

PLATTSMOUTH CITY COUNCIL

March 2, 2015

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 2, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John R. Porter, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry Kerns. Also present: City Administrator Ervin Portis, City Inspector Kevin Larson, 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

There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

Motion by Wiemer, seconded by Brookhouser to approve the Consent Agenda as presented

- A Consider approval of the February 16, 2015 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Fund Raiser being held at Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on April 11, 2015 from 3:00 p.m. to 12:00 a.m.
- C Consider recommendation of approval of a Special Designated License filed by Catholic Educators for a Fund Raiser being held at St. John the Baptist School, 500 South 18th Street, Plattsmouth on April 25, 2015 from 5:00 p.m. to 12:00 a.m.
- D Consider approval of claims

Claims Register Report as of 3/2/2015

Vendor Name Amount

Pay Date: 2/20/15

Com Ctr 8369.43

EMS 8485.61

General 15977.61

Library 6974.59

Park and Cemetery 2264.8

Police 32588.91

Senior 2236.29

Street 11142.04

Water and Sewer 12627.65

100666.93

Vendor Name

AMERICAN FAMILY LIFE 773.42

AMERITAS LIFE INSURANCE CORP 155.02

AMERITAS LIFE INSURANCE CORP (pension) 13637.47

BLUE CROSS BLUE SHIELD 51119.04

COLLECTION SERVICES CENTER 186

DELTA DENTAL PLAN 2593.6

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 24569.38

MUTUAL OF OMAHA 931.65

NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3326.22

NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10362.71

PLATTSMOUTH STATE BANK 537.31

Department : 01 - GENERAL ADMINISTRATION

AGA ASSOCIATION OF GOVNMNT ACCOUNTANTS 92

BAIRD HOLM LLP 33

BLACK HILLS ENERGY 1094.94

BRENDA BURKE 22.78

CHARTER BUSINESS 131.95

FIRST BANKCARD 141.18

GOVERNMENT FINANCE OFFICERS ASSOCIATION 170

JOHN BAXTER 50

KATHRYN SHARP 125

KONICA MINOLTA BUSINESS SOLUTIONS 17.89

OLMSTED & PERRY ENGINEERING 232.35

SCHNEIDER AGENCY 7256

THE COLUMBUS TELEGRAM 550.7

TYLER TECHNOLOGIES 18494.4

Department : 03 - EMS

BLACK HILLS ENERGY 146.35
ELECTRONIC ENGINEERING 1920
FORT DEARBORN LIFE INSURANCE CO 72.24
FOUR STAR LAUNDRY 13.15
IDEAL PURE WATER 16.37
JEFF HENRY CHEVROLET 277.37
KATHRYN SHARP 200
LIFE-ASSIST INC 1801.35
MATHESON TRI-GAS INC 107.21
METRO BILLING SERVICES 228
PRO SHIRT SHOP 186.4
WINDSTREAM 159.69

Department : 04 - POLICE
CASS COUNTY SHERIFF 3509
FBINAA-NE INC 25
FIRST BANKCARD 249.06
JEFF HENRY CHEVROLET 39.95
KAHLER CONSTRUCTION 775
KONICA MINOLTA BUSINESS SOLUTIONS 9.54
PAYLESS OFFICE PRODUCTS 100.25
WARGA BROADCASTING LLC 300

Department : 05 - STREET
ASPHALT & CONCRETE MATERIALS 622.71
BLACK HILLS ENERGY 648.15
BOMGAARS SUPPLY 272.57
CLASS C SOLUTIONS 193.6
EGAN SUPPLY CO 104.64
JOHN DEERE CREDIT 37.34
LYMAN RICHEY SAND & GRAVEL CO 6414.15
MICHAEL TODD & COMPANY INC 1414.5
OLMSTED & PERRY ENGINEERING 14935
THE COLUMBUS TELEGRAM 121.19
WOODHOUSE FORD SOUTH INC 125.46

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1012.95
BLACK HILLS ENERGY 241.95
BOMGAARS SUPPLY 19.47
CENTER POINT LARGE PRINT 216.9
DEMCO 111.27
EVIS ZAMORA 83.95
FIRST BANKCARD 1246.92
GALE/CENGAGE LEARNING 99.98
IARCHIVES INC 1136.3
KIRSTEN WOOD 10.48
MT LIBRARY SERVICES 153

NEBRASKA LIBRARY ASSOCIATION 210
OKEEFE ELEVATOR CO INC 1610
ROBERT J SAVAGE 800
TYLER TECHNOLOGIES 3082.4

Department : 07 - PARK & REC
ACTION BATTERIES UNLIMITED INC 63.71
BLACK HILLS ENERGY 218.51
BOMGAARS SUPPLY 139.79
CHARTER BUSINESS 32.18
EGAN SUPPLY CO 166.56
FASTENAL COMPANY 14.99
FIRST BANKCARD 245.86
MICHAEL TODD & COMPANY INC 87.5
THE COLUMBUS TELEGRAM 5.47

Department : 08 - CEMETERY
COMPUTERS TO GO 148
FIRST BANKCARD 16.59
NEBRASKA PUBLIC POWER DISTRICT 70.89

Department : 10 - FIRE
BLACK HILLS ENERGY 146.36
FIREBLADE LASER ENGRAVERS LLC 440.9
FIRST BANKCARD 53.34
FORT DEARBORN LIFE INSURANCE CO 161.68
FOUR STAR LAUNDRY 13.14
IDEAL PURE WATER 16.38
KATHRYN SHARP 200
MICHAEL WILSON 200
MULLENAX AUTO SUPPLY 421.86
WINDSTREAM 159.69

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 377.57
BOMGAARS SUPPLY 30.06
FIRST BANKCARD 16.59

Department : 16 - ECONOMIC DEVELOPMENT
COOK COUNTY GOVERNMENT 60
OLMSTED & PERRY ENGINEERING 525
PLATTSMOUTH MAIN STREET ASSOCIATION 1000
SENDD 572.04
THE COLUMBUS TELEGRAM 81.72

Department : 17 - COMMUNITY CENTER
ASSOCIATED SUPPLY CO INC 603.86
BLACK HILLS ENERGY 3398.14

COCA COLA REFRESHMENTS USA INC 97.51
DAVID R BELITZ 335
FIRE GUARD INC 385.5
FIRST BANKCARD 213.8
FOUR STAR LAUNDRY 828.5
HYVEE 10.34
JOSEY THOMAS AARON 325
KYLE SAYLER (SCREEN PRINTING) 120
LINDA TODD 56
NE DOL/OFFICE OF SAFETY 18
NOVA FITNESS EQUIPMENT 4881.2
THE COLUMBUS TELEGRAM 14.31

Department : 18 - AQUATIC

BLACK HILLS ENERGY 20.1
CHARTER BUSINESS 30.42
JERRY SLAFTER 954.44

Department : 19 - ECONOMIC DEV - DTR PHASE 2

RDG PLANNING & DESIGN 26500
SOUTHEAST NE DEV DISTRICT 1500

Department : 20 - WATER

BLACK HILLS ENERGY 54.01
BOMGAARS SUPPLY 385.6
DPC INDUSTRIES INC 352.5
FIRST BANKCARD 16.59
HD SUPPLY WATERWORKS LTD 750
MISSISSIPPI LIME COMPANY 3861
MOTION INDUSTRIES INC 75.45
MUNICIPAL SUPPLY INC 148.66
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 460.95
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 396
NEBRASKA PUBLIC POWER DISTRICT 7719.46
NEBRASKA RURAL WATER 75
OLMSTED & PERRY ENGINEERING 5775
SCHNEIDER AGENCY 3597
SHERWIN WILLIAMS 263.96
TRANSWOOD LOGISTICS INC 853.8
TYLER TECHNOLOGIES 5638.32
WATER & SEWER DEPARTMENT 153.13

Department : 30 - SEWER

BLACK HILLS ENERGY 1350.74
BOMGAARS SUPPLY 338.71
EGAN SUPPLY CO 32.22
FIRST BANKCARD 126.58
NEBRASKA PUBLIC POWER DISTRICT 2567.84

SCHNEIDER AGENCY 6230
TYLER TECHNOLOGIES 3788.88

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
FIRST BANKCARD 44.72
SOUTHEAST NE DEV DISTRICT 1762.49

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1891: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 5, ARTICLE 6, SECTION 5-602 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, RELATED TO “TRAILER COURTS; PERMIT REQUIRED;” TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese, seconded by Brookhouser to approve third reading of Ordinance No. 1891 by title only. Following discussion, ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1891 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:05 p.m. to hear and receive public comment regarding the updated Comprehensive Development Plan for the City of Plattsmouth, Nebraska. No one spoke. Mayor Lambert closed the public hearing at 7:06 p.m.

ITEM 9 B

Council Member Brookhouser introduced a resolution numbered and titled as follows: **RESOLUTION NO. 15-010: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF PLATTSMOUTH, NEBRASKA DATED JANUARY 2015, ALL PURSUANT TO NEB. REV. STAT. § 19-901.**

Motion by Brookhouser, seconded by Wiemer to adopt RESOLUTION NO. 15-010 by title only:

RESOLUTION NO. 15-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF PLATTSMOUTH, NEBRASKA DATED JANUARY 2015, ALL PURSUANT TO NEB. REV. STAT. § 19-901.

WHEREAS, the City of Plattsmouth previously adopted a Comprehensive Development Plan dated August 2004;

WHEREAS, the City Council of the City of Plattsmouth is in receipt of a final report of the Planning Commission of the City of Plattsmouth, Nebraska recommending that the City Council approve and adopt a Comprehensive Development Plan, as defined in Neb. Rev. Stat. § 19-903, for the City of Plattsmouth, Nebraska, said Plan having been prepared by RDG Planning & Design;

WHEREAS, the City Council, pursuant to Neb. Rev. Stat. § 19-904, was presented with and held a public hearing on the recommended Comprehensive Development Plan, said Plan being attached to this Resolution as Exhibit "A" and incorporated herein by this reference;

WHEREAS, after considering the advice of the Planning Commission and after a public hearing, the City Council proposed to consider said Plan for approval and adoption; and

WHEREAS, the City has over the course of more than a year's time made an exhaustive effort to obtain extensive public and stakeholder input in the author of said Plan for the City of Plattsmouth, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska that the recitals and findings set forth above are incorporated herein; and

BE IT FURTHER RESOLVED that the City Council hereby approves and adopts the Comprehensive Development Plan for the City of Plattsmouth dated JANUARY 2015 prepared by RDG Planning & Design, for the City of Plattsmouth, pursuant to Neb. Rev. Stat. § 9-904.

PASSED AND APPROVED this 2ND day of March 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-010 into the record by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter and Brookhouser. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Riese, seconded by Derby to approve a Street Closing or Event Permit Application submitted by the Cass County Historical Society for an event (Living History Day) on Saturday, April 25, 2015-requesting closure of Main Street from 6th to 7th from 9:00 a.m. to 6:00 p.m. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Brookhouser and Tilson. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Riese, seconded by Tilson to receive the report and notice of the Historic Preservation Board regarding a proposed designation of City Hall, 136 N. 5th Street, as a local landmark, as provided in Plattsmouth Municipal Code, Section 9-305 (Ordinance No. 1714), and notice of a March 16, 2015 Historic Preservation Board public hearing on said designation. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Brookhouser, Tilson and Riese. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 E

7:15 p.m. Motion by Porter, seconded by Tilson to temporarily recess as the Plattsmouth City Council. On a voice vote, MOTION CARRIED.

ITEM 9 F

7:17 p.m. Motion by Tilson, seconded by Dugan to reconvene as the Plattsmouth City Council. MOTION CARRIED on a voice vote.

ITEM 9 G

Council member Tilson introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-008: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130059455 IN THE AMOUNT OF \$228.44**

Motion by Tilson, seconded by Riese to adopt RESOLUTION NO. 15-008 by title only:

RESOLUTION NO. 15-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 415 SOUTH 5TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130059455 IN THE AMOUNT OF \$228.44.

WHEREAS, the owner of 415 South 5th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$228.44; 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 415 South 5th Street, Plattsmouth, NE 68048; Parcel #130059455 PLATTSMOUTH - OT N1/2 LOT 7 BLK 62~specially benefitted the same in the amount of \$228.44 and that said amount is hereby levied against said property which shall be due in a single payment not later than April 21, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before April 21, 2015, 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 2nd day of March 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-008 in to the record by title only. ROLL CALL: Yes-Wiemer, Derby, Porter, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 9 H

Council member Tilson introduced a resolution numbered and titled as follows: **RESOLUTION NO. 15-009: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 202 SOUTH 6TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130057428 IN THE AMOUNT OF \$281.40**

Motion by Tilson, seconded by Dugan to adopt RESOLUTION NO. 15-009 by title only:

RESOLUTION NO. 15-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 202 SOUTH 6TH STREET, PLATTSMOUTH, NEBRASKA; Parcel #130057428 IN THE AMOUNT OF \$281.40.

WHEREAS, the owner of 202 South 6th Street failed to correct a nuisance threat following notice to do so and the City abated the same at a cost of \$281.40; 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 202 South 6th Street, Plattsmouth, NE 68048; Parcel #130057428 PLATTSMOUTH - OT N77' LOTS 5 & 6 BLK 44~specially benefitted the same in the amount of \$281.40 and that said amount is hereby levied against said property which shall be due in a single payment not later than April 21, 2016, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before April 21, 2015, 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 2nd day of March 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-009 in to the record by title only. ROLL CALL: Yes-Derby, Porter, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-Kerns. Abstain-None. MOTION CARRIED.

ITEM 12

7:38 p.m. Motion by Porter, seconded by Tilson to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk