

PLATTSMOUTH CITY COUNCIL
May 2, 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 May 2, 2011 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Mike Bowman, Steve Riese, Pat Dugan, Art Tesarek and Doug Derby. Absent: Council Members Terry Kerns and Terry D. Tilson. 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 Bowman, seconded by Riese to approve the consent agenda as listed:

- A Consider approval of April 18, 2011 City Council Meeting Minutes
- B Consider approval of the appointment of the following proposed new member to the Plattsmouth Emergency Medical Services Department: Shannon Luellen
- C Consider approval of the appointment of the following proposed new members to the Plattsmouth Volunteer Fire Department: Tim Maloney, Michael Peterson and Brandon Norris
- D Consider approval of the Plattsmouth Volunteer Fire Department Roster
- E Consider recommendation for approval of a Special Designated License filed by the Knights of Columbus for June 25, 2011 for a Reception at 502 South 18th Street, Plattsmouth NE from 12:00 p.m. to 12:00 a.m.
- F Consider recommendation for approval of a Special Designated License filed by

the Knights of Columbus for August 27, 2011 for a Reception at 502 South 18th Street, Plattsmouth NE from 12:00 p.m. to 12:00 a.m.

G Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 5/2/2011 not Net as before.

General Admin 12,271.22
Humane 1,112.80
Police 30,782.40
Street 10,439.54
Public Library 6,249.66
Parks 1,632.00
Oakhill Cemetery 1,409.28
Community Center 8,261.79
Senior Center 2,001.88
Pool 0
Sewer 4,186.56
Water 7,317.43
Rescue 3,161.54
TOTAL SALARIES 88,826.10

VARIOUS

AMERICAN FAMILY LIFE	238.34
BLUE CROSS BLUE SHIELD	34,091.75
DELTA DENTAL PLAN	52.00
FRATERNAL ORDER OF POLIC	195.00
MUTUAL OF OMAHA	585.70
PLATTSMOUTH STATE BANK	942.26
SHELL	5,583.45
THE UNION CENTRAL LIFE I	155.02
UNITED STATES LIFE INSUR	91.21
GENERAL ADMINISTRATION	
BLACK HILLS ENERGY	260.65
CHARTER BUSINESS	40.00
DELTA DENTAL PLAN	260.00
JOHN BAXTER	50.00
KATHRYN SHARP	100.00
NEBRASKA PLANNING & ZONI	160.00
PAYFLEX	45.46
PAYLESS OFFICE PRODUCTS	184.76
PITNEY BOWES INC.	145.00
PLATTSMOUTH STATE BANK	276.74
VERIZON WIRELESS	90.31
WELLS FARGO FINANCIAL LE	177.49
HUMANE/CODE ENFORCEMENT	
BOMGAARS SUPPLY	85.78
VERIZON WIRELESS	33.05
POLICE	

ALLIED OIL & SUPPLY INC	446.25
COMPUTERS TO GO	504.00
DELTA DENTAL PLAN	705.20
GE	356.80
NEBRASKA EMERGENCY EQUIP	60.00
OMAHA WORLD HERALD	20.80
PAYFLEX	18.18
VERIZON WIRELESS	104.63
STREET	
BARNES DISTRIBUTION	154.77
BOMGAARS SUPPLY	184.00
DELTA DENTAL PLAN	300.60
FARM PLAN	76.12
NEBRASKA PUBLIC POWER DI	78.23
PAYFLEX	9.09
READY MIX CONCRETE CO	1,742.23
VERIZON WIRELESS	141.56
PUBLIC LIBRARY	
BAKER & TAYLOR BOOKS	1,371.86
DELTA DENTAL PLAN	104.00
DOLLAR GENERAL	7.00
DOVER PUBLICATIONS INC	1,768.32
IKON OFFICE SOLUTION	33.28
IKON OFFICE SOLUTIONS	378.78
NEBRASKA PUBLIC POWER DI	404.87
PAYLESS OFFICE PRODUCTS	47.98
POLARIS LIBRARY SYSTEMS	675.00
PARK & RECREATION	
BLACK HILLS ENERGY	91.37
BOMGAARS SUPPLY	494.12
EGAN SUPPLY CO	48.08
FARM PLAN	188.11
JOHN DEERE CREDIT	1,559.55
LOVELAND LAWNS INC	1,980.15
MIDWEST MINOR MEDICAL	125.00
NEBRASKA PUBLIC POWER DI	91.86
VERIZON WIRELESS	35.39
CEMETERY	
DELTA DENTAL PLAN	52.00
NEBRASKA PUBLIC POWER DI	39.53
PAYFLEX	9.09
FIRE DEPARTMENT	
CITY OF CARTER LAKE	3,450.00
FIRE ENGINEERING	29.00
FORT DEARBORN LIFE INSUR	209.84
FOUR STAR LAUNDRY	6.58
KATHRYN SHARP	400.00
SPRAGUE	2050.00
SENIOR CITIZEN CENTER	
BLACK HILLS ENERGY	110.02

COMMUNITY CENTER

ALLISON WELCH	100.00
ALYSSA L STANDER	108.75
AMANDA MISER	150.00
BLACK HILLS ENERGY	990.19
DEBBIE BAGGENSTOSS	100.00
DELTA DENTAL PLAN	72.30
DHHS	40.00
DIANA L. POGREBA	275.00
DONNA HOLMES	50.00
FISERV	187.50
FOUR STAR LAUNDRY	78.48
JOY SCANLAN	96.00
KAREN MOREHEAD	125.00
KELLEY SCANLAN	100.00
MARY HOLLY ALLEN	25.00
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	200.00
PAYFLEX	9.09
SARAH ASCHENBRENNER	100.00
SHARI BARRIOS	120.00
VERIZON WIRELESS	71.58

AQUATIC

BLACK HILLS ENERGY	18.61
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CEMETERY PERPETUAL CARE

AMERICAN NATIONAL BANK	100,000.00
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EMS

ALS AFFILIATES	50.00
DELTA DENTAL PLAN	72.30
JILL FITZGERALD	200.00
LIFE-ASSIST INC	957.66
MATHESON TRI-GAS INC	63.77
STERICYCLE INC	482.69
VERIZON WIRELESS	105.72

WATER

AMERICAN NATIONAL BANK	5,000.00
BOMGAARS SUPPLY	398.10
DELTA DENTAL PLAN	133.20
HAWKINS INC	321.00
HD SUPPLY WATERWORKS LTD	830.06
INDUSTRIAL ELECTRIC MOTO	16.13
NEBRASKA PUBLIC HEALTH E	87.00
NEBRASKA PUBLIC POWER DI	24.91
PAYFLEX	9.09
PAYLESS OFFICE PRODUCTS	69.99
USA BLUEBOOK	78.21
UTILITY EQUIPMENT COMPAN	415.84
VERIZON WIRELESS	106.17

SEWER

BLUE CROSS BLUE SHIELD	2,425.76
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MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	30.40
BOMGAARS SUPPLY	421.08
DELTA DENTAL PLAN	156.00
DPC INDUSTRIES INC	90.00
HD SUPPLY WATERWORKS LTD	20.68
USA BLUEBOOK	49.92
UTILITY EQUIPMENT COMPAN	311.17
VERIZON WIRELESS	35.39
DRUG FORFEITURE	
NEXTEL PARTNERS	99.98
CSO PROJECT (CLEAN WATER SRF)	
HDR ENGINEERING INC	29,713.81
.05% SALES TAX STREET/SIDE MAINT	
HDR ENGINEERING INC	4,880.86
Total Claims	215,440.56
Total Salaries and Claims	304,266.66

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

ITEM 8-UNFINISHED BUSINESS

There was no Unfinished Business for the council to discuss or take action on.

ITEM 9-NEW BUSINESS

ITEM 9 A

Jeff DeLine, Dana F. Cole & Company, LLP presented the City of Plattsmouth Nebraska audit of the financial statements for Fiscal Year Ended September 30, 2010.

ITEM 9 B

Motion by Riese, seconded by Dugan to approve the Memorandum of Agreement and Contract Extension between the City of Plattsmouth and Plattsmouth Police Officers' Association Fraternal Order of Police, Lodge #34 for a Contract Extension for contract year October 1, 2011 through September 30, 2012. ROLL CALL: Yes-Bowman, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council Member Bowman introduced an ordinance numbered and titled as follows: Ordinance No. 1826: **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 Dugan that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1826 be adopted on first reading by title only. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter and Bowman. No-None. Absent-Kerns and Tilson. 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-Porter, Bowman, Riese, Dugan, Tesarek and Derby. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 D

Motion by Bowman, seconded by Riese to approve the Caldwell Tanks, Inc. Change Order No. 2-Final for the 500,000 Gallon Torus Bottom Tank with a Net Decrease in the amount of \$1,841.25 (North Water Tower Project) and direct the Mayor to execute Change Order No. 2-Final. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Bowman and Riese. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Derby to approve the Graham Construction Application and Certificate for Pay App No. 10, Main Street Corridor Improvement Project in the amount of \$278,686.16 (Schedule A (CSO) \$178,829.30 and Schedule B (Streetscape) \$99,856.86), authorize payment and direct the Mayor to execute Pay App No. 10. ROLL CALL: Yes-Tesarek, Derby, Porter, Bowman, Riese and Dugan. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Bowman, seconded by Riese to approve Nebraska Department of Roads Supplemental Agreement No. 1 for Project No. RD-34-7(1034)-Mill and Inlay at the State's Cost (originally intersection of 1st Avenue/6th Street to alley south of Main Street on 3rd Street: Supp. Agreement No. 1 will add 2nd Avenue/8th Street to 1st Avenue/6th Street) and direct the Mayor to execute the agreement. ROLL CALL: Yes-Derby, Porter, Bowman, Riese, Dugan and Tesarek. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Riese, seconded by Bowman to approve the appointment of Robert Rice to the Planning Commission as an Alternate Member. ROLL CALL: Yes-Porter, Bowman, Riese, Dugan, Tesarek and Derby. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 H

Motion by Bowman, seconded by Riese to approve the offer of Jason K. Byrom to buy Lot Ten (10), Block Fifty-eight (58), City of Plattsmouth, Cass County, Nebraska, also known as 810 4th Avenue, Plattsmouth, Nebraska for a purchase price of \$1,500.00 subject to all legal requirements, and to direct the City Attorney to prepare an ordinance and resolution as are necessary to comply with the law for the sale of real estate, and to authorize the Mayor to execute the purchase agreement if no successful remonstrance is presented following compliance with the law for the sale of real estate. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Bowman and Riese. No-None. Absent-Kerns and Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 I

Mayor Lambert allowed Michelle Sunderman to speak on behalf of the Swim Team. Sunderman made reference to the loss of revenue for the City: the Sunday Invite is an all day event but the City has never opened the pool for the evening hours after the invite; the city has no personnel on site during the swim meets or the invite as the swim team does have their own pool manager with the proper credentials; and when there are swim meets/invite the concession stand is open and generating revenue.

7:49 p.m. Council Member Kerns arrived.

Council Member Dugan stated that his concern is that Twin Rivers Water Park is funded by tax dollars paid by the citizens and when the pool is closed no one can use it including the people that have purchased a pool pass/membership. It was also indicated that the Plattsmouth Swim Team does charge the teams coming to meets at Plattsmouth. Council Member Bowman stated that members of the Plattsmouth Chamber of Commerce used to sponsor youth teams and possibly the members could be approached about sponsoring the swim team. Council Member Kerns questioned the fees charged by other communities per swim team member. Council Member Derby asked if the swim team would be willing to pay something. Council Member Porter made a motion to charge only for the all-day invite which motion was seconded by Kerns. Discussion continued: Council Member Kerns questioned the \$300.00 for a pool party-Beckie Vermuele-Program Director for the City stated that the parties are scheduled after the pool has closed and only staff 3 employees and parties are usually booked through the whole summer. Council Member Dugan voiced his concern about changing the charges. Council Member Riese stated that if we do for one we must do for all when it comes to changing the fees and the approved change in fees would set a precedence. ROLL CALL: Yes-Porter and Kerns. No-Riese, Dugan, Tesarek, Derby and Bowman. Absent-Tilson. Abstain-None. MOTION FAILED.

ITEM 10 STREET COMMITTEE

Mike Bowman, Chairman of the Street Committee had nothing to report

ITEM 13

8:15 p.m. Motion by Tesarek, seconded by Dugan to adjourn. On a voice vote, MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk