

PLATTSMOUTH CITY COUNCIL
February 7, 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 February 7, 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 Porter to approve the consent agenda as listed:

- A Consider approval of January 29, 2011 City Council Special Meeting Minutes
- B Consider approval of the Plattsmouth Emergency Medical Services Department Roster
- C Consider the Mayor's recommendation of the appointment of Harlan Seyfer to the Historic Preservation Board to fill the vacancy created by the resignation of Pat Dugan, which term expires January 2013 (01/2013)
- D Consider recommendation for approval of a Special Designated License filed by the Nebraska Corn Growers Association for February 22, 2011 for a Banquet at 502 South 18th Street, Plattsmouth NE from 5:00 p.m. to 12:00 a.m.
- E Consider a request from Carol Hudson, Parmele House, to close North 5th Street from Avenue E to Avenue F and Avenue F from North 5th Street to North 6th

Street on Sunday, May 29, 2011 from 6:00 a.m. to 6:00 p.m. for an event "Art in the Yard" at the Parmele House

F Consider approval of claims

Please note these are GROSS SALARIES 1/14/2011 not Net as before.

General Admin 12,871.22

Humane 1,112.80

Police 31,939.54

Street 12,655.80

Public Library 4,692.64

Parks

Oakhill Cemetery 1,753.26

Community Center 7,138.11

Senior Center 1,632.09

Pool 0

Sewer 4,538.11

Water 7,238.30

Rescue 3,161.54

TOTAL SALARIES 88,733.41

VARIOUS

ALLIE POHLMEIER 31.50

AMERICAN FAMILY LIFE 238.34

ASHLEY SUNDERMAN 23.00

BLUE CROSS BLUE SHIELD 34,528.82

CINTAS CORPORATION #749 23.25

City Treasurer-to transfer funds/depts 25,000

City Treasuer-Postage reimbursmt 2720.04

DELTA DENTAL PLAN 52.00

FIDELITY SECURITY LIFE I 252.08

FRATERNAL ORDER OF POLIC 195.00

KELSEY CAMPBELL 36.50

MUTUAL OF OMAHA 589.50

NEBRASKA STATE PATROL 150.00

THE UNION CENTRAL LIFE I 155.02

UNITED STATES LIFE INSUR 91.21

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI 263.29

AMERICAN BOILER COMPANY 381.00

BLACK HILLS ENERGY 871.06

CHARTER BUSINESS 80.00

D & D LASER INC 135.90

DELTA DENTAL PLAN 260.00

DOLLAR GENERAL 6.00

EGAN SUPPLY CO 51.89

FIRST BANKCARD 34.98

Higgins 1.26

ICMA 720.80

JOHN BAXTER 50.00

KATHRYN SHARP	107.00
MENARDS	139.85
MICROFILM IMAGING SYSTEM	180.00
NEBRASKA PUBLIC POWER DI	251.34
PAYFLEX	641.46
PAYLESS OFFICE PRODUCTS	13.98
PITNEY BOWES	89.66
PITNEY BOWES INC.	145.00
PSB	942.26
RDG PLANNING & DESIGN	1,150.00
STEPHEN C. WARGA	14.00
VERIZON WIRELESS	72.80
WELLS FARGO FINANCIAL LE	177.49
WIREBUILT CO	50.00
HUMANE/CODE ENFORCEMENT	
HEARTS UNITED	548.00
MID CON SYSTEMS INC	161.32
NEBRASKA PUBLIC POWER DI	262.66
PLATTSMOUTH ANIMAL HOSPI	60.00
VERIZON WIRELESS	36.40
POLICE	
BARNES DISTRIBUTION	72.09
CASS COUNTY SHERIFF	3,509.00
CHIEF RALPH ODONNELL	25.00
DELTA DENTAL PLAN	705.20
EMBLEM ENTERPRISES INC	188.89
FASTENAL COMPANY	13.35
FBINAA-NE INC	75.00
FIRST BANKCARD	68.57
GE CAPITAL	639.00
HIGGINS HARDWARE	18.75
I-Go Van	4,769.30
JACK'S UNIFORMS & EQUIPM	6,573.84
LINDER TIRE & AUTO INC	327.00
MJN INC	75.00
MULLENAX AUTO SUPPLY	408.78
NEBRASKA LAW ENFORCEMENT	114.00
PAYFLEX	18.18
PAYLESS OFFICE PRODUCTS	146.58
PITNEY BOWES INC.	351.93
UNLIMITED VISION LLC	180.00
VERIZON WIRELESS	109.19
WARGA BROADCASTING LLC	300.00
STREET	
BARNES DISTRIBUTION	50.07
BOMGAARS SUPPLY	470.32
CINTAS CORPORATION #749	290.75
CONWAY OIL COMPANY	1,885.80
DELTA DENTAL PLAN	300.60
EGAN SUPPLY CO	29.64

Higgins	3.29	
INDEPENDENT AUTO REPAIR		30.75
INLAND TRUCK PARTS COMPA		844.72
KERNS EXCAVATING COMPANY		3,510.00
LINDER TIRE & AUTO INC	139.00	
LYMAN RICHEY SAND & GRAV		2,140.71
MICHAEL TODD & COMPANY I		488.56
Mullenax	704.83	
NEBRASKA PUBLIC POWER DI		6,390.31
NEBRASKA SALT & GRAIN CO		3,023.39
PAPILLION SANITATION		235.32
PAYFLEX	9.09	
PRUITT INC	134.31	
Olmsted Perry	129.00	
SCHMIDT TRANSPORTATION		450.00
VERIZON WIRELESS		145.59
PUBLIC LIBRARY		
ATLAS AWNING COMPANY		1,950.00
BAKER & TAYLOR BOOKS		1,482.33
BARBARA MILLER	60.00	
CHARTER BUSINESS		40.00
DELTA DENTAL PLAN		104.00
FIRST BANKCARD		396.12
HIGGINS HARDWARE		38.40
IKON OFFICE SOLUTION		33.28
IKON OFFICE SOLUTIONS		378.78
NEBRASKA PUBLIC POWER DI		542.07
WINDSTREAM	121.71	
PARK & RECREATION		
BLACK HILLS ENERGY		307.03
BOMGAARS SUPPLY		65.33
FARM PLAN	39.13	
Higgins	.80	
JOHN DEERE CREDIT		1,559.55
NEBRASKA PUBLIC POWER DI		125.43
PAPILLION SANITATION		113.57
VERIZON WIRELESS		36.40
CEMETERY		
BOMGAARS SUPPLY		31.10
CONWAY OIL COMPANY		11.82
DELTA DENTAL PLAN		52.00
LINDER TIRE & AUTO INC		312.00
NEBRASKA PUBLIC POWER DI		67.86
PAYFLEX	9.09	
FIRE DEPARTMENT		
FORT DEARBORN LIFE INSUR		202.96
NEBRASKA PUBLIC POWER DI		316.46
Mullenax	32.99	
SENIOR CITIZEN CENTER		
BLACK HILLS ENERGY		323.08

EGAN SUPPLY CO	29.53
SHORT STOP	147.94
STEUBE'S THRIFTWAY	278.93
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	42.40
ALLISON WELCH	100.00
Alyssa Stander	45.00
AMANDA MISER	25.00
AQUA CHEM INC	384.32
BETTINA MOSLEY	200.00
BLACK HILLS ENERGY	2,907.80
BOMGAARS SUPPLY	48.38
CIT TECHNOLOGY	313.70
DEBBIE BAGGENSTOSS	125.00
DELTA DENTAL PLAN	72.30
DIANA L. POGREBA	125.00
DONNA HOLMES	100.00
FISERV	187.50
Higgins	4.49
JEN RUDNICK	25.00
JOHN'S APPLIANCE	287.50
KAREN MOREHEAD	100.00
KELLEY SCANLAN	50.00
MICHAEL ANZALONE	240.00
MICHAEL L. & DEBRA S. FL	467.00
MICHELLE MCKNIGHT	75.00
PAMIDA DISCOUNT CENTER	54.24
PAPILLION SANITATION	262.23
PAYFLEX	9.09
SARAH ASCHENBRENNER	75.00
SHARI BARRIOS	150.00
VERIZON WIRELESS	72.80
VOSS LIGHTING	461.99
AQUATIC	
BLACK HILLS ENERGY	19.16
NEBRASKA PUBLIC POWER DI	81.32
STEUBE'S THRIFTWAY	2.85
ECONOMIC DEVELOPMENT	
CASS COUNTY NEBRASKA ECO	15,000.00
FREMONT NAT'L BANK & TRU	450.00
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
EMS	
DELTA DENTAL PLAN	92.60
EMS BILLING SERVICES INC	2,359.54
LIFE-ASSIST INC	312.19
MATHESON TRI-GAS INC	158.92
NEBRASKA PUBLIC POWER DI	316.46
TINCHER FORD-MERCURY INC	1,366.31
UNITED STATES POST OFFIC	1,034.17

VERIZON WIRELESS	105.84
WATER	
BLACK HILLS ENERGY	51.52
BOMGAARS SUPPLY	150.97
CENTRAL TRANSPORTATION S	1,825.86
DELTA DENTAL PLAN	133.20
GENERAL FIRE & SAFETY	640.00
HAWKINS INC	315.00
HD SUPPLY WATERWORKS LTD	1,404.62
HIGGINS HARDWARE	29.21
MISSISSIPPI LIME COMPANY	3,142.50
MULLENAX AUTO SUPPLY	55.55
NE PUBLIC HEALTH ENVIRON	95.00
NEBRASKA PUBLIC POWER DI	7,927.65
PAYFLEX	9.09
TINCHER FORD-MERCURY INC	34.40
UTILITY EQUIPMENT COMPAN	554.95
VERIZON WIRELESS	109.19
VOSS LIGHTING	145.48
WATER DEPARTMENT-PETTY C	363.99
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	171.09
DELTA DENTAL PLAN	156.00
EGAN SUPPLY CO	25.06
FASTENAL COMPANY	73.52
FERGUSON ENTERPRISES	193.55
MID-STATES SUPPLY COMPAN	13.96
NEBRASKA PUBLIC POWER DI	1,944.13
PAPILLION SANITATION	71.00
RGS REPAIR INC	707.57
SAC Federal Credit Union	249,000
TINCHER FORD-MERCURY INC	68.80
VERIZON WIRELESS	36.40
KENO RESERVE	
SSRJ INC DBA PLATTSMOUTH	332.22
DRUG FORFEITURE	
NEXTEL PARTNERS	123.43
24 .05% SALES TAX STREET/SIDE MAINT	
FARM PLAN	590.20
WILES BROS. INC.	750.00
25 BURK TRUST	
EMS	
LIFE-ASSIST INC	979.05
Total Claims	402,958.05
Total Salaries and Claims	491,691.46

Council Member Kerns stated that he would be abstaining from any discussion or action as his company, Kerns Excavating, submitted a claim for snow hauling in the amount of \$3,510.00 for consideration.

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

City Council Member Bowman introduced an ordinance numbered and titled as follows:

Ordinance No. 1822: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002, BY AMENDING CHAPTER 2, ARTICLE 12, ENTITLED CITIZEN ADVISORY REVIEW COMMITTEE; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Tilson that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1822 be adopted on first reading by title only. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. 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 Tilson. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 8 B

Bowman introduced a resolution numbered and titled: **RESOLUTION NO. 11-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA (CITY) TO AUTHORIZE THE PLATTSMOUTH MAIN STREET FAÇADE IMPROVEMENT PROGRAM FOR COMMERCIAL PROPERTIES WITHIN THE PLATTSMOUTH MAIN STREET HISTORIC DISTRICT FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS GRANTED TO THE CITY BY THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED).**

Motion by Bowman, seconded by Kerns to adopt Resolution No. 11-006:

RESOLUTION NO. 11-006

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA (CITY) TO AUTHORIZE THE PLATTSMOUTH MAIN STREET FAÇADE IMPROVEMENT PROGRAM FOR COMMERCIAL PROPERTIES WITHIN THE PLATTSMOUTH MAIN STREET HISTORIC DISTRICT FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS GRANTED TO

THE CITY BY THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED).

WHEREAS, Chapter Six of the Comprehensive Plan for the City of Plattsmouth (the PLAN), adopted by the City Council in 2004, includes the following goals related to downtown Plattsmouth:

- Improve downtown's physical environment and invigorate community activity.
- Strengthen downtown Plattsmouth's role as an engine for economic development in the City.
- Strengthen the downtown business environment.
- Increase the economic rewards of building ownership in downtown Plattsmouth.

WHEREAS, as a strategy to achieve the PLAN's goals for downtown Plattsmouth, the PLAN recommends the community should develop a façade improvement program, providing readily available and affordable financing for building façade and code improvements.

WHEREAS, the Plan includes additional strategies recognizing that the architectural integrity of downtown Plattsmouth is important to Plattsmouth's economic success, and that Plattsmouth should adopt a special code to guide building modifications, with such code addressing the treatment of building walls, roofs, ornaments, windows, doors, colors, and signage (the Façade).

WHEREAS, the City applied for Certified Local Government (CLG) money to fund the creation of Historic District Guidelines and a Building Façade Survey, both of which were conducted in 2008; and the City's Historic Preservation Board adopted said Historic District Guidelines in 2010.

WHEREAS, the City applied for and received Downtown Revitalization Phase 1 planning grant funds (DTR-1).

WHEREAS, an ad hoc committee appointed by the Mayor for the purpose of completing the DTR plan recommended the City seek Downtown Revitalization Implementation (DTR-2) funds for a building façade grant/loan program through NDED, and that NDED has approved the City's request.

WHEREAS, with input from others, the Mayor's ad hoc committee authored a building façade grant/loan program for which the Community Development Block Grant funds of DTR II will be made available to property owners within the Plattsmouth Main Street Historic District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that the Plattsmouth Main Street Façade Improvement Program and Application, attached hereto as Attachment A, are approved.

PASSED AND APPROVED by the City Council on the 7th day of February, 2011.

/s/Mayor

ATTEST:

/s/Clerk

City Attorney Roger Johnson read the entire resolution in to the record.

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

ITEM 8 C

Council Member Kerns introduced an ordinance numbered and titled as follows: Ordinance No. 1823: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002, BY AMENDING CHAPTER 4, ARTICLE 3, SECTION 4-331 ENTITLED “CITY-OWNED PARKING LOTS; REGULATIONS” AND SECTION 4-332 ENTITLED “REMOVAL OF ILLEGALLY PARKED VEHICLES”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Kerns, seconded by Dugan that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1823 be adopted on first reading by title only. ROLL CALL: Yes-Bowman, Tilson, Dugan, Tesarek, Derby, Porter and Kerns. 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 Tilson. ROLL CALL: Yes-Kerns, Bowman, Tilson, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Porter, seconded by Tilson to accept Graham Construction Application and Certificate for Pay App No. 7, Main Street Corridor Improvement Project in the amount of \$579,679.74 (Schedule A (CSO) \$257,291.55 and Schedule B (Streetscape) \$322,388.19), authorize payment and direct the Mayor to execute Pay App No. 7. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns. Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council Member Kerns stated that he would be abstaining from any discussion or action with regard to Caldwell Tanks, Inc. Application for Payment No. 10 (FINAL) as his company, Kerns Excavating, was a subcontractor for Caldwell Tanks, Inc.. Motion by Porter, seconded by Bowman to accept Caldwell Tanks, Inc. Application for Payment No. 10 (FINAL), 500,000 Gallon Torus Bottom Tank in the amount of \$86,502.68, authorize payment and direct the Mayor to execute Pay App No. 10 (FINAL). ROLL CALL: Yes-Tilson, Dugan, Tesarek, Derby, Porter and Bowman. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 C

Erv Portis, City Administrator reviewed the request and the bid specs for the purchase of an ambulance, 2010 model year or newer, new and unused, G4500 chassis, together with patient module. Motion by Kerns, seconded by Bowman to authorize the solicitation of sealed bids for the purchase of an ambulance, 2010 model year or newer, new and unused, G4500 chassis,

together with patient module. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Dugan, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.
ITEM 9 D

Mayor Lambert stated there were six resumes submitted for consideration for the vacant 1st Ward City Council Seat. Mike Bowman, Council President and the Mayor conducted interviews with all six candidates at which Erv Portis, City Administrator sat in on. Mayor Lambert recommended the appointment of Steve Riese to complete the unexpired term of the 1st Ward City Council Seat created by the resignation of Ruth Wassinger which term expires December 2012. Motion By Dugan, seconded by Derby to approve the appointment of Steve Riese to complete the unexpired term of the 1st Ward City Council Seat created by the resignation of Ruth Wassinger which term expires December 2012. ROLL CALL: Yes-Kerns, Bowman, Tilson, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mayor Lambert introduced Steve Riese.

ITEM 9 E

Motion by Bowman, seconded by Porter to approve the submission of a grant application to the National Endowment for the Arts for the funds needed to host the Big Read Program in March, 2012. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Kerns, seconded by Bowman to approve the submission of a grant application to the Midlands Community Foundation for the funds needed to upgrade the library computer lab. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10-STREETS AND ALLEYS

The Streets and Alleys Committee had nothing to report.

ITEM 13

7:29 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