

PLATTSMOUTH CITY COUNCIL

March 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 March 7, 2011 at City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Tilson, Steve Riese, Pat Dugan, Art Tesarek and Doug Derby. Also present: City Administrator Erv Portis, City Clerk Sandra J. Meyer, 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 Riese to approve the consent agenda as listed:

- A Consider approval of February 21, 2011 City Council Meeting Minutes
- B Consider approval of the appointment of the following proposed new members to the Plattsmouth Emergency Medical Services Department: Katie Smithberg, Michael McKnelly, Larry DeCair, Brent Hoeft, Dave Coombs, Jim DiMauro and Aaron Pruneda
- C Consider recommendation for approval of a Special Designated License filed by the Knights of The Roundtable for April 30, 2011 for a Reception at 502 South 18th Street, Plattsmouth NE from 12:00 p.m. to 12:00 a.m.
- D Consider recommendation for approval of a Special Designated License filed by Mayden Layne Enterprises, d/b/a DC's Waterhole for April 28, 2011 for a Fund Raiser at 500 South 18th Street, Plattsmouth NE from 1:00 p.m. to 9:00 p.m.
- E Consider recommendation for approval of a Special Designated License filed by Catholic Education Builders, LLC for April 16, 2011 for a Fund Raiser at 500

South 18th Street, Plattsmouth NE from 5:00 p.m. to 1:00 a.m.

F Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 2/25/2011 not Net as before.

General Admin 12,291.22
Humane 1,112.80
Police 29,162.28
Street 10,684.3
Public Library 4,918.39
Parks
Oakhill Cemetery 1,413.40
Community Center 7,979.42
Senior Center 2,010.08
Pool 0
Sewer 3,788.20
Water 7,315.18
Rescue 3,161.54
TOTAL SALARIES 83,836.84

Various

SHELL	4461.16	
AMERICAN FAMILY LIFE	238.34	
BLUE CROSS BLUE SHIELD	34,091.75	
DELTA DENTAL PLAN	52.00	
FIDELITY SECURITY LIFE I	246.12	
FRATERNAL ORDER OF POLIC	195.00	
MUTUAL OF OMAHA	585.70	
PLATTSMOUTH STATE BANK	942.26	
THE UNION CENTRAL LIFE I	155.02	
UNITED STATES LIFE INSUR	91.21	
GENERAL ADMINISTRATION		
BLACK HILLS ENERGY	810.98	
BOMGAARS SUPPLY	45.96	
DELTA DENTAL PLAN	260.00	
EGAN SUPPLY CO	25.06	
FIRST BANKCARD	15.00	
HIGGINS HARDWARE	2.49	
JOHN BAXTER	50.00	
KATHRYN SHARP	107.00	
NEBRASKA PUBLIC POWER DI	183.29	
PAPILLION SANITATION	48.50	
R. PAUL LAMBERT	14.00	
WELLS FARGO FINANCIAL LE	177.49	
HUMANE/CODE ENFORCEMENT		
BOMGAARS SUPPLY	13.95	

HEARTS UNITED	148.00
NEBRASKA PUBLIC POWER DI	252.98
POLICE	
BOMGAARS SUPPLY	2.56
CASS COUNTY SHERIFF	3,509.00
DELTA DENTAL PLAN	705.20
FIRST BANKCARD	346.05
GE CAPITAL	639.00
JACK'S UNIFORMS & EQUIPM	34.95
PITNEY BOWES	8.79
POLICE PETTY CASH	51.84
TINCHER FORD-MERCURY INC	102.67
UNLIMITED VISION LLC	130.00
WARGA BROADCASTING LLC	300.00
WINDSTREAM	343.64
STREET	
ASPHALT & CONCRETE MATER	618.20
BOMGAARS SUPPLY	76.41
DELTA DENTAL PLAN	300.60
EGAN SUPLLY CO	27.10
KENZ & LESLIE DISTRIBUTI	489.22
MICHAEL TODD & COMPANY I	1,233.31
NEBRASKA PUBLIC POWER DI	6,588.13
NEBRASKA SALT & GRAIN CO	1,468.78
OFFICE MAX	9.99
OMAHA DOOR & WINDOW COMP	631.25
PAPILLION SANITATION	117.66
PAYLESS OFFICE PRODUCTS	20.48
READY MIX CONCRETE CO	2,111.30
TERRY LINDSEY	365.76
PUBLIC LIBRARY	
BOMGAARS SUPPLY	11.99
CHARTER BUSINESS	40.00
DELTA DENTAL PLAN	104.00
FIRST BANKCARD	907.97
IKON OFFICE SOLUTION	33.28
IKON OFFICE SOLUTIONS	378.78
NEBRASKA PUBLIC POWER DI	512.03
O'KEEFE ELEVATOR CO INC	324.08
POLARIS LIBRARY SYSTEMS	215.00
WINDSTREAM	236.74
PARK & RECREATION	
B SHARP TOWING	45.00
BLACK HILLS ENERGY	257.83
FARM PLAN	168.70
JOHN DEERE CREDIT	1,559.55
NEBRASKA PUBLIC POWER DI	128.60
CEMETERY	
BOMGAARS SUPPLY	9.27
DELTA DENTAL PLAN	52.00

FIRE DEPARTMENT

FIRST BANKCARD 161.05
FORT DEARBORN LIFE INSUR 199.52

SENIOR CITIZEN CENTER

BLACK HILLS ENERGY 268.39
BOMGAARS SUPPLY 2.60
EGAN SUPPLY CO 164.76
WINDSTREAM 120.27

COMMUNITY CENTER

ALLISON WELCH 100.00
ALYSSA L STANDER 42.00
AMANDA MISER 25.00
BETTINA MOSLEY 150.00
BLACK HILLS ENERGY 2,415.53
BOMGAARS SUPPLY 6.48
CIT TECHNOLOGY 164.69
DAVE STEINKRUGER 25.00
DEBBIE BAGGENSTOSS 100.00
DELTA DENTAL PLAN 72.30
DIANA L. POGREBA 100.00
DONNA HOLMES 100.00
EGAN SUPPLY CO 185.26
FERGUSON ENTERPRISES 198.10
JANE MCDANIEL 41.20
JEN RUDNICK 50.00
JOY SCANLAN 84.00
KAREN MOREHEAD 50.00
KELLEY SCANLAN 100.00
MICHAEL ANZALONE 240.00
MICHELLE MCKNIGHT 100.00
MUTH ELECTRIC 200.00
NEBRASKA AIR FILTER INC 280.00
NEBRASKA DEPT OF HEALTH 40.00
PAPILLION SANITATION 87.41
PRATT AUDIO VISUAL VIDEO 289.00
SARAH ASCHENBRENNER 50.00
SHARI BARRIOS 120.00
THOMAS WOODS 911.40
WINDSTREAM 360.82

AQUATIC

BLACK HILLS ENERGY 18.80
NEBRASKA DEPT OF HEALTH 40.00
NEBRASKA PUBLIC POWER DI 74.81

DEBT SERVICE

PLATTSMOUTH STATE BANK 2,720.00
WATER & SEWER DEPARTMENT 6,113.22

EMS

D & D LASER INC 99.90
DELTA DENTAL PLAN 72.30
LIFE-ASSIST INC 1,018.61

OMAHA DOOR & WINDOW COMP	248.75
WATER	
BLACK HILLS ENERGY	52.78
BOMGAARS SUPPLY	237.82
DELTA DENTAL PLAN	133.20
DUGAN BUSINESS FORMS	171.95
INTERSTATE ALL BATTERY	89.95
NE PUBLIC HEALTH ENVIRON	287.00
NEBRASKA PUBLIC POWER DI	1,676.01
NMC EXCHANGE LLC	339.88
OFFICE MAX	50.97
WATER DEPARTMENT-PETTY C	427.53
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	160.95
DELTA DENTAL PLAN	156.00
DUGAN BUSINESS FORMS	141.00
PAYLESS OFFICE PRODUCTS	43.18
25 BURK TRUST	
EMS	
GALLS	164.94
Total Claims	93,314.86
Total Claims and Salaries	177,151.70

Council Member Tilson sought confirmation that the names listed in Item 7 B are new members to the EMS Department and that there had been no vote by department members. Mr. Portis confirmed as noted.

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Motion by Derby, seconded by Tesarek to reject the Wiles Bros., Inc. offer to purchase remaining lots at Four Mile Industrial Park. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Mayor Lambert introduced Dave Taladay, Director of the Southeast Nebraska Development District. Dave gave a brief background of his history with the district and then he introduced Emily Bausch as the representative for the Plattsmouth area.

ITEM 9 B

Steve Perry, Olmsted & Perry Consulting Inc. reviewed the proposed South West Sanitary Sewer Assessment District and Four Mile Industrial Development improvements. Options were reviewed. Motion by Riese, seconded by Derby to authorize Olmsted & Perry Consulting Inc. to proceed with the preparation of a plan to develop FourMile Industrial with such development including grading, sewer, interior road, and a sewer assessment district. ROLL CALL: Yes-Porter, Riese, Dugan, Tesarek and Derby. No-Tilson. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9 C

Erv Portis, City Administrator stated that Chris Koenig, HDR, Inc. presented information on this at the last meeting. After discussion, motion by Dugan, seconded by Porter to approve Amendment No. 1 to Task Order No. 3-CSO Phase II Final Design for Engineering Services with HDR Engineering Inc. in the amount not to exceed \$186,100.00 and authorize the Mayor to execute the agreement. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter and Tilson. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Porter, seconded by Dugan to approve the Graham Construction Application and Certificate for Pay App No. 8, Main Street Corridor Improvement Project in the amount of \$284,178.02 (Schedule A (CSO) \$190,222.10 and Schedule B (Streetscape) \$93,955.92), authorize payment and direct the Mayor to execute Pay App No. 8. ROLL CALL: Yes-Tesarek, Derby, Porter, Tilson, Riese and Dugan. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9 E

Council member Riese introduced a Resolution numbered and titled: **RESOLUTION NO. 11-008: A RESOLUTION TO DIRECT THE WAY IN WHICH FUNDS OF THE CITY OF PLATTSMOUTH ARE HELD AND THE ELECTED AND APPOINTED OFFICIALS AUTHORIZED TO WITHDRAW SAID FUNDS.**

Motion by Riese, seconded by Porter to adopt Resolution No. 11-008:

RESOLUTION NO. 11-008

A RESOLUTION TO DIRECT THE WAY IN WHICH FUNDS OF THE CITY OF PLATTSMOUTH ARE HELD AND THE ELECTED AND APPOINTED OFFICIALS AUTHORIZED TO WITHDRAW SAID FUNDS.

WHEREAS, the City has been issued a employer identification number by the Internal Revenue Service;

WHEREAS, the City uses its employer identification number to open accounts in which City funds are held;

WHEREAS, *Neb. Rev. Stat.* § 16-318 provides that the City Treasurer shall be the custodian of all funds belonging to the City; and

WHEREAS, *Neb. Rev. Stat.* § 16-718 requires that draws upon the treasury must be signed by the mayor and countersigned by the clerk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Plattsmouth, Nebraska that all accounts carrying the City's employer identification number are City funds.

BE IT FURTHER RESOLVED that the City Treasurer shall be the sole custodian of all City funds.

BE IT FURTHER RESOLVED that only the Mayor shall be authorized to sign, subject to the countersignature of the City Clerk, draws upon the treasury which are identified as City funds by way of the use of the City's employer identification number.

PASSED AND APPROVED this 7th day of March 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-Derby, Porter, Riese, Dugan and Tesarek. No-Tilson. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council Member Porter introduced an ordinance numbered and titled as follows: Ordinance No. 1824: **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 Porter, seconded by Tilson

that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1824 be adopted on first reading by title only. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Tilson and Riese. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Dugan moved for final passage of the ordinance, which motion was seconded by Riese. ROLL CALL: Yes-Porter, Tilson, Riese, Dugan, Tearek and Derby. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 G

Motion by Derby, seconded by Tesarek to approve the request from First Lutheran Church for the closing of North 10th Street from Webster Blvd. north to Avenue D on Saturday, April 30, 2011 from 8:00 a.m. to 4:00 p.m. for a Health Fair contingent upon the First Lutheran Church submitting proof of insurance for the event naming the City of Plattsmouth as an additional insured in the prescribed amount required by the City. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-Kerns and Bowman. Abstain-None. MOTION CARRIED.

ITEM 9 H

Council member Tilson asked that Fire Chief Mike Wilson speak regarding the Fire Department Dive Team. Chief Wilson stated that he was notified in October 2010 the Lewis Township Dive Team was disbanding and beings the City only has a pond the Rural Fire Board purchased the equipment from them. A dive team would not be covered on the Missouri River but the Lewis Township equipment would be an addition to the equipment already possessed by the Plattsmouth Fire Department. A Dive Team would be looked in to in the future. Wilson also noted that the Rural Fire Board would establish an annual budget item for the newly purchased equipment. Council Member Tilson stated that the Missouri River is very dangerous and he would prefer to not send our guys out on it. Erv Portis, City Administrator stated that he has been in contact with EMC Ins. and EMC is prepared to issue Change Endorsements to include Longshore and Harbor Workers' Compensation at no additional cost. Property and liability change endorsements will also be issued once the Chief prepares a detailed list of inventory to be insured. Rural Fire will be invoiced for any new costs. Portis also stated that if the Council chooses to move forward that the Fire Department/Rural Fire Board should come back to Council with a detailed plan. Council Member Tilson stated that if the Council chooses to move forward it will be one of the toughest things the department will ever do and the department must be prepared to practice all the time. Council Member Riese clarified that this would be a diving and watercraft operation and that currently we have a watercraft operation.

ITEM 9 I

City Administrator Erv Portis reviewed the format of the current agendas. Portis suggested streamlining the items so be more efficient. Tilson suggested that appointments to position of authority should be outside of the consent agenda. Council asked to see examples.

ITEM 9 J

City Administrator Erv Portis stated that a formal application/permit for requesting a street closing would be more efficient. After discussion, it was decided that a draft resolution or ordinance will be presented to Council for further consideration

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ITEM 10-STREETS AND ALLEYS

The Streets and Alleys Committee had nothing to report.

ITEM 13

8:12 p.m. Motion by Tesarek, seconded by Riese to adjourn. On a voice vote, MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk