

PLATTSMOUTH CITY COUNCIL
October 15, 2012

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:21 o'clock p.m. on October 15, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: Terry Kerns, John R. Porter, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan, Art Tesarek and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Attorney Roger Johnson and City Treasurer Peggy Wilsey.

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 4-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 5-MAYOR PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

Motion by Riese, seconded by Brookhouser to approve the Consent Agenda as presented with the additional claims.

A Consider approval of October 1, 2012 City Council Meeting Minutes

B Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 10/05/2012 not Net as before

General Admin 14,935.56

Humane 1,169.60

EMS 5,068.85

Police 29,184.86

Street 10,977.79

Public Library 6,584.92
Parks 2,113.80
Oakhill Cemetery 1,376.80
Senior Center 2,132.68
Community Center 6,793.25
Pool
Water 6,369.82
Sewer 6,230.61
CBD 570.00
TOTAL SALARIES 93,508.54

VARIOUS

SHELL 6,423.08
CENTRAL UNITED LIFE INSU 265.44
UNITED STATES LIFE INSUR 30.40
CINTAS CORPORATION #749 12.00
FIDELITY SECURITY LIFE E 263.40
UNITED STATES LIFE INSUR 107.21

GENERAL ADMINISTRATION

ALLIED INSURANCE 250.00
D & D LASER INC 62.95
FIRST BANKCARD 517.54
KATHRYN SHARP 125.00
KONICA MINOLTA BUSINESS 133.61
League of Municipalities 8,728.00
MICROFILM IMAGING SYSTEM 100.00
PAPILLION SANITATION 92.20
PAYLESS OFFICE PRODUCTS 47.05
PLATTSMOUTH MAIN STREET 414.28
THE COLUMBUS TELEGRAM 532.03
WIREBUILT CO 75.00

HUMANE/CODE ENFORCEMENT

HEARTS UNITED 150.00
JOHN'S APPLIANCE 81.90
PLATTSMOUTH ANIMAL HOSPI 129.72
SUE BAKER 24.00

POLICE

CORY J SCOTT 182.90
D & D COMMUNICATIONS INC 40.00
JACK'S UNIFORMS & EQUIPM 631.58
KONICA MINOLTA BUSINESS 44.67

MJN INC	1,000.00
ROBERT SORENSON	140.35
STEVE RATHMAN	224.68
STREET	
CINTAS CORPORATION #749	244.60
DES MOINES STAMP MFG. CO	21.00
FASTENAL COMPANY	286.74
IOWA PRISON INDUSTRIES	4,075.88
MEESEKE ACE HARDWARE	454.43
NEBRASKA PUBLIC POWER DI	43.16
PAPILLION SANITATION	117.66
PAYLESS OFFICE PRODUCTS	20.99
SPRAGUE ELECTRIC	158.00
WOODHOUSE FORD SOUTH INC	.31
LIBRARY	
BAKER & TAYLOR BOOKS	282.29
CHARTER BUSINESS	16.00
DOLLAR GENERAL	33.70
GALE	54.00
KONICA MINOLTA BUSINESS	113.91
PAYLESS OFFICE PRODUCTS	47.04
SUNSHINE POS	64.67
PARK & REC	
MR LANDSCAPE NURSERY	45.00
NEBRASKA PUBLIC POWER DI	70.45
PAPILLION SANITATION	107.62
THE COLUMBUS TELEGRAM	5.05
UNITED SEED INC	225.00
CEMETERY	
BLACK HILLS ENERGY	18.60
FIRE	
DON'S PIONEER UNIFORM	104.85
EGAN SUPPLY CO	80.93
FOUR STAR LAUNDRY	11.19
IDEAL PURE WATER	36.88
KATHRYN SHARP	200.00
LARUE DISTRIBUTING INC	53.32
NEBRASKA DEPT OF HEALTH	120.00
OFE OIL INC.	981.50
P&W	290.75
SENIOR CITIZEN CTR	
NEBRASKA PUBLIC POWER DI	1,012.02
OFE OIL INC.	152.50

PAYLESS OFFICE PRODUCTS	221.92
STEUBE'S THRIFTWAY	1,359.88
THE THOMPSON COMPANY	4,551.26
COMMUNITY CENTER	
ALLISON WELCH	250.00
BOMGAARS SUPPLY	77.37
CIT TECHNOLOGY	164.69
DAVE STEINKRUGER	25.00
DEBBIE BAGGENSTOSS	150.00
DIANA L. POGREBA	50.00
EGAN SUPPLY CO	274.31
FERGUSON ENTERPRISES	72.91
JOURNAL BROADCAST GROUP/	1,350.00
JOYCE HICKS	200.00
KAREN MOREHEAD	200.00
KELLEY STEELE	150.00
LINDA HAUENSTEIN	100.00
MICHAEL ANZALONE	120.00
MICHELLE MCKNIGHT	50.00
NEBRASKA PUBLIC POWER DI	9,108.20
PAPILLION SANITATION	101.00
PAYLESS OFFICE PRODUCTS	104.57
SARAH ASCHENBRENNER	175.00
THOMAS WOODS	925.00
AQUATIC	
ADOLPH KIEFER & ASSOCIAT	247.95
AQUA CHEM INC	304.35
PAPILLION SANITATION	100.51
WINDSTREAM	47.10
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
EMS	
ALS AFFILIATES	125.00
BOUND TREE MEDICAL LLC	38.00
EGAN SUPPLY CO	80.92
FOUR STAR LAUNDRY	11.20
IDEAL PURE WATER	36.87
JEFF L ROBISON	110.00
KATHRYN SHARP	200.00
LARUE DISTRIBUTING INC	53.33
LIFE-ASSIST INC	1,184.96
MATHESON TRI-GAS INC	171.60
METRO BILLING SERVICES	459.00

MIDWEST MINOR MEDICAL	100.00
SHOPKO STORES OPERATING	29.44
WATER	
GREAT PLAINS ONE CALL SE	45.24
HD SUPPLY WATERWORKS LTD	39.87
KNIGHT TRUCKING LLC	2,024.70
NE PUBLIC HEALTH ENVIRON	129.00
NEBRASKA PUBLIC POWER DI	1,876.87
PLATTSMOUTH READY MIX IN	806.65
UTILITY EQUIPMENT COMPAN	2,254.40
WATER DEPARTMENT-PETTY C	391.22
WENTZ HOLDING LLC	750.00
WINDSTREAM	46.47
SEWER	
GREAT PLAINS ONE CALL SE	45.23
HIGGINS HARDWARE	92.53
MIDWEST LABORATORIES INC	696.00
PAPILLION SANITATION	41.21
WINDSTREAM	46.91
Total Claims	69,061.89
Total Claims and Salaries	162,570.43

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

The City Administrator reported that the City’s Community Development Agency has recommended that a redevelopment plan entitled “Redevelopment Plan Ridgeview Redevelopment Area 2012” (the “Plan”) be approved by the Mayor and Council for the redevelopment of certain parcels of land located within the City as described in full in the Plan. Pursuant to publication Mayor Bowman opened a public hearing at 7:23 p.m. with regard to the redevelopment plan Entitled “REDEVELOPMENT PLAN RIDGEVIEW REDEVELOPMENT AREA 2012” which has been prepared for the redevelopment of the following described real estate:

Ridgeview Redevelopment Area on property legally described as: Plattsmouth City Outlots Lot 74 West of Railroad in the Northeast Quarter of the Southwest Quarter of Section Thirteen, Township Twelve, Range Thirteen, City of Plattsmouth, Cass County, Nebraska, and Tax Lot 83 in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 13, Township 12, Range 13, East of the 6th P.M. EXCEPT

Sub Lot 1 of Tax Lot 83 AND EXCEPT that part dedicated as 1st Avenue in Plat Book 2, Page 28A in the records of Cass County, Nebraska.

The outer boundaries of the Project Area coincide with the outer boundaries of said real estate but also include the dedicated streets and roads bordering upon such lots. Said plan provides for the Project Area to be redeveloped by the development of commercial properties (including retail and office) and multifamily housing. Grant assistance from the City's Community Development Agency, financed by the issuance of tax increment revenue bonds of the City's Community Development Agency, is proposed to be applied to pay a portion of the costs of such project, including public improvements and grants in aid of construction. Doug Keeler, developer presented the Redevelopment Plan Ridgeview Redevelopment Area 2012 to the Mayor. Bob Pelshaw, developers representative stated that a traffic study was not planned for Phase I of the development per the engineers recommendation due to the Highway 75 construction but that a traffic study is planned for Phase II. Pelshaw also stated that the development plan is consistent with the City of Plattsmouth Comprehensive Plan. No one else spoke. Mayor Bowman closed the public hearing at 7:35 p.m.

ITEM 7 B

Council Member Porter introduced a Resolution numbered and titled: Resolution No. 12-044: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN RIDGEVIEW REDEVELOPMENT AREA 2012".

Motion by Porter, seconded by Riese to adopt:

RESOLUTION NO. 12-044

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN RIDGEVIEW REDEVELOPMENT AREA 2012".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

WHEREAS, The Mayor and Council of the City of Plattsmouth, Nebraska, hereby find and determine that the Mayor and Council have by a resolution passed and approved on August 20, 2012, declared certain real estate within the City to be blighted and substandard after review by the City's Planning Commission and published notice of hearing and public hearing as required by law (such area, as so determined, the "Blighted and Substandard Area").

WHEREAS, The Mayor and Council further find and determine that the redevelopment plan entitled "Redevelopment Plan Ridgeview Redevelopment Area 2012" (the "Plan") relating to the Blighted and Substandard Area has been submitted to the Planning Commission of the City of Plattsmouth, Nebraska (the "Planning Commission"), for review and recommendations and that the Planning Commission has approved the Plan in the final form submitted without any recommendation for change.

WHEREAS, The Mayor and Council further find and determine that the Community Development Agency of the City of Plattsmouth considered whether the proposed land uses and building requirements in the redevelopment project area (defined and referred to in the Plan as the “Project Area”; herein also referred to as the “Project Area”) are designed with the general purpose of accomplishing, in conformance with the City’s general plan, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

WHEREAS, The Mayor and Council further find and determine that a cost-benefit analysis has been conducted as set forth in the Plan, which Cost Benefit Analysis has been approved by the Community Development Agency of the City of Plattsmouth.

WHEREAS, The Mayor and Council further find and determine that the Community Development Agency has recommended that the Mayor and City Council adopt the Plan. In connection with such recommendation, the Agency reported to the Mayor and City Council that the proposed method and estimated cost of the acquisition and preparation for redevelopment of the Project Area and the estimated proceeds or revenue from the Project Area’s disposal to redevelopers, if any; and a statement of the proposed method of financing the redevelopment project is set forth in the Plan and that further it has been stated to the Mayor and City Council that there will be no families displaced from the Project Area.

WHEREAS, The Mayor and Council further find and determine that a public hearing was held, after notice of such public hearing was provided as required by Section 18-2115, R.R.S. Neb. 2007, whereby all persons desiring to be heard as to whether the Plan should be approved have been heard.

NOW THEREFORE BE IT RESOLVED THAT Based upon the recommendation of the Community Development Agency and analysis and review of the Plan, the Mayor and Council hereby find (1) that the Plan is feasible and in conformity with the general plan for the development of the City as a whole and the Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law and (2) that (a) the redevelopment project in the Plan (the “Project”) would not be economically feasible without the use of tax-increment financing, (b) the Project would not occur in the Project Area without the use of tax-increment financing, and (c) the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the Project.

BE IT FURTHER RESOLVED THAT The Mayor and Council hereby approve the Plan.

PASSED AND APPROVED this 15th day of October, 2012.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 12-044 in to the record. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns and Brookhouser. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 C

Motion by Riese, seconded by Tesarek to grant further Cessation and Interruption of Operations for SSRJ, Inc. dba Plattsmouth Keno through November 5, 2012. After discussion on the time frame for the cessation and interruption, Council Member Riese amended his motion: To grant further Cessation and Interruption of Operations for SSRJ, Inc. dba Plattsmouth Keno to November 19, 2012. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Motion by Porter, seconded by Dugan to approve an Agreement by and between the City of Plattsmouth and the Southeast Nebraska Development District (SEND) for special services related to CDBG-Housing Program Income “Environmental Assessment and Review Record and Compliance Monitoring” for the Ridgeview Apartments Development at a cost not to exceed \$10,000.00; and authorize the Mayor to execute the Agreement. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest to discuss Plattsmouth Rural Fire Board Interlocal Agreement. 7:43 p.m. Motion by Tilson, seconded by Riese to convene to Closed Session to protect the public interest to discuss Plattsmouth Rural Fire Board Interlocal Agreement and to excuse the Clerk and allow Fire Chief Mike Wilson and EMS Director Mike Wood.. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest to discuss Plattsmouth Rural Fire Board Interlocal Agreement.

8:15 p.m. Motion by Riese, seconded by Derby to reconvene in to regular session. On a voice vote, MOTION CARRIED.

City Administrator Erv Portis referenced the passing of a city employee, Larry Clark and stated that Larry was responsible for the Central Business District Grounds Maintenance, he was a hard worker, wonderful person and will be deeply missed.

ITEM 11

8:24 p.m. Motion by Porter, seconded by Tilson to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk