1,878 alarms were answered in the last decade.

The Jaws of Life is out of service and they are researching their options. The Thermal Imager and the Fill Station have been ordered and will be funded out of Donation monies. The Air-packs were tested and all passed but 13 masks failed. In 2011 the Department has a 2 month trial for a new computer program "I am Responding"- A member contacts the program via cell phone to alert the system they are responding or are out of area. The 2011 Officers are: Mike Wilson-Chief; Bill Dudek-1<sup>st</sup> Assistant Chief; Brian Wuelling-2<sup>nd</sup> Assistant Chief; Stand pasko-President; Bruce Johnson-Vice President; Debbie Knopik-Secretary; and Jim Paczkowski-Treasurer. The 2011 Training and Safety Officers are: Craig Shrimpton-Captain; Scott Reissig-Fire<sup>1</sup> Lieutenant; Leroy Lewis-Fire Lieutenant; Shawn Dillon-Fire Lieutenant; Eric Grimshaw-Safety Officer; and Lee Bogle-Safety Officer.

#### ITEM 10-STREETS AND ALLEYS

Nothing to report.



ITEM 13

7:35 p.m. Motion by Tesarek, seconded by Tilson to adjourn. On a voice vote, MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk