

PLATTSMOUTH CITY COUNCIL  
December 6, 2010

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 6, 2010 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Kerns, Mike Bowman, Terry Tilson, Ruth Wassinger, Rod Jenkins, Art Tesarek and Doug Derby. Also present: City Administrator Erv Portis, City Inspector Kevin Larson, 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 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.

Mayor Lambert read a December 6, 2010 letter of apology that was written to the Citizens of Plattsmouth by Michael Davis-VFW Post 2543 regarding the renaming of Pleasant Drive. The Mayor stated that Commander Davis' first letter, written and published in the news media, contained erroneous information, he felt that there was a lack of judgment on the part of Mr. Davis and considered the letter a personal slam toward the community and the family of a brave young man. Council Member Wassinger stated that last Thursday (12/2/2010) was one of the most challenging days she has had since being elected to the City Council. Wassinger made reference to the numerous e-mails and Facebook postings she received based on the erroneous information contained in Mr. Davis' letter to the citizens. Wassinger challenged the person who gave the erroneous information to come forward and admit the mistake. Wassinger also stated that one of the comments she received was "ashamed they knew me" and it was hard to take.

ITEM 5-CONSENT AGENDA:

Motion by Jenkins, seconded by Derby to approve the consent agenda as listed:

- A Consider approval of November 15, 2010 City Council Meeting Minutes
- B Consider approval of claims

DATE 12/02/2010

CITY OF PLATTSMOUTH

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CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 11/19/2010 not Net as before.

General Admin 12,271.22

Humane 1,112.80

Police 32,807.25

Street 10,857.84  
 Public Library 4,891.64  
 Parks 780.00  
 Oakhill Cemetery 1,417.52  
 Community Center 8,389.65  
 Senior Center 1,868.69  
 Pool 0  
 Sewer 4,040.69  
 Water 7,517.11  
 Rescue 2,627.50  
 TOTAL SALARIES 88,581.91

VARIOUS

AMERICAN FAMILY LIFE 24.10  
 BLUE CROSS BLUE SHIELD 34,878.49  
 DELTA DENTAL PLAN 52.00  
 FIDELITY 240.16  
 FRATERNAL ORDER OF POLIC 195.00  
 MUTUAL OF OMAHA 581.90  
 PLATTSMOUTH STATE BANK 1,264.60  
 Shell 4,304.27  
 THE UNION CENTRAL LIFE I 155.02  
 UNITED STATES LIFE INSUR 91.21

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI 318.78  
 CHARTER BUSINESS 40.00  
 DELTA DENTAL PLAN 260.00  
 EMC INSURANCE COMPANY 2,500.00  
 FIRST BANKCARD 1,519.75  
 FIRST WATCH INC 12.50  
 J P COOKE COMPANY 11.25  
 JOHN BAXTER 50.00  
 JOHNSON LAW OFFICE 13.75  
 LEAGUE OF NEB MUNICIPALI 360.71  
 MATT PARROTT & SONS CO. 330.96  
 NEBRASKA PUBLIC POWER DI 143.90  
 PAYFLEX 30.20  
 PAYLESS OFFICE PRODUCTS 73.10  
 PITNEY BOWES INC. 145.00  
 SHARP's Cleaning 107.00  
 TYLER TECHNOLOGIES 3,996.09  
 VERIZON WIRELESS 46.96  
 WELLS FARGO BANK 1,500.00  
 WELLS FARGO FINANCIAL LE 177.49

HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 29.83  
 HEARTS UNITED 356.00  
 LAMBERT VET SUPPLY 93.42  
 VERIZON WIRELESS 23.48

POLICE

ALLIED OIL & SUPPLY INC	40.98
CASS COUNTY SHERIFF	7,018.00
DELTA DENTAL PLAN	757.20
FIRST BANKCARD	589.98
FIRST WATCH INC	40.32
FORD MOTOR CREDIT COMPAN	7,879.45
GALLS	110.98
JACK'S UNIFORMS & EQUIPM	99.69
PAYFLEX	38.12
PAYLESS OFFICE PRODUCTS	71.33
PLATTSMOUTH COLLISION RE	40.00
QUALITY SIGNS	275.00
VERIZON WIRELESS	70.45
WARGA BROADCASTING LLC	600.00

STREET

ALLIED OIL & SUPPLY INC	166.42
ASPHALT & CONCRETE MATER	580.80
ASPHALT SOLUTIONS	764.62
BLACK HILLS ENERGY	201.51
BOMGAARS SUPPLY	77.14
CASS COUNTY DEPT OF ROAD	165.00
DELTA DENTAL PLAN	300.60
FASTENAL COMPANY	18.49
FIRST WATCH INC	166.29
KRIZ DAVIS CO	48.64
LINDER TIRE & AUTO INC	110.00
MARTIN MARIETTA AGGREGAT	1,026.81
MENARDS	554.21
MICHAEL TODD & COMPANY I	1,570.03
NEBRASKA IOWA SUPPLY	3,608.86
NEBRASKA PUBLIC POWER DI	68.88
PAYFLEX	7.92
PLATTSMOUTH READY MIX IN	733.88
ROSE EQUIPMENT INC	165.00
TITAN MACHINERY	359.05
U.S. ASPHALT COMPANY	12,812.36
VERIZON WIRELESS	93.94
WATER & SEWER DEPARTMENT	312.77

PUBLIC LIBRARY

BAKER & TAYLOR BOOKS	919.23
CENTER POINT LARGE PRINT	41.34
COMPUTERS TO GO	75.00
DELTA DENTAL PLAN	104.00
GALVIN GLASS	76.64
PAYFLEX	7.92
BAKER & TAYLOR BOOKS	28.93
BAKER & TAYLOR BOOKS	25.18
CENTER POINT LARGE PRINT	243.24
CHARTER BUSINESS	40

IKON OFFICE SOLUTION	33.28
IKON OFFICE SOLUTIONS	378.78
NEBRASKA PUBLIC POWER DI	394.12
FASTENAL COMPANY	11.44
MICHAEL TODD & COMPANY I	72.00
NEBRASKA PUBLIC POWER DI	73.04
TILSON AUTOMOTIVE	201.30
VERIZON WIRELESS	23.48
CEMETERY	
DELTA DENTAL PLAN	52.00
FIRST WATCH INC	13.50
NEBRASKA PUBLIC POWER DI	26.32
PAYFLEX	7.92
UNLIMITED VISION LLC	63.00
FIRE DEPARTMENT	
BILL DUDEK	84.37
BRIAN WUELLING	84.37
ERIC GRIMSHAW	22.50
FIRST BANKCARD	19.95
FORT DEARBORN	199.52
JIM PACZKOWSKI	22.50
MICHAEL WILSON	261.29
NEBRASKA PUBLIC POWER DI	129.75
SENIOR CITIZEN CENTER	
BLACK HILLS ENERGY	131.13
EGAN SUPPLY CO	165.52
PAYLESS OFFICE PRODUCTS	14.97
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	53.81
ALLISON WELCH	150.00
AQUA LOGIC INC	643.85
BETTINA MOSLEY	400.00
BLACK HILLS ENERGY	1,180.22
BOMGAARS SUPPLY	17.99
CAITLYN HANZIK	52.50
CHARTER BUSINESS	85.80
CIT TECHNOLOGY	156.85
DEBBIE BAGGENSTOSS	175.00
DELTA DENTAL PLAN	72.30
DIANNE POGREBA	350.00
DOLLAR GENERAL	65.50
DONNA HOLMES	150.00
FERGUSON ENTERPRISES	85.76
FIRE GUARD	172.80
FISERV	187.50
FOUR STAR LAUNDRY	38.52
KAREN MOREHEAD	225.00
KELLEY SCANLAN	110.00
LEIGH ANN EGGERT	40.00
MICHAEL ANZALONE	480.00

MICHAEL L. & DEBRA S. FL	1,710.40
MICHELLE MCKNIGHT	30.00
NEBRASKA AIR FILTER INC	65.91
PAMIDA DISCOUNT CENTER	101.08
PERMITE CO OF NEB AND IA	125.00
PLATTSMOUTH STATE BANK	9,419.48
ROXANNE DOLECKI	150.00
SARAH ASCHENBRENNER	80.00
SHARI BARRIES	270.00
THOMAS WOODS	975.00
VERIZON WIRELESS	46.97
AQUATIC	
BLACK HILLS ENERGY	19.16
FIRST WATCH INC	20.16
ECONOMIC DEVELOPMENT	
BOMGAARS SUPPLY	12,000.00
DEBT SERVICE	
PLATTSMOUTH STATE BANK	107,347.50
WATER & SEWER DEPARTMENT	12,226.44
EMS	
C & L CLEANING	100.00
DELTA DENTAL PLAN	52.00
EMS BILLING SERVICES INC	2,620.05
FOUR STAR LAUNDRY	4.51
LIFE-ASSIST INC	399.93
LINDER TIRE & AUTO INC	30.00
NEBRASKA PUBLIC POWER DI	129.75
TINCHER FORD-MERCURY INC	564.32
VERIZON WIRELESS	104.91
ZOLL MEDICAL CORPORATION	766.31
WATER	
BLACK HILLS ENERGY	43.11
BOMGAARS SUPPLY	382.71
CASS COUNTY DEPT OF ROAD	40.00
CENTRAL TRANSPORTATION S	1,735.93
DELTA DENTAL PLAN	133.20
FIRST WATCH INC	50.00
HACH COMPANY	328.28
HAWKINS INC	410.00
HD SUPPLY WATERWORKS LTD	2,217.93
IMPACT MANUFACTURING	850.57
MENARDS	22.26
MISSISSIPPI LIME COMPANY	3,150.00
MUNICIPAL SUPPLY INC	529.58
NDEQ - FISCAL SERVICES	90,477.93
NEBRASKA PUBLIC HEALTH E	691.00
NMC EXCHANGE LLC	69.95
PAYFLEX	7.92
TYLER TECHNOLOGIES	1,598.44
USA BLUEBOOK	3,736.56

VERIZON WIRELESS	70.45
WATER DEPARTMENT-PETTY C	385.55
SEWER	
BLUE CROSS BLUE SHIELD	2,425.76
CENTRAL UNITED LIFE INSU	265.44
MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	30.40
BOMGAARS SUPPLY	224.17
DELTA DENTAL PLAN	156.00
DPC INDUSTRIES INC	45.00
HONEYMAN RENT-ALL	38.87
LINDER TIRE & AUTO INC	16.00
MIDWEST LABORATORIES INC	358.40
NEBRASKA ENVIRONMENTAL P	242.65
O'REILLY AUTOMOTIVE INC	45.19
TYLER TECHNOLOGIES	1,065.62
USA BLUEBOOK	329.92
VERIZON WIRELESS	23.48
DRUG FORFEITURE	
COLEMAN TECHNOLOGIES	588.00
NEXTEL PARTNERS	166.26
20 CSO PROJECT (CLEAN WATER SRF)	
HDR ENGINEERING INC	21,745.19
21 NEW WATER TOWER PROJECT (DWSRF)	
HDR ENGINEERING INC	2,249.03
NDEQ - FISCAL SERVICES	7,027.13
24 .05% SALES TAX STREET/SIDE MAINT	
HDR ENGINEERING INC	13,879.54
Total Claims 409,972.10	
Total Salaries and Claims 498,554.01	

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

#### ITEM 6-UNFINISHED BUSINESS

##### ITEM 6 A

Council Member Bowman introduced an Ordinance numbered and titled as follows: Ordinance No. 1820: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002 BY ENACTING CHAPTER V, ARTICLE 12, ENTITLED SIDEWALK CAFÉS, FOR THE PURPOSE OF REGULATING THE OPERATION OF SIDEWALK CAFÉS ON THE PUBLIC SIDEWALKS OF PLATTSMOUTH AND TO REQUIRE A WRITTEN PERMIT THEREFORE; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Tilson that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1820 be adopted on first reading by title only. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins,

Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Bowman moved for final passage of the ordinance, which motion was seconded by Tilson. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 6 B

Council Member Bowman introduced a Resolution numbered and titled: RESOLUTION NO. 10-029: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REUSE AND OTHER ECONOMIC DEVELOPMENT FUNDS FOR PUBLIC INFRASTRUCTURE AND OTHER WORK NECESSARY TO DOWNTOWN REVITALIZATION.**

Motion by Bowman, seconded by Wassinger to adopt Resolution No. 10-029:

**RESOLUTION NO. 10-029**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REUSE AND OTHER ECONOMIC DEVELOPMENT FUNDS FOR PUBLIC INFRASTRUCTURE AND OTHER WORK NECESSARY TO DOWNTOWN REVITALIZATION.**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA:

WHEREAS the City has been awarded Community Development Block Grant (CDBG) Downtown Revitalization Program Category funds through the Nebraska Department of Economic Development (NDED);

WHEREAS the City has established an economic development program pursuant to Nebraska Revised Statutes, Sections 18-2701 through 18-2738;

WHEREAS the economic development plan authorizes the use of funds for infrastructure improvements; and

WHEREAS infrastructure improvements are necessary in the Downtown Revitalization Program.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby approves the use of funds from the CDBG funds and from the economic development program as are necessary to complete the Downtown Revitalization project.

PASSED AND APPROVED this 6<sup>TH</sup> day of December 2010.

/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-Wassinger, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-Jenkins. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 6 C

Council Member Wassinger introduced a Resolution numbered and titled: RESOLUTION NO. 10-030: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE A SPECIAL USE PERMIT FOR THE OPERATION OF AN AUTO BODY REPAIR SHOP AT 1502 S. 15<sup>TH</sup> STREET, PLATTSMOUTH, NEBRASKA (LEGALLY DESCRIBED AS LOT 1, D&W SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN CASS COUNTY, NEBRASKA), WHICH IS LOCATED IN A GENERAL COMMERCIAL ZONING DISTRICT (GC).**

Motion by Wassinger, seconded by Jenkins to adopt Resolution No. 10-030:

**RESOLUTION NO. 10-030**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE A SPECIAL USE PERMIT FOR THE OPERATION OF AN AUTO BODY REPAIR SHOP AT 1502 S. 15<sup>TH</sup> STREET, PLATTSMOUTH, NEBRASKA (LEGALLY DESCRIBED AS LOT 1, D&W SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN CASS COUNTY, NEBRASKA), WHICH IS LOCATED IN A GENERAL COMMERCIAL ZONING DISTRICT (GC).**

WHEREAS, an application has been made for a special use permit for the operation of an auto body repair shop in a general commercial zoning district (GC);

WHEREAS, the Planning Commission of the City of Plattsmouth has recommended approval of said special use permit subject to the condition that outside storage areas must be screened with opaque fencing in compliance with the City's the Land Development Ordinance dated August 2006; and

WHEREAS, the Mayor and City Council conducted a public hearing on application during the November 15, 2010 City Council meeting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the application of D & W Land Co. for a special use permit for the operation of an auto body repair



shop at 1502 S. 15<sup>TH</sup> Street, Plattsmouth, Nebraska (legally described as Lot 1, D & W Subdivision, as surveyed, platted and recorded in Cass County, Nebraska) is approved subject to the requirement that outside storage areas must be screened with opaque fencing in compliance with the City's the Land Development Ordinance dated August 2006.

PASSED AND APPROVED this 6<sup>TH</sup> day of December 2010.

/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-Jenkins, Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6 D

Motion by Jenkins, seconded by Tilson to receive and consider the application by the Plattsmouth Community Schools for a special use permit for primary and secondary education in a GC (General Commercial) district on property located west of Plattsmouth High School, 15508 2<sup>nd</sup> Avenue, legally described as Plattsmouth Outlots, PT DB 147, P465, Northwest ¼ 24-12-13 (.63a) contingent upon the recommendations of the consultant. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6 E

Council Member Tilson stated that he has had 20 constituents contact him regarding the discussion on contracting for a single Waste Hauler within the Corporate Limits of the City of Plattsmouth-78% prefer free enterprise. One hauler would be cheaper and more reliable for the citizens, recycling would be negotiated in the contract for one hauler and the impact on the surrounding areas needs to be considered. Council Member Wassinger said that her input from the public was split 50/50. Council Member Bowman stated that he had been contacted by 6 citizens and they were all in favor of a single hauler. Council Member Derby said all input he received was positive.

Mayor Lambert read a letter that was received from Victoria Redding widow of Army Sgt. Blaine E. Redding, a member of 101<sup>st</sup> Airborne Division, serving in Afghanistan who was killed June 7, 2010.

#### ITEM 7

7:31 P.M. Motion by Tilson, seconded by Jenkins to adjourn. On a voice vote, MOTION CARRIED.

Roger Johnson, City Attorney administered the Oath of Office to the newly elected Mayor and City Council Members: Mayor R. Paul Lambert and Council Members John Porter, Mike Bowman, Pat Dugan and Doug Derby.

7:34 p.m. Answering Roll Call to the reconvening City Council Meeting: John Porter, Terry Kerns, Mike Bowman, Terry D. Tilson, Ruth Wassinger, Pat Dugan, Arthur Tesarek and Doug Derby.

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 DELEGATION

Jennifer Jensen, Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole, 441 Main Street, Plattsmouth informed the Mayor and Council that plans with 3 other merchants to provide free rides home on New Year's Eve for anyone have been made in hopes that two parking spots could be reserved for the designated vehicles providing the transportation.

Charles Jones, Executive Director of the Main Street Association reported that the Christmas on Main event was very successful.

#### ITEM 5- CONSENT AGENDA:

Motion by Wassinger, seconded by Derby to approve the consent agenda as listed:

- A Consider approval of Mayor's recommendation to appoint Rod Jenkins to fill the Plattsmouth Bridge Commission seat vacated by Pat Dugan which expires October 15, 2013
- B Consider approval of Mayor's nomination of the following as appointed officials:
  - Ervin Portis City Administrator
  - Roger K. Johnson City Attorney
  - Sandra J. Meyer City Clerk
  - Peggy A. Wilsey City Treasurer
  - Steve Perry City Engineer
  - Gary Hellwig Public Works Director
  - Steve Rathman Chief of Police
  - Kevin Larson City Inspector/Zoning Administrator
  - Mike Wilson Fire Chief
  - Mike Wood Emergency Medical Services Director
- C Consider a recommendation to the Nebraska Liquor Control Commission with regard to an Application for a Special Designated License submitted by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole, 441 Main Street, Plattsmouth for a Chili Cook-off at Plattsmouth Community Center, 308 South 18<sup>th</sup> Street, Plattsmouth on January 14, 2011 from 3:00 p.m. to 12:00 a.m.

D Consider a recommendation to the Nebraska Liquor Control Commission with regard to an Application for a Special Designated License submitted by the Knights of Columbus for the Plattsmouth Chamber of Commerce Award Banquet at St. John's School, 502 South 18<sup>th</sup> Street, Plattsmouth on January 20, 2011 from 12:00 p.m. to 12:00 a.m.

E Receive and consider approval of the Plattsmouth Emergency Medical Services Department Roster

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

#### ITEM 6 – NEW BUSINESS

##### ITEM 6 A

Motion by Kerns, seconded by Wassinger to refer to the Streets and Alleys Committee for a report to the Council on December 20<sup>th</sup> the request to rename Pleasant Drive in the City of Plattsmouth, in memory of Army Sgt. Blaine E. Redding, a member of 101<sup>st</sup> Airborne Division, serving in Afghanistan who was killed June 7, 2010. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Dugan, Tesarek, Derby and Kerns. No-Porter. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 6 B

Motion by Wassinger, seconded by Porter to approve Task Order No. 3 for CSO Sewer Separation Phase 2 Preliminary Design engineering services with HDR Inc. at a cost not to exceed \$27,700.00 and authorize the Mayor to execute the Task Order. ROLL CALL: Yes-Tilson, Wassinger, Dugan, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 6 C

Motion by Wassinger, seconded by Derby to approve Change Order No. 6 on the Main Street Corridor Improvement Project for a revised contract price with all approved change orders from \$4,732,023.69 to \$4,767,348.92; a revised contract time from 460 calendar days to 473 calendar days; and direct the Mayor to execute the document. ROLL CALL: Yes-Wassinger, Dugan, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 6 D

Motion by Bowman, seconded by Tilson to approve the Graham Construction Application and Certificate for Pay, Application No. 5, Main Street Corridor Improvement Project, in the amount of \$400,622.32, authorize payment and direct the Mayor to execute Pay Application No. 5. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6 E

Pursuant to publication, the Mayor opened the public hearing at 7:46 p.m. with regard to a request by Jeff Henry for rezoning from R2 (Urban Residential Medium Density) to CBD (Central Business District) on property located at 721 2<sup>nd</sup> Ave., Plattsmouth, legally described as Lots 5 and 6, Block 54, Original Town, Plattsmouth, Cass County, Nebraska. No one spoke in favor or opposition to the request. The Mayor closed the public hearing at 7:47 p.m.

#### ITEM 6 F

Motion by Wassinger, seconded by Tilson to direct the preparation of an ordinance rezoning from R2 (Urban Residential Medium Density) to CBD (Central Business District) the property located at 721 2<sup>nd</sup> Ave., Plattsmouth, legally described as Lots 5 and 6, Block 54, Original Town, Plattsmouth, Cass County, Nebraska. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6 G

Motion by Wassinger, seconded by Dugan to approve the Community Development Block Grant Housing Rehabilitation Contract for rehabilitation work to the residence located at 222 South 15<sup>th</sup> Street, Plattsmouth at a total revised project cost of \$23,388.33. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6 H

Council Member Tilson introduced an ordinance numbered and titled as follows: Ordinance No. 1821: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 2, ARTICLE VII OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002 AS IT RELATES TO THE LIBRARY; TO ESTABLISH THE LIBRARY BOARD AS AN ADVISORY BOARD TO MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL CONCERNING THE OPERATION OF THE PUBLIC LIBRARY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Tilson, seconded by Wassinger that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1821 be adopted on first reading by title only. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Dugan, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Tilson moved for final passage of the ordinance, which motion was seconded by Porter. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Dugan, Tearek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9

8:02 p.m. Motion by Tesarek, seconded by Porter to adjourn. On a voice vote, MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk