

PLATTSMOUTH CITY COUNCIL
May 18, 2009

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 May 18, 2009 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Mike Bowman, Terry Tilson, Ruth Wassinger, Rod Jenkins and Doug Derby. Also present: 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 Pledge of Allegiance was recited.

Mayor Lambert 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.

CITIZEN'S DELEGATION:

Allen Sutcliffe, 123 N. 3rd St., Plattsmouth, Nebraska expressed his concern with regard to the noise from Double Down from the outside speakers on Saturday, May 16, 2009. He stated that this has been a problem for the past two years and he felt there was a need for limitations.

Jeff Haight (Owner of Double Down) stated that he was aware of the noise complaints and that he does work with the police. When no-one is outside the volume is way down and Haight indicated that he is open to any changes but the outside music is a marketing tool.

CONSENT AGENDA:

Motion by Jenkins, seconded by Derby to approve all Consent Agenda items as listed:

- A Approval of May 4, 2009 City Council Meeting Minutes
- B Consider approval of claims

DATE 5/19/2008 CITY OF PLATTSMOUTH PAGE 1
CLAIMS REGISTER REPORT

SALARIE

S	PAYROLL 4/09/08-5/06/08	
	General Admin	15,940.32
	Humane Dept	2,026.02

<i>Police Dept</i>	44,264.16
<i>Street Dept</i>	15,751.47
<i>Public Library</i>	9,551.81
<i>Parks</i>	1344.76
<i>Oakhill Cemetery</i>	2,610.52
<i>Community Center</i>	23,943.94
<i>Senior Center</i>	3,031.53
<i>Payroll Sewer Dept.</i>	5,106.19
<i>Payroll Water Dept.</i>	9,099.33
TOTAL SALARIES	132,670.05

CLAIMS

<i>2ND WIND EXERCISE-CC CARDIO MACHINES</i>	109,893.00
<i>ALLIED OIL & SUPPLY INC</i>	341.19
<i>ALLTEL</i>	4.45
<i>ALLTEL</i>	152.05
<i>AMERICAN FAMILY LIFE ASS</i>	67.2
<i>AMERITAS LIFE INSURANCE</i>	7,537.00
<i>AMERITAS LIFE INSURANCE</i>	8,431.53
<i>AMSAN LLC</i>	457.66
<i>ANDREW KENNAN</i>	50.00
<i>APRIL CAVE</i>	64.00
<i>AQUA CHEM INC</i>	1,791.49
<i>AQUILA</i>	3,952.96
<i>AQUILA</i>	4,033.28
<i>ASPHALT & CONCRETE MATER</i>	531.56
<i>AT&T</i>	32.45
<i>AUGGIE'S PERFORMANCE</i>	275.55
<i>BAKER & TAYLOR BOOKS</i>	1,089.90
<i>BARNES DISTRIBUTION</i>	135.57
<i>BECKY VERMUELE</i>	55.00
<i>BELLEVUE ANIMAL HOSPITAL</i>	198.96
<i>BETTY REICHART</i>	10.00
<i>BILL BRITIAN</i>	7.05
<i>BLUE CROSS BLUE SHIELD</i>	27,638.08
<i>BLUE DEVIL SPORTING GOOD</i>	1,684.50
<i>BOBCAT OF OMAHA</i>	187.14
<i>BOMGAARS SUPPLY</i>	51.04
<i>BOMGAARS SUPPLY</i>	279.20
<i>BRAD KREIFEL</i>	50.00
<i>BRIAN D PAULSEN</i>	50.00
<i>CAPE TRUCK TOPPERS</i>	279.00
<i>CARTRIDGE WORLD</i>	115.98

CARTRIDGE WORLD	44.99
CASS COUNTY SHERIFF	3,190.00
CASS COUNTY TREASURER	63.00
CDW GOVERNMENT INC	2,833.56
CENTER POINT LARGE PRINT	227.64
CENTRAL TRANSPORTATION	2,969.26
CHAD A SMITH	50.00
CHECKFREE SERVICES CORP	375
CINTAS CORPORATION #749	234.12
CITY TREASURER	155.39
CORY J SCOTT	50.00
CRAIG SHRIMPTON	68.55
CREATIVE DESIGN	100
DANA F. COLE & COMPANY	4,000.00
DANKO EMERGENCY EQUIPMENT	8.96
DAVID W J MURDOCH	50.00
DAVID WALKER	50.00
DELTA DENTAL PLAN	1,925.50
DIAMOND FLORAL	40.00
DISCOUNT SCHOOL SUPPLY	617.48
DON STORY	300.00
DOUGLAS COUNTY HEALTH	100
DUGAN BUSINESS FORMS	246.42
ED M. FELD EQUIPMENT CO.	102
EMC NATIONAL LIFE COMPAN	190.48
EMS BILLING SERVICES INC	470.27
ERVIN PORTIS	500.00
ETS DEVELOPMENT GROUP, L	2,545.63
FARM PLAN	22.62
FARM PLAN	266.99
FASTENAL COMPANY	33.06
FOREST 3 CLEANING SERVIC	335.00
FORT DEARBORN LIFE INS	169.67
FORT DEARBORN LIFE INS	189.20
FOUR STAR LAUNDRY	124.54
FOUR STAR LAUNDRY	216.97
FRATERNAL ORDER OF POLICE	210
GALLS	21.49
GARY HELLWIG	300.00
GE CAPITAL	639.00
GEMPLER'S	41.80
GRAINGER	229.14
GREAT PLAINS ONE CALL	11.76

HAWKINS	747.78
HAWKINS INC	3,457.19
HDR ENGINEERING INC	12,594.89
HEIMAN INC	257.90
HIGGINS HARDWARE	17.28
HIGGINS HARDWARE	93.56
HOST COFFEE SERVICE INC	92.00
IKON OFFICE SOLUTIONS	25.00
INTERSTATE INDUSTRIAL	170.40
JACK & JILL SUPER MARKET	34.43
JEFFERSON PILOT FINANCIAL	592.28
JENSEN TIRE CORP	413.24
JEREMY SHOOK	50.00
JOHN DEERE CREDIT	1,559.55
JOHN'S APPLIANCE	35.37
JONATHAN HARDY	50.00
KANSAS CITY METRO	150.00
KENNEDY STORAGE	50
KEVIN LARSON	15.65
KOREWORKS INC	3,000.00
LAKELAND	25.76
LAKELAND ENGINEERING EQU	53.66
LEAGUE OF NEB MUNICIPALI	392
LEROY LEWIS	50.00
LINDER TIRE & AUTO INC	483.19
LINDER TIRE & AUTO INC	176.00
LINDSEY TRUCKING	526.98
LINWELD	10.69
LINWELD	89.06
LUBRICATION ENGINEERS IN	170.41
MARCIA RULLA	125
MARCIA RULLA	125.00
MARTIN MARIETTA AGGREGAT	1,259.08
MARTIN'S FLAG COMPANY	84
MENARDS	7.49
MENARDS	255.03
MIDWEST LABORATORIES INC	1,581.70
MIDWEST MINOR MEDICAL	23.00
MIDWEST RADIATOR LLC	65.00
MISSISSIPPI LIME COMPANY	5,069.54
MITCHELL 1	532.00
MULLENAX AUTO SUPPLY	875.32
NALCO COMPANY	547.49

NE CHILD SUPPORT	369.24
NE DEPT ENVIRONMENTAL QU	23.75
NE DEPT OF SOCIAL SERVIC	94.00
NE PUBLIC HEALTH ENVIRON	116.00
NEAL THOMAS	50.00
NEBRASKA CHILD SUPPORT	184.62
NEBRASKA DEPARTMENT OF REV	6,025.03
NEBRASKA DEPT OF REVENUE	281.85
NEBRASKA IOWA SUPPLY	2,242.10
NEBRASKA IOWA SUPPLY	1,208.33
NEBRASKA LIBRARY ASSOCIA	25.00
NEBRASKA PUBLIC HEALTH E	78
NEBRASKA PUBLIC POWER	8,640.50
NEBRASKA PUBLIC POWER DI	5,900.02
NEW WAVE POOLS & SPAS IN	56.24
NEXTEL PARTNERS	1,136.11
OCE IMAGISTICS	77.03
OFE OIL INC.	49.40
OFFICE DEPOT	519.30
OLMSTED & PERRY ENGINEER	2,159.75
OMAHA DOOR & WINDOW COMP	1,698.26
OMAHA POLICE FEDERAL CRE	984.07
OMB EXPRESS POLICE SUPPL	124.00
PAMIDA DISCOUNT CENTER	2,180.09
PANKONIN'S INC	26.38
PAPILLION SANITATION	683.27
PAYLESS OFFICE PRODUCTS	490.47
PLATTSMOUTH CHAMBER OF C	52.75
PLATTSMOUTH READY MIX IN	514.97
PLATTSMOUTH READY MIX IN	163.41
PLATTSMOUTH STATE BANK	3,450.08
PSB - COMMUNITY CENTER BD INTEREST	125,395.01
PLATTSMOUTH VOLUNTEER RESCUE	204.00
PLATTSMOUTH VOLUNTEER RESCUE	105.86
POLARIS USERS GROUP	100.00
POLICE PETTY CASH	97.14
POWER SYSTEMS	264.95
PRINTING IMAGES	121.5
PRINTING IMAGES	713.22
PROCESS WORKS INC	90.00
PROFESSIONAL HEATING & A	365.00
PROFESSIONAL WASTE WATER	210
PROFESSIONAL WASTE WATER	65.00

R. PAUL LAMBERT	100.00
RANDY AND VANESSA VOLLMA	2.00
RDG PLANNING DESIGN	5,100.00
REID RICHTER	50.00
RELIABLE OFFICE SUPPLIES	68.81
RHOMAR INDUSTRIES INC	294.53
RISHEL & PFEIFER P.C.	930.00
ROBERT L. BURNETT	50.00
ROBERT SORENSON	50.00
RYAN CRICK	50.00
SAM'S CLUB DIRECT	44.30
SHORT STOP	91.94
SIMMERMAN ELECTRIC	603.31
SOLUTIONONE	96.5
SOLUTIONONE	360.40
SPRINT	42.48
STEPHANIE STRANGE	10.00
STEPHEN L HUNT	120.00
SUPER-NET	6,540.00
THE COLUMBUS TELEGRAM	1,728.69
THE THOMPSON COMPANY	2,808.07
THE UNION CENTRAL LIFE I	155.02
TIMBER TREE	140
TINCHER FORD-MERCURY INC	60.30
TODD HAMMOND	50.00
UNITED STATES LIFE INSUR	106.7
UPS	14.88
USA BLUEBOOK	113.72
USI EDUCATION AND GOVERN	487.99
UTILITY EQUIPMENT COMPAN	2,677.54
WARGA BROADCASTING LLC	300.00
WATER DEPARTMENT-PETTY C	450.07
WELLS FARGO BANK, N.A.	58,108.75
WELLS FARGO FINANCIAL LE	177.49
WINDSTREAM	5,284.58
Total Claims	484,303.97
Grand Total 4/23/08 thru 5/19/08	616,974.02

ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins, Derby and Porter. No-None. Absent-

Kerns and Tesarek. Abstain-None. MOTION CARRIED.

UNFINISHED BUSINESS

There was no unfinished business to be discussed.

NEW BUSINESS

ITEM 8 A

Pursuant to publication, the Mayor opened the public hearing at 7:06 p.m. with regard to the Franchise Agreement between the City of Plattsmouth and CC VI, LLC, "Charter Communications" for a ten year term. No one spoke in favor of or in opposition to the Franchise Agreement. The Mayor closed the public hearing at 7:07 p.m.

ITEM 8 B

Motion by Wassinger, seconded by Porter to approve the Franchise Agreement between the City of Plattsmouth and CC VI, LLC, "Charter Communications" for a ten year term and authorize the Mayor to execute the agreement. After discussion the Mayor asked for ROLL CALL: Yes-Jenkins, Derby, Porter, Bowman, Tilson and Wassinger. No-None. Absent-Kerns and Tesarek. Abstain-None. MOTION CARRIED.

ITEM 8 C

Roger Johnson, City Attorney stated that the Ballot was due to the restructuring of corporate debt thru the bankruptcy court. Rex Buettgenbach, Director of Operations for Charter Communications stated that the Ballot is unique. The amounts are monies due the community at the time of filing Chapter 11 bankruptcy which was May 5, 2009. Motion by Bowman, seconded by Wassinger to approve a Ballot Accepting Debtors' Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for General Unsecured Claims in the amount of \$267.00 and authorize the Mayor to execute the Ballot. ROLL CALL: Yes-Derby, Porter, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-Kerns and Tesarek. Abstain-None. MOTION CARRIED.

ITEM 8 D

Motion by Bowman, seconded by Jenkins to approve a Ballot Accepting Debtors' Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for General Unsecured Claims in the amount of \$13,012.51 and authorize the Mayor to execute the Ballot. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Derby, Porter and Bowman. No-None. Absent-Kerns and Tesarek. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Wassinger seconded by Derby to adopt Resolution No. 09-013:

RESOLUTION No. 09-013

WHEREAS, the Census is vital to our community in that it determines the apportionment of seats in the United States House of Representatives and the State Legislature, and is the basis for the allocation of billions of dollars of Federal, State, and County funds for social and others programs; and

WHEREAS, the Census is also used to help determine where to locate schools, day care centers, senior citizen centers, hospitals, and other facilities and is used to make decisions concerning business growth and jobs; and

WHEREAS, the Census information is confidential and Federal law prohibits any public or private agency from gaining access to confidential Census data; and

WHEREAS, in Plattsmouth, Cass County, Nebraska, we are committed to a full and accurate Census count and are placing special emphasis on enumerating members of population groups traditionally undercounted; and

WHEREAS, in Plattsmouth, Cass County, Nebraska, we are committed to partnering with the United States Census Bureau in preparing for Census 2010 through address list updates, census map corrections, and jurisdictional boundary updates; and

WHEREAS, in Plattsmouth, Cass County, Nebraska, we encourage community stakeholder groups, including elected officials, community based organizations, business groups, religious institutions, the media, and others to place priority and emphasis on Census 2010;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PLATTSMOUTH that Census 2010 is a priority and we encourage all community stakeholders to partner with the U.S. Census Bureau in achieving an accurate and complete count in Census 2010.

PASSED AND APPROVED this _____ day of May 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/S/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read the Resolution in to the record. ROLL CALL: Yes-Porter, Bowman, Tilson, Wassinger, Jenkins and Derby. No-None. Absent-Kerns and Tesarek. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Porter, seconded by Bowman to refer the request to officially vacate a street/alley located at: South 13th Street between Lot 4, Block 43 Young & Hayes Addition and Lot 1 of Block 1 of Hayes Addition to the Streets and Alleys Committee for review and bring a recommendation to the next regularly scheduled City Council Meeting. MOTION CARRIED on a voice vote.

7:24 p.m. Motion made by Jenkins seconded by Tilson to adjourn. MOTION CARRIED.

/s/ R. Paul Lambert, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk