

PLATTSMOUTH CITY COUNCIL  
March 19, 2012

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 19, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John Porter, Jeanie Brookhouser, Terry D. Tilson, Pat Dugan, Art Tesarek and Doug Derby. Council Members absent: Terry Kerns and Steve Riese. Also present: City Administrator Ervin 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 Porter, seconded by Brookhouser to approve the consent agenda as presented:

- A Consider approval of March 5, 2012 Plattsmouth City Council Meeting Minutes
- B Consider approval of claims
- C Consider the Mayor's nomination of Paul Lucas and Jerry Reinholdt to fill vacant terms on the Board of Adjustment.

Please note these are GROSS SALARIES 3/08/2012 not Net as before

General Admin 14,533.51  
Humane 1,146.40  
Police 32,565.55  
Street 11,450.06  
Public Library 6,344.10  
Parks 190.00  
Oakhill Cemetery 1,349.60  
Community Center 7,264.09

Senior Center 2,073.96  
 Pool  
 Sewer 6,201.82  
 Water 6,337.82  
 EMS 5,055.38  
 Streetscape  
 TOTAL SALARIES 94,512.29

GENERAL ADMINISTRATION

|                               |          |
|-------------------------------|----------|
| ADVANCED OFFICE AUTOMATI      | 92.56    |
| BLACK HILLS ENERGY            | 1,004.03 |
| CHARTER BUSINESS              | 40.00    |
| D & D LASER INC               | 151.90   |
| FIRST BANKCARD                | 554.92   |
| MICROFILM IMAGING SYSTEM      | 60.00    |
| NEBRASKA PUBLIC POWER DI      | 247.40   |
| PAPILLION SANITATION          | 48.50    |
| PAYLESS OFFICE PRODUCTS       | 11.98    |
| PSB -Petty Cash Reimbursement | 111.71   |
| THE COLUMBUS TELEGRAM         | 386.85   |
| WINDSTREAM                    | 272.32   |
| WIREBUILT CO                  | 75.00    |
| WOODHOUSE FORD SOUTH INC      | 6.14     |

HUMANE/CODE ENFORCEMENT

|                          |        |
|--------------------------|--------|
| NEBRASKA PUBLIC POWER DI | 201.77 |
| PLATTSMOUTH ANIMAL HOSPI | 164.00 |

POLICE

|                          |          |
|--------------------------|----------|
| CASS COUNTY SHERIFF      | 3,509.00 |
| CONSOLIDATED MANAGEMENT  | 27.50    |
| GE CAPITAL               | 639.00   |
| LINDER TIRE & AUTO INC   | 36.00    |
| OMAHA WORLD HERALD       | 21.45    |
| PAYLESS OFFICE PRODUCTS  | 70.90    |
| TILFORD PRINTING         | 387.00   |
| WARGA BROADCASTING LLC   | 300.00   |
| WINDSTREAM               | 343.96   |
| WOODHOUSE FORD SOUTH INC | 18.81    |

STREET

|                          |          |
|--------------------------|----------|
| HIGGINS HARDWARE         | 9.15     |
| MATHESON TRI-GAS INC     | 36.00    |
| MICHAEL TODD & COMPANY I | 304.22   |
| NEBRASKA PUBLIC POWER DI | 7,202.24 |
| PAPILLION SANITATION     | 117.66   |

|                          |          |
|--------------------------|----------|
| PAYLESS OFFICE PRODUCTS  | 35.99    |
| PLATTSMOUTH READY MIX IN | 560.53   |
| WINDSTREAM               | 105.58   |
| WOODHOUSE FORD SOUTH INC | 40.00    |
| LIBRARY                  |          |
| BAKER & TAYLOR BOOKS     | 827.93   |
| BLACK HILLS ENERGY       | 267.25   |
| PARK & REC               |          |
| HIGGINS HARDWARE         | 59.86    |
| NEBRASKA PUBLIC POWER DI | 142.01   |
| PAPILLION SANITATION     | 95.35    |
| WINDSTREAM               | 53.47    |
| CEMETERY                 |          |
| BLACK HILLS ENERGY       | 125.95   |
| PAYLESS OFFICE PRODUCTS  | 34.08    |
| WINDSTREAM               | 189.23   |
| FIRE                     |          |
| BILL DUDEK               | 84.37    |
| BLACK HILLS ENERGY       | 92.89    |
| BRIAN WUELLING           | 84.37    |
| CUMMINS CENTRAL POWER    | 1,394.10 |
| DEBBIE KNOPIK            | 22.50    |
| FIREGUARD INC            | 78.02    |
| FOUR STAR LAUNDRY        | 45.29    |
| JOE GRADOVILLE           | 22.50    |
| MICHAEL WILSON           | 281.24   |
| NEBRASKA PUBLIC POWER DI | 336.97   |
| NFPA                     | 165.00   |
| WINDSTREAM               | 105.47   |
| SENIOR CITIZEN CTR       |          |
| EGAN SUPPLY CO           | 186.23   |
| NEBRASKA PUBLIC POWER DI | 592.91   |
| STEUBE'S THRIFTWAY       | 180.23   |
| WINDSTREAM               | 110.85   |
| COMMUNITY CENTER         |          |
| ALLISON WELCH            | 200.00   |
| CINDI BOSWELL            | 125.00   |
| DAVE STEINKRUGER         | 25.00    |
| DEBBIE BAGGENSTOSS       | 125.00   |
| DIANA L. POGREBA         | 125.00   |
| FASTENAL COMPANY         | 1,167.44 |
| KAREN MOREHEAD           | 240.00   |
| KELLEY STEELE            | 75.00    |

|                          |          |
|--------------------------|----------|
| LAUREN GEORGE            | 25.00    |
| MICHAEL ANZALONE         | 240.00   |
| MICHELLE MCKNIGHT        | 100.00   |
| NEBRASKA AIR FILTER INC  | 42.93    |
| NEBRASKA PUBLIC POWER DI | 5,336.22 |
| NOVA FITNESS EQUIPMENT   | 445.40   |
| PAMIDA DISCOUNT CENTER   | 91.90    |
| PAPILLION SANITATION     | 95.28    |
| PLATTSMOUTH READY MIX IN | 138.03   |
| SARAH ASCHENBRENNER      | 150.00   |
| SHARI BARRIOS            | 60.00    |
| THOMAS WOODS             | 975.00   |
| WINDSTREAM               | 332.56   |
| AQUATIC                  |          |
| NEBRASKA PUBLIC POWER DI | 154.86   |
| ECONOMIC DEVELOPMENT     |          |
| CASS COUNTY REGISTER OF  | 36.00    |
| DEBT SERVICE             |          |
| WATER & SEWER DEPARTMENT | 6,113.22 |
| EMS                      |          |
| BLACK HILLS ENERGY       | 92.90    |
| LIFE-ASSIST INC          | 336.54   |
| NEBRASKA PUBLIC POWER DI | 336.97   |
| SID DILLION              | 1,508.34 |
| WINDSTREAM               | 105.47   |
| WATER                    |          |
| BLACK HILLS ENERGY       | 241.89   |
| D & D LASER INC          | 139.95   |
| ECHO GROUP INC           | 305.00   |
| GREAT PLAINS ONE CALL SE | 14.97    |
| HAWKINS INC              | 810.17   |
| MICHAEL TODD & COMPANY I | 184.98   |
| MISSISSIPPI LIME COMPANY | 3,242.70 |
| NE PUBLIC HEALTH ENVIRON | 75.00    |
| NEBRASKA PUBLIC POWER DI | 5,577.10 |
| OLMSTED & PERRY ENGINEER | 2,922.00 |
| THE COLUMBUS TELEGRAM    | 81.36    |
| U.S. POSTAL SERVICE      | 95.00    |
| UTILITY EQUIPMENT COMPAN | 47.00    |
| WENTZ HOLDING LLC        | 750.00   |
| WINDSTREAM               | 107.52   |
| SEWER                    |          |
| BLACK HILLS ENERGY       | 1,098.66 |

|                           |            |
|---------------------------|------------|
| GREAT PLAINS ONE CALL SE  | 14.97      |
| NEBRASKA PUBLIC POWER DI  | 583.91     |
| OLMSTED & PERRY ENGINEER  | 3,260.00   |
| PAPILLION SANITATION      | 36.51      |
| U.S. POSTAL SERVICE       | 95.00      |
| UTILITY EQUIPMENT COMPAN  | 256.69     |
| PLATTSMOUTH KENO          |            |
| NEBRASKA DEPARTMENT OF R  | 100.00     |
| DRUG FORFEITURE           |            |
| NEXTEL PARTNERS           | 99.98      |
| 25 BURK TRUST-Fire        |            |
| FIREGUARD INC             | 228.00     |
| 30 HWY 75 PROJECT         |            |
| OLMSTED & PERRY ENGINEER  | 2,895.00   |
| Total Claims              | 64,834.56  |
| Total Claims and Salaries | 159,346.85 |

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

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

Steven W. Perry, Olmsted & Perry Consulting Engineers Inc., City Engineer was present and reviewed the NDOR Highway 75 Project NH-75-2(155) Plattsmouth South of the Platte River Utility Relocations Project. Mr. Perry stated that 5 bids were received and they are listed on the Bid Tab Sheet in their packet and the recommendation is to approve the bid award and contract to General Excavating at a Base Bid unit price award of \$46,750.64. After discussion, motion by Porter, seconded by Tesarek to approve the bid award and contract to General Excavating for the NDOR Highway 75 Project NH-75-2 (155) Plattsmouth South of the Platte River Utility Relocations Project at a Base Bid unit price award of \$46,750.64 and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Brookhouser, Tilson, Dugan, Tesarek, Derby and Porter. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Erv Portis, City Administrator stated that the city is contractually obligated to pay Utilities Services Group the \$57,600.00. The amount that is being questioned has to do with handling water and hopefully a resolution is forthcoming. Motion by Porter, seconded by Derby to approve Contractor's Application for Payment No. 1 to Utilities Services Group in the amount of \$57,600.00. ROLL CALL: Yes-Tesarek, Derby, Porter, Brookhouser, Tilson and Dugan. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

## ITEM 9-NEW BUSINESS

### ITEM 9 A

Council Member Dugan introduced an ordinance numbered and titled as follows: Ordinance No. 1844- AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 2, ARTICLE 12, SECTION 2-1202 ENTITLED "MEMBERS; VACANCIES; MEETINGS" AS THE SAME RELATES TO THE CITIZEN ADVISORY REVIEW COMMITTEE OF THE ECONOMIC DEVELOPMENT PROGRAM; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. City Administrator, Erv Portis stated that this ordinance amends the number of times per year that the Citizen Advisory Review Committee meets from 4 times to 2 times. Motion by Dugan, seconded by Porter to approved first reading of Ordinance No. 1844 by title only. ROLL CALL: Yes-Derby, Porter, Brookhouser, Tilson, Dugan and Tesarek. No-None. Absent-Kerns and Riese. Abstain. None. MOTION CARRIED. City Attorney, Roger Johnson read Ordinance No. 1844 in to the record by title only.

### ITEM 9 B

Council Member Dugan introduced an ordinance numbered and titled as follows: Ordinance No. 1845: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO VACATE A PORTION OF WESTSIDE DRIVE AS DESCRIBED; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ADJACENT PROPERTY OWNERS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Dugan, seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1845 be adopted on first reading by title only. ROLL CALL: Yes-Porter, Brookhouser, Tilson, Dugan, Tesarek and Derby. No-None. Absent-Kerns and Riese. 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 Tesarek. ROLL CALL: Yes-Tilson, Dugan, Tesarek, Derby, Porter and Brookhouser. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

### ITEM 9 C

The following was laid over to a later meeting of the Plattsmouth City Council Meeting: Jeff DeLine, Dana F. Cole & Company, LLP, certified public accountants-presentation/discussion of the City of Plattsmouth Financial Statement for fiscal year October 1, 2010 through September 30, 2011.

### ITEM 9 D

Motion by Brookhouser, seconded by Tilson to approve the request of Beckie Vermuele, Community Center Program Director to offer a membership special called the Spring Promotional Rate-beginning April 28<sup>th</sup> through May 27<sup>th</sup> new members who sign a one year contract would get

the first 3 months at half price then pay the remaining nine months at the regular rate (Membership joining fee will only be waived on Saturday, April 28, 2012). ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Brookhouser and Tilson. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Porter to approve the request of the Historic Preservation Board to submit a FY 2012 Certified Local Government (CLG) grant application to the State of Nebraska Historic Preservation Office in the amount of \$15,700 for the purpose of sending two (2) representatives to the National Trust for Historic Preservation Annual Conference, two (2) representatives to the National Alliance of Preservation Commissions Forum, and to contract with a consultant for the purposes of conducting a training session for Preservation Board members on the legal aspects of acting as a preservation commission. After discussion, ROLL CALL: Yes-Brookhouser, Tilson, Dugan, Tesarek, Derby and Porter. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 F

The following was laid over to the April 2, 2012 Plattsmouth City Council Meeting: Consider the request of the Plattsmouth Main Street Association for closure of Main Street from 3<sup>rd</sup> Street to 7<sup>th</sup> Street and adjacent streets including 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> from Avenue A to 1<sup>st</sup> Avenue for the purpose of conducting the Fourth Annual Motorcycles on Main Show and Shine and the Second Annual Rhino Run Safety Rally.

ITEM 12

7:29 p.m. Motion by Porter, seconded by Tesarek to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk