

PLATTSMOUTH CITY COUNCIL  
October 5, 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 October 5, 2009 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Kerns, Terry D. Tilson, Ruth Wassinger, Rod Jenkins and Art Tesarek. 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:

No one spoke at Citizen Delegation

MAYOR PROCLAMATION

Mayor Lambert proclaimed October 18-24, 2009 as National Friends of Libraries Week in the City of Plattsmouth.

CONSENT AGENDA:

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

- A Approval of September 21, 2009 City Council Meeting Minutes
- B Consider for approval the Plattsmouth Volunteer Fire Department street closing request from the east and west alley to Avenue A on North 5<sup>th</sup> Street on Thursday, October 8, 2009 from 1:00 p.m. to 10:00 p.m. for the Annual Spaghetti Feed
- C Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 9/25/09 not Net as before.

General Admin 15,026.50

Humane Dept 810.00

Police Dept 30,588.72

Street Dept 12,236.97  
Public Library 6,315.31  
Parks 2,448.75  
Oakhill Cemetery 2,219.02  
Community Center 10,566.52  
Senior Center 1,750.68  
Pool  
Payroll Sewer Dept. 3,894.57  
Payroll Water Dept. 7,227.16  
TOTAL SALARIES 93,084.20

VARIOUS

|                           |           |
|---------------------------|-----------|
| AMERICAN FAMILY LIFE      | 24.10     |
| AMERITAS LIFE INSURANCE   | 7,373.04  |
| BLUE CROSS BLUE SHIELD    | 25,869.36 |
| CINTAS CORPORATION #749   | 27.25     |
| EMC NATIONAL LIFE COMPAN  | 98.65     |
| FRATERNAL ORDER OF POLICE | 210.00    |
| MUTUAL OF OMAHA           | 627.25    |
| PLATTSMOUTH STATE BANK    | 1,545.84  |
| SHELL                     | 4,245.46  |
| THE UNION CENTRAL LIFE I  | 155.02    |
| UNITED STATES LIFE INSUR  | 103.00    |

GENERAL ADMINISTRATION

|                          |          |
|--------------------------|----------|
| ADVANCED OFFICE AUTO     | 96.24    |
| AMERITAS LIFE INSURANCE  | 606.82   |
| BLUE CROSS BLUE SHIELD   | 382.40   |
| CASS COUNTY TREASURER    | 9,782.50 |
| DELTA DENTAL PLAN        | 297.00   |
| FIRST BANKCARD           | 331.38   |
| KENNEDY STORAGE          | 50.00    |
| LEAGUE OF NEB MUNICIPALI | 8,416.20 |
| MATT PARROTT & SONS CO.  | 260.42   |
| NEBRASKA UNEMPLOYMENT CO |          |
| 1,221.86                 |          |
| NEXTEL PARTNERS          | 160.89   |
| OLMSTED & PERRY ENGINEER | 683.80   |
| PAYLESS OFFICE PRODUCTS  | 129.38   |
| PITNEY BOWES PURCHASE PO | 87.72    |
| PLATTSMOUTH STATE BANK   | 200.00   |
| SCHNEIDER AGENCY         | 15.00    |
| WELLS FARGO FINANCIAL LE | 177.49   |

HUMANE/CODE ENFORCEMENT

|                          |          |
|--------------------------|----------|
| BOMGAARS SUPPLY          | 63.98    |
| HEARTS UNITED            | 115.00   |
| NEXTEL PARTNERS          | 71.33    |
| WILES BROS. INC.         | 132.54   |
| RESCUE SQUAD             |          |
| ALAMAR UNIFORMS          | 149.07   |
| BOUND TREE MEDICAL LLC   | 9.00     |
| CITY TREASURER           | 22.41    |
| CLIA LABORATORY PROGRAM  | 150.00   |
| EMS BILLING SERVICES INC | 1,479.87 |
| POLICE DEPARTMENT        |          |
| DELTA DENTAL PLAN        | 671.20   |
| FARM PLAN                | 5.19     |
| IACP NET                 | 500.00   |
| STREET DEPARTMENT        |          |
| ALLIED OIL & SUPPLY INC  | 137.90   |
| BLACK HILLS ENERGY       | 41.44    |
| BOMGAARS SUPPLY          | 91.98    |
| CINTAS CORPORATION #749  | 290.70   |
| DELTA DENTAL PLAN        | 286.10   |
| FARM PLAN                | 19.98    |
| HERTZ                    | 119.84   |
| LOGAN CONTRACTORS SUPPLY | 149.95   |
| MEESEKE ACE HARDWARE     | 66.13    |
| NEXTEL PARTNERS          | 169.11   |
| PAYLESS OFFICE PRODUCTS  | 239.67   |
| PLATTSMOUTH READY MIX IN | 1,103.26 |
| PUBLIC LIBRARY           |          |
| DELTA DENTAL PLAN        | 118.30   |
| NEBRASKA DEPT OF REVENUE | 1,639.80 |
| PAYLESS OFFICE PRODUCTS  | 305.49   |
| SPRAGUE ELECTRIC         | 671.00   |
| PARK & RECREATION        |          |
| BLACK HILLS ENERGY       | 17.10    |
| BOMGAARS SUPPLY          | 99.91    |
| CITY TREASURER           | 3.96     |
| FARM PLAN                | 143.84   |
| JOHN DEERE CREDIT        | 1,559.55 |
| NEBRASKA PUBLIC POWER DI | 88.59    |
| PAYLESS OFFICE PRODUCTS  | 179.94   |
| WILES BROS. INC.         | 76.59    |
| CEMETARY                 |          |
| DELTA DENTAL PLAN        | 49.50    |

|                          |          |
|--------------------------|----------|
| FARM PLAN                | 227.29   |
| NEBRASKA PUBLIC POWER DI | 20.54    |
| NEXTEL PARTNERS          | 50.05    |
| FIRE DEPARTMENT          |          |
| BILL DUDEK               | 281.24   |
| BRIAN WUELLING           | 84.37    |
| DANA F. COLE & COMPANY L | 1,484.00 |
| FORT DEARBORN LIFE INSUR | 161.68   |
| JONATHAN HARDY           | 22.50    |
| MICHAEL WILSON           | 84.37    |
| SCOTT D REISSIG          | 22.50    |
| SENIOR CITIZEN CENTER    |          |
| FOUR STAR LAUNDRY        | 129.03   |
| PAYLESS OFFICE PRODUCTS  | 35.60    |
| COMMUNITY CENTER         |          |
| ADVANCED OFFICE AUTOMATI | 58.14    |
| BLACK HILLS ENERGY       | 439.63   |
| BOMGAARS SUPPLY          | 7.67     |
| CAROL FADKE              | 75.00    |
| CHARTER BUSINESS         | 81.17    |
| CIT TECHNOLOGY           | 12.65    |
| CITY TREASURER           | 81.06    |
| DELTA DENTAL PLAN        | 68.80    |
| FIRE GUARD               | 59.35    |
| FOUR STAR LAUNDRY        | 54.53    |
| JEN RUDNICK              | 125.00   |
| KAREN BECKMAN            | 42.60    |
| KRIZ DAVIS CO            | 419.10   |
| LORI CRAM                | 159.75   |
| MENARDS                  | 72.28    |
| MICHAEL ANZALONE         | 240.00   |
| MIDWEST SOUND & LIGHTING | 259.94   |
| NEXTEL PARTNERS          | 42.24    |
| PAYLESS OFFICE PRODUCTS  | 106.38   |
| PLATTSMOUTH CITY LIBRARY | 88.88    |
| ROXANNE DOLECKI          | 50.00    |
| SHARI BARRIES            | 175.00   |
| UNITED SEED INC          | 275.00   |
| AQUATIC                  |          |
| AQUA CHEM INC            | 1,400.78 |
| BLACK HILLS ENERGY       | 18.20    |
| BOMGAARS SUPPLY          | 6.49     |
| FIRE GUARD               | 59.35    |

|                          |           |
|--------------------------|-----------|
| NDHHS ENGINEERING SERVIC | 100.00    |
| WINDSTREAM               | 45.74     |
| ECONOMIC DEVELOPMENT     |           |
| OLMSTED & PERRY ENGINEER | 62.50     |
| WATER DEPARTMENT         |           |
| BOMGAARS                 | 197.34    |
| BLACK HILLS ENERGY       | 17.10     |
| CENTRAL TRANSPORTATION S | 1,761.13  |
| CITY TREASURER           | 21,487.51 |
| DELTA DENTAL PLAN        | 126.70    |
| FASTENAL COMPANY         | 30.24     |
| HAWKINS INC              | 999.70    |
| HDR ENGINEERING INC      | 2,902.94  |
| HIGGINS HARDWARE         | 53.34     |
| MENARDS                  | 2,170.66  |
| NEBRASKA AIR FILTER INC  | 67.98     |
| NEBRASKA DEPARTMENT OF R | 25.00     |
| NEBRASKA PUBLIC HEALTH E | 279.00    |
| NEBRASKA PUBLIC POWER DI | 7,219.73  |
| NEXTEL PARTNERS          | 146.03    |
| OLMSTED & PERRY ENGINEER | 2,004.90  |
| PLATTSMOUTH READY MIX IN | 517.18    |
| RACO MANUFACTURING & ENG | 245.00    |
| SARGENT DRILLING         | 7,713.21  |
| SCOCO SUPPLY INC         | 826.57    |
| TINCHER CHEVROLET/OLDS I | 20,785.00 |
| UTILITY EQUIPMENT COMPAN | 282.21    |
| W.S.BUNCH CO INC         | 53,180.00 |
| WATER DEPARTMENT-PETTY C | 363.62    |
| SEWER DEPARTMENT         |           |
| AMERITAS LIFE INSURANCE  | 467.34    |
| UNITED STATES LIFE INSUR | 30.40     |
| CITY TREASURER           | 15,495.25 |
| EMC                      | 196.62    |
| MUTUAL OF OMAHA          | 18.96     |
| BLUE CROSS BLUE SHIELD   | 2,122.32  |
| DELTA DENTAL             | 148.50    |
| BOMGAARS                 | 103.25    |
| DPC                      | 45.00     |
| HDR                      | 17,203.37 |
| HDR                      | 9,963.81  |
| HOSE AND HANDLING        | 235.31    |
| NPPD                     | 2760.97   |

SENIOR CITIZEN CENTER SPECIAL REV  
WORTHINGTON DIRECT 164.54  
18 STP PROJECT STREET DEPARTMENT  
OLMSTED & PERRY ENGINEER 6,547.96  
CLAIMS TOTAL 260,412.57  
SALARY AND CLAIMS TOTAL 353,666.28

ROLL CALL: Yes-Tesarek, Porter, Kerns, Tilson, Wassinger and Jenkins. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

#### UNFINISHED BUSINESS

##### ITEM 8 A

Steve Perry, Olmsted & Perry Consulting Engineers Inc. presented 5 graphic layouts for the lettering to be placed on the South Water Tower. There would be an additional expense of Not To Exceed \$1,500.00 for the lettering on two sides of the water tower. Motion by Jenkins, seconded by Wassinger to approve Graphic Layout #3 which will be placed on two sides of the South Water Tower with an expense of Not To Exceed \$1,500.00. ROLL CALL: Yes-Kerns, Tilson, Wassinger, Jenkins, Tesarek and Porter. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Motion by Wassinger, seconded by Tesarek to approve an Interlocal Agreement between the City of Plattsmouth and Lower Platte South Natural Resources District for the inspection and maintenance of the five (5) Plattsmouth Watershed Flood Water Retarding Structures located within the city limits and/or zoning jurisdiction of the City; and authorize the Mayor to execute the Interlocal Agreement. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Porter and Kerns. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

##### ITEM 8 C

Motion by Wassinger, seconded by Jenkins to set the interest rate to be used when filing a Special Assessment on real estate improvements as: Seven percent (7%) after fifty days of becoming due and nine percent (9%) one year after becoming due. ROLL CALL: Yes-Porter, Kerns, Tilson, Wassinger, Jenkins and Tesarek. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

##### ITEM 8 D

Council Member Kerns introduced a Resolution numbered and titled: **Resolution No. 09-015(A): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

Motion by Kerns, seconded by Wassinger to adopt a resolution numbered and titled:

**RESOLUTION NO. 09-015(A)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

WHEREAS, the property owner of 226 South 6<sup>th</sup> Street failed to clean up said property following notice to do so for maintaining the property in violation of the City's ordinances;

WHEREAS, the City completed the cleanup at a cost of \$240.00 which the property owner has failed and refused to pay; and

WHEREAS, a public hearing was held and evidence was received and considered by the Mayor and City Council sitting as a Board of Adjustment and Equalization.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the following improvements were made to the property located at 226 South 6<sup>th</sup> Street which specially benefitted the same: property clean up/removal of trash.

BE IT FURTHER RESOLVED that the cost of the clean up is a correct statement of special benefit to the property and that there be and hereby is levied against the property \$240.00 which shall be due in a single payment not later than November 26, 2010, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 26, 2009, which is fifty days after the date of this assessment 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, interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk shall certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading the same 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 5th day of October 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-015(A) in to the record. ROLL CALL: Yes-Jenkins, Tesarek, Porter, Kerns, Tilson and Wassinger. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 E

Council Member Wassinger introduced a resolution numbered and titled: **Resolution No. 09-021(A): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

Motion by Wassinger, seconded by Tesarek to adopt a resolution numbered and titled:

**RESOLUTION NO. 09-021(A)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

WHEREAS, the property owner of 1416 Main Street failed to clean up said property following notice to do so for maintaining the property in violation of the City's ordinances;

WHEREAS, the City completed the cleanup at a cost of \$175.00 which the property owner has failed and refused to pay; and

WHEREAS, a public hearing was held and evidence was received and considered by the Mayor and City Council sitting as a Board of Adjustment and Equalization.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the following improvements were made to the property located at 1416 Main Street which specially benefitted the same: property clean up/garbage and refuse removal.

BE IT FURTHER RESOLVED that the cost of the clean up is a correct statement of special benefit to the property and that there be and hereby is levied against the property \$175.00 which shall be due in a single payment not later than November 26, 2010, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 26, 2009, which is fifty days after the date of this assessment 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, interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk shall certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading the same 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 5<sup>th</sup> day of October 2009



/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-021(A) in to the record. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Porter. Kerns and Tilson. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 F

Council Member Kerns introduced a resolution numbered and titled: **Resolution No. 09-022(A): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

Motion by Kerns, seconded by Wassinger to adopt a resolution numbered and titled:

**RESOLUTION NO. 09-022(A)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

WHEREAS, the property owner of 1424 2<sup>nd</sup> Avenue failed to clean up said property following notice to do so for maintaining the property in violation of the City's ordinances;

WHEREAS, the City completed the cleanup at a cost of \$800.00 which the property owner has failed and refused to pay; and

WHEREAS, a public hearing was held and evidence was received and considered by the Mayor and City Council sitting as a Board of Adjustment and Equalization.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the following improvements were made to the property located at 1424 2<sup>nd</sup> Avenue which specially benefitted the same: property clean up/garbage and refuse removal and mowing.

BE IT FURTHER RESOLVED that the cost of the clean up is a correct statement of special benefit to the property and that there be and hereby is levied against the property \$800.00 which shall be due in a single payment not later than November 26, 2010, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 26, 2009, which is fifty days after the date of this assessment 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, interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk shall certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading the same 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 5<sup>th</sup> day of October 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-022(A) in to the record. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Porter and Kerns. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 G

Council Member Jenkins introduced a resolution numbered and titled: **Resolution No. 09-023(A): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

Motion by Jenkins, seconded by Tesarek to adopt a resolution numbered and titled:

**RESOLUTION NO. 09-023(A)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENT AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

WHEREAS, the property owner of 810 4<sup>th</sup> Avenue failed to clean up said property following notice to do so for maintaining the property in violation of the City's ordinances;

WHEREAS, the City completed the cleanup at a cost of \$734.00 which the property owner has failed and refused to pay; and

WHEREAS, a public hearing was held and evidence was received and considered by the Mayor and City Council sitting as a Board of Adjustment and Equalization.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the following improvements were made to the property located at 810 4th Avenue which specially benefitted the same: property clean up/garbage and refuse removal.

BE IT FURTHER RESOLVED that the cost of the clean up is a correct statement of special benefit to the property and that there be and hereby is levied against the property \$734.00 which shall be due in a single payment not later than November 26, 2010, at which time the assessment shall be delinquent.

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 26, 2009, which is fifty days after the date of this assessment 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, interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk shall certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading the same 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 5<sup>th</sup> day of October 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 09-023(A) in to the record. ROLL CALL: Yes-Tesarek, Porter, Kerns, Tilson, Wassinger and Jenkins. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 A

Dave Taladay, SouthEast Nebraska Development District reviewed the recommendations from the Housing Rehabilitation Program Advisory Committee on bids received from Housing Rehabilitation Project. Motion by Wassinger, seconded by Jenkins to award the following contracts: Project #003 to North Star Construction with an amount Not To Exceed \$15,294.60; and Project #005 to BDB Waterproofing with an amount Not To Exceed \$12,699.50. ROLL CALL: Yes-Kerns, Tilson, Wassinger, Jenkins, Tesarek and Porter. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council Member Wassinger introduced a resolution numbered and titled: **Resolution No. 09-027: SRF Funding for the North Water Tower Project No.311224**

Motion by Wassinger, seconded by Jenkins to adopt a resolution numbered and titled:

**RESOLUTION NO. 09-027**

WHEREAS, the City of Plattsmouth, Nebraska recognizes that a properly functioning public water supply system is necessary to the health and welfare of the citizens of the City of Plattsmouth; and

WHEREAS, the Mayor and City Council have determined that portions of the City public water supply system are in need of significant repair and improvement; and

WHEREAS, funding for the cost of the repair and improvement of portions of the City public water supply system may be obtained by loan from the Nebraska Department of Environmental Quality, subject to certain requirements and obligations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Plattsmouth, Nebraska that they should execute the contract for loan between the Nebraska Department of Environmental Quality and the City of Plattsmouth, Nebraska designated as **Project No. D311224**, incorporated by reference into this Resolution as if fully set forth; and

BE IT FURTHER RESOLVED, R. Paul Lambert, Mayor is hereby directed to execute the contract and all other documents necessary to facilitate the loan between the Nebraska Department of Environmental Quality and the City of Plattsmouth, Nebraska for the purpose of repairing and improving the City public water supply system; and

BE IT FURTHER RESOLVED THAT **Ervin L. Portis, City Administrator**, be authorized and directed to sign all necessary documents, to furnish such assurances to the State of Nebraska as may be required by law or regulations, and to receive payment on behalf of the applicant.

PASSED AND APPROVED THIS 5<sup>th</sup> day of October, 2009.

/s/R. Paul Lambert, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5<sup>th</sup> day of October, 2009.

/s/Clerk of the City of Plattsmouth, Nebraska

City Attorney Roger Johnson read Resolution No. 09-027 in to the record. ROLL CALL: Yes-Jenkins, Tesarek, Porter, Kerns, Tilson and Wassinger. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council Member Jenkins introduced an ordinance numbered and titled as follows: **Ordinance No. 1794: AN ORDINANCE TO AMEND CHAPTER 1, ARTICLE 7, SECTION 1-713 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002, ENTITLED WARDS AND PRECINCTS FOR THE PURPOSES OF ELECTIONS BY DELETING SAME IN ITS ENTIRETY AND SUBSTITUTING THE FOLLOWING; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE**

**AN EFFECTIVE DATE.** Motion by Jenkins, seconded by Wassinger that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1794 be adopted on first reading by title only. ROLL CALL: Yes-Porter, Kerns, Tilson, Wassinger, Jenkins and Tesarek. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Jenkins moved for final passage of the ordinance, which motion was seconded by Tesarek. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Porter, Kerns and Tilson. No-None. Absent-Bowman and Derby. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 D

Beckie Vermuele, Program Director for the Plattsmouth Community Center presented information on the activities planned for the Plattsmouth Community Center Kids Health Expo which is scheduled to be held on Saturday, October 10, 2009 at the Plattsmouth Community Center. Vermuele also stated that the \$30.00 membership joining fee will be waived during this event so this will be an opportunity to increase memberships.

ITEM 9 E

Bill Dudek, Plattsmouth Volunteer Fire Department Fire Chief presented the 2009 3<sup>rd</sup> Quarter report. Chief Dudek reported that from July 1, 2009 through September 30, 2009 there were 33 Fire Calls and AMR responded to 89 Rescue calls. Membership for each department is: Fire-51 members and Rescue-16 members with an additional 6 applications pending. The Chief also stated that Fay Jose, a Fire and Rescue member, was recognized as the "Oldest EMT in Nebraska". The State Licensure Inspection for the Rescue Squad was discussed.

ITEM 10

The Streets and Alleys Committee had nothing to present.

ITEM 11

Erv Portis, City Administrator reviewed three issues that were discussed by the League's Legislative Committee: Library Board Structure; Standardizing Licensing for ATV's; and Proposed constitutional amendment to authorize 30-year Tax Increment Financing.

ITEM 14

8:13 p.m. Motion by Tesarek, seconded by Jenkins to adjourn. MOTION CARRIED

/s/ R. Paul Lambert, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk