

PLATTSMOUTH CITY COUNCIL  
December 17, 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 December 17, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: Terry Kerns, John R. Porter, Jeanie Brookhouser, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry D. Tilson and Steve Riese. 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 5-CITIZEN DELEGATION

Max Kathol, Executive Director of the Plattsmouth Chamber of Commerce gave background on the making of a video and played the video which was made for marketing the City of Plattsmouth. This video was a joint effort between the City of Plattsmouth, Plattsmouth Chamber of Commerce, Plattsmouth Main Street Association and Cass County Nebraska Economic Development Council and is one facet of a marketing project.

Charles Jones, Executive Director of Plattsmouth Main Street Association reported on the success of the Victorian Christmas on Main which was held on December 7, 2012.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

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

- A Consider approval of December 3, 2012 City Council Meeting Minutes
- B Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 11/30/2012 not Net as before

General Admin 14,211.82  
 Humane 1,169.60  
 EMS 7,498.38  
 Police 35,958.61  
 Street 11,662.87  
 Public Library 6,246.75  
 Parks 180.00  
 Oakhill Cemetery 1,376.80  
 Senior Center 1,883.41  
 Community Center 7,113.74  
 Pool  
 Water 6,477.09  
 Sewer 6,337.87  
 CBD 570.00  
 TOTAL SALARIES 100,686.93

NO DEPT ENTERED

AMERICAN FAMILY LIFE ASS	215.59
CINTAS CORPORATION #749	12.00
FIDELITY SECURITY LIFE E	269.36
FRATERNAL ORDER OF POLIC	180.00
STATE TREASURY OF NE	99.91
CENTRAL UNITED LIFE INSU	265.44
UNITED STATES LIFE INSUR	30.40
UNITED STATES LIFE INSUR	107.21
GENERAL ADMINISTRATION	
CHARTER BUSINESS	40.00
JOHN BAXTER	50.00
KONICA MINOLTA BUSINESS	87.63
KONICA MINOLTA PREMIER F	296.16
MAIN STREET JEWELERS	22.00
MICROFILM IMAGING SYSTEM	100.00
NEBRASKA CLERK INSTITUTE	223.00
NEBRASKA PUBLIC POWER DI	262.38
PAPILLION SANITATION	48.50

PLATTSMOUTH MAIN STREET	319.00
WINDSTREAM	284.19
WIREBUILT CO	75.00
HUMANE/CODE ENFORCEMENT	
MAKAEL LANUM	35.00
NEBRASKA PUBLIC POWER DI	130.32
PLATTSMOUTH ANIMAL HOSPI	160.00
POLICE	
CASS COUNTY SHERIFF	3,509.00
JACK'S UNIFORMS & EQUIPM	633.79
JEFF HENRY CHEVROLET	24.20
JOHN'S APPLIANCE	14.72
KONICA MINOLTA BUSINESS	21.47
KONICA MINOLTA PREMIER F	197.60
LINDER TIRE & AUTO INC	40.00
MULLENAX AUTO SUPPLY	155.95
OMAHA WORLD HERALD	22.10
WARGA BROADCASTING LLC	300.00
WINDSTREAM	290.00
STREET	
AMERICAN AUTO GLASS	565.00
BOBCAT OF OMAHA	158.01
CINTAS CORPORATION #749	244.60
CONWAY OIL COMPANY	2,842.30
CRA PAYMENT CENTER	1,486.71
FASTENAL COMPANY	9.04
HDS WHITE CAP CONST SUPP	182.05
LINDER TIRE & AUTO INC	120.00
MARK HYDRAULIC CO INC	344.87
MICHAEL TODD & COMPANY I	1,194.70
MULLENAX AUTO SUPPLY	904.47
NEBRASKA PUBLIC POWER DI	7,106.79
PAPILLION SANITATION	117.66
ROSE EQUIPMENT INC	1,269.77
WINDSTREAM	105.74
LIBRARY	
ACCUCUT LLC	103.00
APOLLO REFRIGERATION & H	258.51
BAKER & TAYLOR BOOKS	699.80
COMPUTERS TO GO	194.00
DOLLAR GENERAL	17.00
JOHN'S APPLIANCE	120.36
KONICA MINOLTA BUSINESS	73.54

KONICA MINOLTA PREMIER F	197.60
PAPILLION SANITATION	14.56
THE PENWORTHY CO	334.19
PARK & REC	
FERGUSON ENTERPRISES	88.69
MEESKE ACE HARDWARE	7.58
MULLENAX AUTO SUPPLY	33.36
NEBRASKA PUBLIC POWER DI	143.72
PAPILLION SANITATION	107.62
WINDSTREAM	52.02
CEMETERY	
BLACK HILLS ENERGY	88.58
MULLENAX AUTO SUPPLY	45.18
WINDSTREAM	79.50
FIRE	
BILL DUDEK	84.37
BRIAN WUELLING	84.37
D & D COMMUNICATIONS INC	3,710.36
DEBBIE KNOPIK	22.50
FOUR STAR LAUNDRY	15.51
FRONTIER LIGHTING INC	47.38
HIGGINS HARDWARE	67.80
JOE GRADOVILLE	22.50
KATHRYN SHARP	200.00
LARUE DISTRIBUTING INC	43.50
MICHAEL WILSON	281.24
NEBRASKA STATE FIRE MARS	240.00
OMAHA COMPOUND COMPANY	27.22
PAPILLION SANITATION	14.56
PLATTSMOUTH RURAL FIRE D	14,618.50
TRICO MECHANICAL SERVICE	161.30
WINDSTREAM	105.41
SENIOR CITIZEN CTR	
JEFF HENRY CHEVROLET	74.01
NEBRASKA PUBLIC POWER DI	752.94
OFE OIL INC.	275.30
STEUBE'S THRIFTWAY	558.85
THE THOMPSON COMPANY	4,065.43
WINDSTREAM	112.90
COMMUNITY CENTER	
ALLISON WELCH	125.00
ASSOCIATED SUPPLY CO	147.50
BOMGAARS SUPPLY	7.47

CASS COUNTY BANK	135.47
CECILIA A GUERRA	100.00
DAVE STEINKRUGER	100.00
DEBBIE BAGGENSTOSS	150.00
DIANA L. POGREBA	50.00
EGAN SUPPLY CO	230.87
FOUR STAR LAUNDRY	98.10
JOYCE HICKS	225.00
KAREN MOREHEAD	25.00
KELLEY STEELE	100.00
KONICA MINOLTA BUSINESS	108.53
KONICA MINOLTA PREMIER F	278.83
LINDA HAUENSTEIN	75.00
MICHAEL ANZALONE	120.00
MICHELLE MCKNIGHT	50.00
NEBRASKA AIR FILTER INC	219.98
NEBRASKA PUBLIC POWER DI	6,776.49
NOVA FITNESS EQUIPMENT	59.00
PAPILLION SANITATION	101.00
SARAH ASCHENBRENNER	162.50
THOMAS WOODS	925.00
WINDSTREAM	338.69
AQUATIC	
NEBRASKA PUBLIC POWER DI	73.79
WINDSTREAM	8.34
ECONOMIC DEVELOPMENT	
FREMONT NAT'L BANK & TRU	450.00
MEESKE ACE HARDWARE	44.00
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
EMS	
ASHLEY DURAE	947.80
FIRST BANKCARD	523.00
FOUR STAR LAUNDRY	15.52
FRONTIER LIGHTING INC	47.37
KATHRYN SHARP	200.00
LARUE DISTRIBUTING INC	43.50
MIDWEST MINOR MEDICAL	35.00
NCEMSC	75.00
OMAHA COMPOUND COMPANY	27.21
PAPILLION SANITATION	14.58
WINDSTREAM	105.42
WATER	

NE DEPT OF HEALTH	2662.44
HAWKINS INC	2,044.90
HDS WHITE CAP CONST SUPP	145.00
HIGGINS HARDWARE	18.18
LINDER TIRE & AUTO INC	20.00
MARTIN MARIETTA AGGREGAT	373.32
MUNICIPAL SUPPLY INC	411.42
NEBRASKA PUBLIC POWER DI	6,979.04
PLATTSMOUTH READY MIX IN	580.62
UTILITY EQUIPMENT COMPAN	401.26
WATER DEPARTMENT-PETTY C	399.38
WINDSTREAM	157.89

SEWER

MIDWEST LABORATORIES INC	312.15
NDEQ - FISCAL SERVICES	150.00
NEBRASKA PUBLIC POWER DI	2,410.55
PAPILLION SANITATION	84.08
WINDSTREAM	47.20

STREET

ACTION FLAG CO	191.11
ASSOCIATED SUPPLY CO	139.31
MULLENAX AUTO SUPPLY	17.68

Total Claims 90,397.10

Total Claims and Salaries 191,084.03

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Erv Portis, City Administrator reported that he and City Attorney Roger Johnson met with the owner of SSRJ, Inc. dba Plattsmouth Keno and her attorney and she is targeting January 30, 2013 for reopening. Motion by Dugan, seconded by Porter to grant further Cessation and Interruption for SSRJ, Inc. dba Plattsmouth Keno through January 21, 2013. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser and Dugan. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Bowman opened the public hearing at 7:15 p.m. with regard to a

recommendation to amend the City of Plattsmouth Community Development Block Grant Economic Development Revolving Loan Fund to include performance based forgivable loans under the section Types and Amounts of Assistance. No one spoke in favor or opposition. Mayor Bowman closed the public hearing at 7:15 p.m.

#### ITEM 9 B

Pursuant to publication, Mayor Bowman opened the public hearing at 7:16 p.m. with regard to a request to obligate Community Development Block Grant (CDBG) Economic Development (ED) Reuse Funds as a performance-based conditional loan in the amount of \$119,175.00 to New Age Manufacturing for equipment purchase and installation, and facility remodeling for job retention and new job creation. No one spoke in favor or opposition. Mayor Bowman closed the public hearing at 7:16 p.m.

#### ITEM 9 C

Pursuant to publication, Mayor Bowman opened the public hearing at 7:17 p.m. with regard to a request to obligate Community Development Block Grant (CDBG) 09-DTR-101 funds as a conditional loan to RMB Investments for façade improvements at 106 South 6<sup>th</sup> Street, 601, 609 and 615 Main Street, Plattsmouth. No one spoke in favor or opposition. Mayor Bowman closed the public hearing at 7:17 p.m.

#### ITEM 9 D

Pursuant to publication, Mayor Bowman opened the public hearing at 7:18 p.m. to receive a report from the Plattsmouth Economic Development Citizens Advisory Review Committee on the functioning and progress of the economic development program (LB840). Joe Ostaseski, a representative of the Plattsmouth Economic Development Citizens Advisory Review Committee stated that Plattsmouth's Local Option Economic Development Plan (LB840) is operating as contemplated with the approved ordinance. Mr. Ostaseski reviewed the key findings from unaudited figures of fiscal year 2011-2012. No one else spoke. Mayor Bowman closed the public hearing at 7:19 p.m.

#### ITEM 9 E

Pursuant to publication, Mayor Bowman opened the public hearing at 7:20 p.m. to review and explain the plans and specifications for the construction of a new CO2 Tank at Water Treatment Plant to replace the tank that was damaged by the 2011 Missouri River Flood. Chris Koenig, HDR Engineering stated that when replacing the CO2 Tank, new footings will be poured and there will also be placement of new wires and controls. No one else spoke. Mayor Bowman closed the public hearing at 7:22 p.m.

#### ITEM 9 F

Pursuant to publication, Mayor Bowman opened the public hearing at 7:23 p.m. to review and explain the plans and specifications for the construction of a new water supply well designated Well

No. 8 at Water Treatment Plant to replace three existing wells that were damaged beyond repair by the 2011 Missouri River Flood. Chris Koenig, HDR Engineering stated that Well No. 8 project was broke in to two (2) projects: 1-abandonment of Wells 1, 2 and 3 due to extensive damage from the 2011 Flood; and 2-build one (1) new well (Well No. 8) at a higher capacity to handle what all three abandoned wells (1, 2 & 3) were pumping. No one else spoke. Mayor Bowman closed the public hearing at 7:27 p.m.

#### ITEM 9 G

Motion by Dugan, seconded by Wiemer to approve the amendment to the Economic Development Reuse Plan for Use of Community Development Block Grant Program Income to include performance based forgivable loans under the section Types and Amounts of Assistance (Revised Plan: Adopted July 16, 2007). ROLL CALL: Yes-Brookhouser, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

#### ITEM 9 H

Motion by Brookhouser, seconded by Porter to approve a Memorandum of Understanding (“MOU”) by and between the City of Plattsmouth, Nebraska (“City”); and New Age Manufacturing, Inc. f/k/a New Age Prototypes, Inc. and authorize the Mayor to execute the document. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

#### ITEM 9 I

Motion by Porter, seconded by Derby to approve a Loan Modification Agreement by and between the City of Plattsmouth, Nebraska (“City”) and New Age Manufacturing, Inc. f/k/a New Age Prototypes, Inc. and authorize the Mayor to execute the document ROLL CALL: Yes-Kerns, Brookhouser, Dugan, Wiemer, Derby and Porter. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

#### ITEM 9 J

City Attorney Roger Johnson stated that he was involved in the forming of RMB Investments but the continuing relationship is only the preparation of annual meeting minutes. Motion by Dugan, seconded by Brookhouser to approve a grant agreement, and related documents, with RMB Investments, LLC, for up to \$5,000.00 for the removal of non-conforming items at 106 South 6<sup>th</sup> Street, 601, 609 and 615 Main Street pursuant to the Main Street Façade Improvement Program Guidelines, and authorize the Mayor to execute all necessary documents. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Dugan, Wiemer and Derby. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

#### ITEM 9 K

Motion by Porter, seconded by Kerns to approve a forgivable loan agreement, and related documents, with RMB Investments, LLC, for up to \$50,000.00 for improvements to the building façade(s) at 106 South 6<sup>th</sup> Street, 601, 609 and 615 Main Street, pursuant to the Main Street Façade



Improvement Program Guidelines, and authorize the Mayor to execute all necessary documents. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 L

Emily Bausch, Southeast Nebraska Development District representative was available for questions. Ms. Bausch stated that if the City approves the contract for CDBG Administration that she would be the administrator. Motion by Dugan, seconded by Derby to approve the contract for "CDBG Administration" entitled Professional Service/Consultant Agreement by and between City of Plattsmouth and Southeast Nebraska Development District (SENDD) on the 2012 CDBG Program numbered CDBG #12-HO-6046 and authorize the Mayor to execute the agreement. ROLL CALL: Yes-Brookhouser, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 M

Motion by Brookhouser, seconded by Kerns to accept the bid and award a contract to Layne Christensen for the construction of Well No. 8 at the Water Treatment Plant at a contract price of \$54,824.00 and authorize the Mayor to execute the contract. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser and Dugan. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 N

Motion by Wiemer, seconded by Porter to accept the bid and award a contract to Judds Bros. Construction Co. for the construction of the CO2 Tank Replacement at the Water Treatment Plant at a contract price of \$257,750.00 and authorize the Mayor to execute the contract. After discussion regarding bid amounts and Nebraska Emergency Management Association reimbursement, ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Dugan and Wiemer. No-None. Absent-Tilson and Riese. Abstain-None. MOTION CARRIED.

ITEM 12

7:49 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk