

PLATTSMOUTH CITY COUNCIL
October 21, 2013

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 October 21, 2013 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan and Wanda Wiemer. Council Members Absent: Doug Derby. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis 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

A There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

Motion by Wiemer, seconded by Porter to approve the Consent Agenda with the additional claims as presented.

A Consider approval of the October 7, 2013 City Council Meeting Minutes

B Consider approval of claims.

Claims Register Report
as of 10/21/2013

Dept Name Vendor Name

Payroll Claim

Pay Date: 10/18/13
General 15836.36
EMS 8108.09
Police 32978.37
Street 11185.24

Library 6731.86
Park and Cemetery 2819.2
Senior 2120.95
Com Ctr 9135.53
Water and Sewer 11086.36

100001.96

Dept Name Vendor Name Amount

VARIOUS DEPARTMENTS

COLLECTION SERVICES CENTER 186
FRATERNAL ORDER OF POLICE 360
CINTAS CORPORATION #749 12
EYE MED VISION CARE 245.16
UNITED STATES LIFE INSURANCE CO 153.61
AMERITAS LIFE INSURANCE CORP 11583.15
INTERNAL REVENUE SERVICE 24714.98
NEBRASKA DEPARTMENT OF REVENUE 3226.88

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 40
NEBRASKA MUNICIPAL CLERK ASSOC 35
THE COLUMBUS TELEGRAM 613.35
VERIZON WIRELESS 83.23
WINDSTREAM 302.21
WIREBUILT CO 75

Department : 02 - HUMANE/CODE ENFORCEMENT

PLATTSMOUTH ANIMAL HOSPITAL PC 296
VERIZON WIRELESS 40.01

Department : 03 - EMS

ALS AFFILIATES 1750
HEARTLAND TECHNOLOGY SOLUTIONS 212.5
KATHRYN SHARP 300
LARUE DISTRIBUTING INC 69.1
MATHESON TRI-GAS INC 331.49
METRO BILLING SERVICES 629
SGP SERVIES INC 67.5
VERIZON WIRELESS 150
WINDSTREAM 107.93

Department : 04 - POLICE

ANDERW MAHAN 387.31
COMPUTERS TO GO 999
CORY J SCOTT 24.08
DIGITAL ALLY 905

HOLIDAY INN OF KEARNEY 485.7
JEFF HENRY CHEVROLET 772.89
KAHLER CONSTRUCTION 1602.5
KONICA MINOLTA BUSINESS SOLUTIONS 35.97
LANCE R BURNETT 60.38
MJN INC 1700
NEBRASKA DEPT OF AG 30
STEVE RATHMAN 68.64
VERIZON WIRELESS 283.91
WINDSTREAM 298.26

Department : 05 - STREET

MULLENAX AUTO SUPPLY 126.54
A & M GREEN POWER 6.85
CINTAS CORPORATION #749 268.45
HONEYMAN RENT-ALL 323.73
LINDER TIRE & AUTO INC 45
LONNIE ILES 100
LOVELAND LAWNS INC 35
PAYLESS OFFICE PRODUCTS 24.09
PLATTSMOUTH READY MIX INC 1036.14
PRUITT INC 30.36
TITAN MACHINERY 17.55
VERIZON WIRELESS 275.98
WHITE CAP CONSTRUCTION SUPPLY 131.64
WINDSTREAM 109.78

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 955.48
CENTER POINT LARGE PRINT 216.9
DOLLAR GENERAL 24.45
KIRSTEN WOOD 30.1
KONICA MINOLTA BUSINESS SOLUTIONS 82.5
OCLC INC 128.92
SAVAGE PLUMBING INC 294
UPSTART 38.95

Department : 07 - PARK & REC

BLACK HILLS ENERGY 37.41
LINDER TIRE & AUTO INC 14
MULLENAX AUTO SUPPLY 89.99
VERIZON WIRELESS 131.51
WINDSTREAM 54.04

Department : 10 - FIRE

HEARTLAND TECHNOLOGY SOLUTIONS 212.5
KATHRYN SHARP 300
LARUE DISTRIBUTING INC 69.1

SGP SERVIES INC 67.5
WINDSTREAM 107.93

Department : 11 - SENIOR CITIZEN CTR
ALEGENT CREIGHTON HEALTH 140
PAYLESS OFFICE PRODUCTS 139.45
WINDSTREAM 245.1

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 130
BODY BASICS INC 384.8
CHARTER BUSINESS 115
EGAN SUPPLY CO 244.23
FOUR STAR LAUNDRY 666
JEROME J HOWE 295.36
KONICA MINOLTA BUSINESS SOLUTIONS 214.3
MICHAEL ANZALONE 120
NOVA FITNESS EQUIPMENT 561
SHOPKO STORES OPERATING CO LLC 17.44
VERIZON WIRELESS 107.72
VERNE SIMMONDS CO 378.17
WINDSTREAM 245.1

Department : 18 - AQUATIC
THE THOMPSON COMPANY 258.22

Department : 19 - ECONOMIC DEV - DTR PHASE 2
HEARTLAND AWNING & DESIGN INC 2979.95
JOHNSON DRYWALL CO INC 17600

Department : 20 - WATER
MULLENAX AUTO SUPPLY 78.99
HD SUPPLY WATERWORKS LTD 1848.93
HDR ENGINEERING INC 4352.52
LOVELAND LAWNS INC 69.95
ONE CALL CONCEPTS INC 38.6
PLATTSMOUTH READY MIX INC 786.8
UTILITY EQUIPMENT COMPANY 3003.47
VERIZON WIRELESS 94.56
WATER DEPARTMENT-PETTY CASH 346.06
WINDSTREAM 177.18

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 200
VERIZON WIRELESS 54.07

Department : 30 - SEWER
MULLENAX AUTO SUPPLY 35.82

DUGAN BUSINESS FORMS 513.09
FASTENAL COMPANY 2.98
LINDER TIRE & AUTO INC 20
MIDWEST LABORATORIES INC 846
ONE CALL CONCEPTS INC 38.6
O'REILLY AUTOMOTIVE INC 19.99
PLATTSMOUTH READY MIX INC 276.45
VERIZON WIRELESS 31.52
WILES BROS. INC. 189.16
WINDSTREAM 48.93

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Brookhouser introduced a resolution numbered and titled as follows:
RESOLUTION NO. 13-051: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 814 MAIN STREET, PLATTSMOUTH, NEBRASKA

Motion by Brookhouser, seconded by Tilson to adopt RESOLUTION NO. 13-051:

RESOLUTION NO. 13-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 814 MAIN STREET, PLATTSMOUTH, NEBRASKA.

WHEREAS, the owner of 814 Main Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$4204.44; and

WHEREAS, evidence was received at a public hearing on the special benefit to the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the City's abatement of the nuisance at 814 Main Street, Plattsmouth, Nebraska 68048 legally described as:

PARCEL #130391858: PLATTSMOUTH - FOUR US SUBDIV REPLAT 1 LOT 2 (.836)~
\$1401.48

PARCEL #130391860: PLATTSMOUTH - FOUR US SUBDIV REPLAT 1 LOT 4 (2.469)~
\$1401.48

PARCEL #130391859: PLATTSMOUTH - FOUR US SUBDIV LOT 3 (.472)~
\$1401.48

specially benefitted the same in the total amount of \$4204.44 and that said amount is hereby levied against said property which shall be due in a single payment not later than November 26, 2014, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 26, 2013, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, an additional two percent (2%) will be added so the interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 21st day of October 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 13-051 in to the record. ROLL CALL: Yes-Wierner, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 – NEW BUSINESS

ITEM 9 A

John Yochum, Executive Director of Cass County Nebraska Economic Development Council (CCNEDC) presented an update to the Mayor and Council on the activities of the CCNEDC. Yochum stated that the assets for Plattsmouth/Cass County are the people, quality of life, existing buildings and availability of land for building. The difference between Request (call, e-mail-the fielding of information) and Response (4-5 page packet of information) was clarified.

ITEM 9 B

Motion by Riese, seconded by Porter to approve and adopt the City of Plattsmouth Employee Handbook-October 2013. Porter offered the option of adding elected officials to the language for receiving a free individual membership to the Community Center under Health and Wellness Benefits. Council discussed what the level of review for the proposed changes and the disposition of personnel records. After further discussion, Riese amended his motion as follows: Motion to approve and adopt the City of Plattsmouth Employee Handbook-October 2013 with the addition of elected officials under 14.3-HEALTH AND WELLNESS BENEFITS: A and language clarifying the disposition of personnel records. Porter seconded the amended motion. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wierner, Porter and Kerns. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council member Dugan introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1871: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-306 RELATED TO DOGS RUNNING AT LARGE; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-306.1 RELATED TO CATS RUNNING AT LARGE; TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-307 RELATED TO DOGS UNCOLLARED; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-307.1 RELATED TO CATS UNCOLLARED; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Dugan, seconded by Porter to approve first (1st) reading of Ordinance 1871 by title only. **ORDINANCE NO. 1871: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-306 RELATED TO DOGS RUNNING AT LARGE; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-306.1 RELATED TO CATS RUNNING AT LARGE; TO AMEND CHAPTER 3, ARTICLE 3, SECTION 3-307 RELATED TO DOGS UNCOLLARED; TO ENACT CHAPTER 3, ARTICLE 3, SECTION 3-307.1 RELATED TO CATS UNCOLLARED; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Following discussion, ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Porter. No-None. Absent-Derby. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1871 in to the record by title only.

ITEM 9 D

Motion by Riese, seconded by Kerns to approve the appointment of Zachary Fiala to the Plattsmouth Volunteer Fire Department. ROLL CALL: Yes-Dugan, Wiemer, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Tilson to approve the Plattsmouth Volunteer Fire Department Roster. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 9 F

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement.

7:41 p.m. Motion by Riese, seconded by Wiemer to convene to Closed Session to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire

Board Interlocal Agreement. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Porter, Kerns and Brookhouser. No-None. Absent-Derby. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement.

8:11 p.m. Motion by Dugan, seconded by Riese to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 12

8:14 p.m. Motion by Porter, seconded by Dugan to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk