

PLATTSMOUTH CITY COUNCIL
March 5, 2012

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 5, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan and Art Tesarek. Council Members absent: Doug Derby. Also present: City Administrator Ervin Portis, 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 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 Riese, seconded by Dugan to approve the consent agenda as presented:

- A Consider approval of February 20, 2012 Plattsmouth City Council Meeting Minutes
- B Consider recommendation for approval of a Manager Application for Joseph J. Ostaseski in connection with the Veterans of Foreign Wars Post 2543, 510 1st Avenue, Plattsmouth NE, Liquor License No. C-01659
- C Consider recommendation for approval of a Special Designated License filed by the Knights of the Roundtable for an event at 502 South 18th Street, Plattsmouth NE on April 25, 2012 from 12:00 p.m. to 12:00 a.m.
- D Consider recommendation for approval of a Special Designated License filed by the Knights of the Roundtable for a Reception at 502 South 18th Street, Plattsmouth NE on June 9, 2012 from 12:00 p.m. to 12:00 a.m.
- E Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 2/24/2012 not Net as before

General Admin 13,933.51
Humane 1,146.40
Police 30,320.48
Street 10,982.71
Public Library 6,407.48
Parks 193.56
Oakhill Cemetery 1,349.60
Community Center 7,721.58
Senior Center 2,046.94
Pool
Sewer 5,954.65
Water 6,090.65
EMS 5,235.88
Streetscape 570.00
TOTAL SALARIES 91,953.44

Various

AMERICAN FAMILY LIFE	215.59
BLUE CROSS BLUE SHIELD	33,741.90
DELTA DENTAL PLAN	53.55
FIDELITY SECURITY LIFE E	263.40
FRATERNAL ORDER OF POLIC	180.00
MUTUAL OF OMAHA	590.24
PLATTSMOUTH STATE BANK	1,101.12
SHELL	5,683.92
THE UNION CENTRAL LIFE I	155.02
GENERAL ADMINISTRATION	
ADVANCED OFFICE AUTOMATI	90.86
COMPUTERS TO GO	175.00
DANA F. COLE & COMPANY L	3,690.00
DELTA DENTAL PLAN	288.65
JOHN BAXTER	50.00
KATHRYN SHARP	125.00
PAYFLEX	40.02
PAYLESS OFFICE PRODUCTS	4.79
PITNEY BOWES INC.	93.16
RDG PLANNING & DESIGN	3,250.00
THE COLUMBUS TELEGRAM	152.25
VERIZON WIRELESS	92.96

WELLS FARGO FINANCIAL LE	177.49
HUMANE	
HEARTS UNITED	45.00
POLICE	
CASS COUNTY SHERIFF	3,509.00
CONSOLIDATED MANAGEMENT	23.25
DELTA DENTAL PLAN	672.65
PAYFLEX	26.68
PITNEY BOWES	58.46
RYAN CRICK	30.00
SLEUTH	51,121.00
VERIZON WIRELESS	37.08
WARGA BROADCASTING LLC	300.00
STREET	
ALLIED OIL & SUPPLY INC	715.82
BLACK HILLS ENERGY	662.12
BOMGAARS SUPPLY	125.10
DELTA DENTAL PLAN	309.55
FASTENAL COMPANY	285.84
INDEPENDENT AUTO REPAIR	75.11
LYMAN RICHEY SAND & GRAV	1,789.85
MICHAEL TODD & COMPANY I	982.26
NEBRASKA PUBLIC POWER DI	41.96
NEBRASKA SALT & GRAIN CO	4,369.82
PAYFLEX	6.66
QUALITY SIGNS	35.00
VERIZON WIRELESS	136.40
LIBRARY	
BAKER & TAYLOR BOOKS	809.27
CHARTER BUSINESS	16.00
DELTA DENTAL PLAN	107.10
DEMCO	141.36
FIRST BANKCARD	503.32
IKON OFFICE SOLUTION	36.61
IKON OFFICE SOLUTIONS	378.78
NEBRASKA LIBRARY COMMISS	10.00
NEBRASKA PUBLIC POWER DI	458.31
TODD TROST	172.00
WINDSTREAM	51.50
PARK & REC	
ALLIED OIL & SUPPLY INC	501.95
BLACK HILLS ENERGY	252.87
BOMGAARS SUPPLY	58.18

FASTENAL COMPANY	5.48
JOHN DEERE CREDIT	1,928.87
NEBRASKA PUBLIC POWER DI	167.36
VERIZON WIRELESS	34.10
CEMETERY	
DELTA DENTAL PLAN	53.55
PAYFLEX	6.66
SENIOR CITIZEN CTR	
BLACK HILLS ENERGY	193.82
FOUR STAR LAUNDRY	113.68
OFE OIL INC.	147.49
UNITED STATES POST OFFIC	90.00
COMMUNITY CENTER	
ALLISON WELCH	25.00
BLACK HILLS ENERGY	1,744.37
BOMGAARS SUPPLY	5.98
CHARTER BUSINESS	227.50
CI SOLUTIONS	563.00
CINDI BOSWELL	50.00
CIT TECHNOLOGY	156.85
DAVE STEINKRUGER	25.00
DEBBIE BAGGENSTOSS	212.50
DELTA DENTAL PLAN	74.45
DIANA L. POGREBA	100.00
FISERV	187.50
FOUR STAR LAUNDRY	255.06
KAREN MOREHEAD	25.00
KELLEY STEELE	125.00
KRIZ DAVIS CO	78.00
LAUREN GEORGE	50.00
MARY HOLLY ALLEN	12.50
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	100.00
PAYFLEX	6.66
PAYLESS OFFICE PRODUCTS	122.05
SARAH ASCHENBRENNER	162.50
SHARI BARRIOS	120.00
VERIZON WIRELESS	68.94
VOSS LIGHTING	171.92
AQUATIC	
BLACK HILLS ENERGY	18.79
DHHS	80.00
SPORTWIDE	41.97

ECONOMIC DEVELOPMENT	
FREMONT NAT'L BANK & TRU	119,600.00
ECONOMIC DEV - DTR PHASE 2	
SOUTHEAST NE DEV DISTRIC	1,013.98
DEBT SERVICE	
PLATTSMOUTH STATE BANK	2,720.00
WATER & SEWER DEPARTMENT	6,113.22
05 CEMETERY	
CASS COUNTY BANK	10,000.00
EMS	
DELTA DENTAL PLAN	74.45
LINDER TIRE & AUTO INC	65.35
MATHESON TRI-GAS INC	529.67
METRO BILLING SERVICES	221.00
PAMIDA DISCOUNT CENTER	76.63
ZOLL MEDICAL CORPORATION	1,485.00
WATER	
CASS COUNTY BANK	30,937.35
BOMGAARS SUPPLY	64.33
DANA F. COLE & COMPANY L	1,476.00
DELTA DENTAL PLAN	137.15
DUGAN BUSINESS FORMS	147.82
GRAINGER	71.80
KNIGHT TRUCKING LLC	676.20
MISSISSIPPI LIME COMPANY	3,307.50
NEBRASKA PUBLIC POWER DI	1,828.05
NMC EXCHANGE LLC	133.68
OFE OIL INC.	786.15
PAYFLEX	6.66
PAYLESS OFFICE PRODUCTS	361.95
THE COLUMBUS TELEGRAM	25.37
VERIZON WIRELESS	102.30
SEWER	
BLUE CROSS BLUE SHIELD	2,425.75
CENTRAL UNITED LIFE INSU	265.44
MUTUAL OF OMAHA	18.96
BOMGAARS SUPPLY	202.48
DANA F. COLE & COMPANY L	984.00
DELTA DENTAL PLAN	160.65
DUGAN BUSINESS FORMS	147.81
LOGAN CONTRACTORS SUPPLY	22.67
PAYFLEX	6.66
THE COLUMBUS TELEGRAM	25.38

USA BLUEBOOK	93.05
VERIZON WIRELESS	34.10
VOSS LIGHTING	126.43
SENIOR CITIZEN CTR-Special	
JOHN'S APPLIANCE	462.60
24 .05% SALES TAX STREET/SIDE MAINT	
DELTA DENTAL PLAN	20.90
30 HWY 75 PROJECT	
OLMSTED & PERRY ENGINEER	6,755.00
Total Claims	320,575.82
Total Claims and Salaries	412,529.26

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Steven W. Perry, Olmsted & Perry Consulting Engineers Inc., City Engineer was present and reviewed the NDOR Highway 75 Project NH-75-2(155) Plattsmouth South of the Platte River Utility Relocations Project. Mr. Perry stated that if the council approved they would like to receive/open bids on March 16, 2012 and ask the council to approve the bid award and contract for the project on March 19, 2012. Nebraska Department of Roads need the work to be done in April 2012 and at estimated cost of \$78,000.00 with 20% being the city's responsibility. Mr. Perry also stated that he has coordinated with Westside Development on this project and also with NDOR on the Bestman Drive site within this project. Council Member Kerns stated that he would be abstaining from any discussion or action on this item as his company may be a bidder on this project. Motion by Dugan, seconded by Riese to authorize publication of a notice for sealed bids for the NDOR Highway 75 Project NH-75-2(155) Plattsmouth South of the Platte River Utility Relocations Project. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Porter and Brookhouser. No-None. Absent-Derby. Abstain-Kerns. MOTION CARRIED.

ITEM 8 B

Steven W. Perry, Olmsted & Perry Consulting Engineers Inc., City Engineer was present and reviewed the Bid Tab Sheet for the nine (9) bids received on the 12-inch Water Main Replacement Project-BNSF Railroad ROW to the Water Treatment Plant Project. Mr. Perry stated that after review of the nine bids and checking references, his firm recommends bid award and contract to V & V Construction Inc. dba Vincentini Plumbing which was the low bidder with a Base Bid unit price of \$117,752.15. Two Alternates were also bid for thicker walled pipe. The base bid was questioned with regard to future Change Orders and awarding to the lowest bidder and if there was any way to avoid change orders which would increase the cost of the project. After discussion, Motion by Dugan, seconded by Porter to approve the bid award and contract to V & V Construction Inc. dba Vincentini Plumbing on the 12-inch Water Main Replacement Project-BNSF Railroad ROW to the Water Treatment Plant Project with a Base Bid of \$117,752.15 and to include Alternate

No. 2 (Delete 12-inch dia. water main class 350 and add 12-inch dia. water main class 350, thickness class 51) at a bid price of \$10,641.48 and authorize the Mayor to execute the construction contract. Public Works Director Gary Hellwig was asked his opinion on the two Alternate Bids. Hellwig recommended Alternate Bid No. 1 as he felt that it was the best value. Council Member Dugan withdrew his motion and Council Member Porter withdrew his second. After further discussion, Motion by Dugan, seconded by Porter to approve the bid award and contract to V & V Construction Inc. dba Vincentini Plumbing on the 12-in Water Main Replacement Project-BNSF Railroad ROW to the Water Treatment Plant Project with a Base Bid of \$117,752.15 and to include Alternate No. 1 (Delete 12-inch dia. Water Main Class 350, Add 12-inch dia. Water Main Lass 350, Thickness Class 50) at a bid price of \$3,771.98 and authorize the Mayor to execute the construction contract.

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

ITEM 8 C

Erv Portis, City Administrator reviewed the Supplemental Agreement No. 1 to NDOR Project No. NH-75-2(17), CN 21849H, Plattsmouth-Bellevue, South of Platte River. The supplemental agreement becomes necessary to clarify the City's share (\$638,284.36) and authorize the Mayor to execute Supplemental Agreement No. 1 to NDOR Project No. NH-75-2(17), CN 21849H, Plattsmouth-Bellevue, South of Platte River. Motion by Riese, seconded by Dugan to approve the Supplemental Agreement No. 1 to NDOR Project No. NH-75-2(17), CN 21849H, Plattsmouth-Bellevue, South of Platte River and authorize the Mayor to execute Supplemental Agreement No. 1 to NDOR Project No. NH-75-2(17), CN 21849H, Plattsmouth-Bellevue, South of Platte River. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Porter and Kerns. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 8 D

John Trecek, Ameritas Investment Corp. stated that Ordinance No. 1842 provides for the issuance of Highway Allocation Fund Pledge Bonds, Series 2012, in the amount of \$725,000.00 for the payment of costs in connection with the construction of street and paving improvements in the city. Trecek also stated that the rates were exceptionally low. Council Member Riese introduced an ordinance numbered and titled as follows: Ordinance No. 1842: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2012, IN THE AMOUNT OF SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$725,000) FOR THE PAYMENT OF COSTS IN CONNECTION WITH THE CONSTRUCTION OF STREET AND PAVING IMPROVEMENTS IN THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND; AGREEING TO LEVY TAXES; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM. Motion by Riese, seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1842 be adopted on first reading by title only. ROLL CALL: Yes-Dugan, Tesarek, Porter, Kerns. Brookhouser, Tilson and Riese. No-None.

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

ITEM 8 E

John Trecek, Ameritas Investment Corp. stated that Resolution No. 12-003 calls Street Improvement Bond Anticipation Notes, Series 2010B dated July 22, 2010 for payment on April 2, 2012. Council Member Kerns introduced a Resolution number and titled: RESOLUTION NO. 12-003: That the following notes, in accordance with their option provisions, are hereby called for payment on April 2, 2012, after which date interest on the notes will cease:

Street Improvement Bond Anticipation Notes, Series 2010B, dated July 22, 2010, in the total principal amount of \$2,405,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$2,405,000	August 1, 2012	728092 DV6

Motion by Kerns, seconded by Riese to adopt Resolution No. 12-003:

RESOLUTION NO. 12-003

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. That the following notes, in accordance with their option provisions, are hereby called for payment on April 2, 2012, after which date interest on the notes will cease:

Street Improvement Bond Anticipation Notes, Series 2010B, dated July 22, 2010, in the total principal amount of \$2,405,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$2,405,000	August 1, 2012	728092 DV6

Section 2. These notes are to be paid at the office of the City Treasurer in Plattsmouth, Nebraska.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the City Treasurer is hereby instructed to take appropriate action to mail notice to registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 5th day of March, 2012.

/s/Mayor, Michael C. Bowman

ATTEST:

/s/City Clerk, Sandra J. Meyer

City Attorney Roger Johnson read Resolution No. 12-003 in to the record and thereafter, ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-Derby. Abstain-None. MOTION CARRIED.

ITEM 8 F

John Trecek, Ameritas Investment Corp. stated that this ordinance would authorize the issuance of various purpose bonds in the amount of \$3,190,000.00 for paying outstanding bonds and project costs for Street Improvement District No. 2010-1. Council Member Riese introduced an ordinance numbered and titled: Ordinance No. 1843: AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2012, OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF THREE MILLION ONE HUNDRED NINETY THOUSAND DOLLARS (\$3,190,000) ISSUED FOR THE PURPOSE OF PAYING THE COST OF PAVING INTERSECTIONS AND AREAS FORMED BY THE CROSSING OF STREETS AND ALLEYS WITHIN THE CITY IN STREET IMPROVEMENT DISTRICT NO. 2010-1 AND PAYING THE COST OF PAVING STREETS AND ALLEYS WITHIN SAID DISTRICT EXCLUSIVE OF SAID INTERSECTIONS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. Motion by Riese, seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1843 be adopted on first reading by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Porter, Kerns and Brookhouser. No-None. Absent-Derby. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Riese moved for final passage of the ordinance, which motion was seconded by Tesarek. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Porter and Kerns. No-None. Absent-Derby. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Kerns, seconded by Porter to approve the Memorandum of Understanding (MOU) and Agreement by and between the City Council of the City of Plattsmouth, Nebraska (City) and the Plattsmouth Community School District (District) to establish agreement for the use of Plattsmouth Memorial Baseball (Legion) Field (the Field) during the 2012 High School Varsity and Junior Varsity Baseball season and authorize the Mayor to execute the agreement. After discussion,

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

ITEM 9 B

Jim Forrest, City of Plattsmouth Park Board Member stated that Happy Paws, Plattsmouth Animal Advocacy Group, submitted a proposal to develop an Off-Leash Dog Park in Plattsmouth at the “old swimming pool” area adjacent to Memorial Park to the Park Board. The Park Board does have the Off-Leash Dog Park on their Master Plan for Parks and feels that this would be a way to accommodate the citizens of Plattsmouth. Happy Paws representatives, Betty Henry-Treasurer, Carol Tilson-Secretary and Ann Begley-member gave a brief history of the organization and stated that funding sources for the project would include: private donations directly to Happy Paws; grant applied for through the Plattsmouth Community Foundation; grant applied for through the Cass County Tourism; and local groups are planning fundraisers for this project. The Happy Paws organization has also indicated they are willing to make a long term commitment to this project. After discussion, representatives of Happy Paws will meet with the City Administrator to draw up a Memorandum of Understanding that can be brought back to the council at a future meeting.

ITEM 12

8:36 p.m. Motion by Tesarek, seconded by Porter to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk