

PLATTSMOUTH CITY COUNCIL

March 16, 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 16, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan and Doug Derby. Council Members Absent: Wanda Wiemer. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, 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 4-CITIZEN DELEGATION

Charles Jones, Executive Director of the Plattsmouth Main Street Association encouraged the Council to approve Items 7B and 7C. Jones was a member of the Downtown Revitalization Planning Committee.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

ITEM 6-CONSENT AGENDA:

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

- A Consider approval of the March 2, 2015 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 3/16/2015

Vendor Name Amount Pay Date: 3/6/15

Com Ctr 9002.45

EMS 8453.36

General 21472.07

Library 6988.7

Park and Cemetery 2264.8

Police 33337.44

Senior 2380.15

Street 10586.35

Water and Sewer 12928.76

107414.08

Vendor Name

AMERITAS LIFE INSURANCE CORP (pension) 13416.6
CENTRAL UNITED LIFE INSURANCE 265.44
COLLECTION SERVICES CENTER 186
DISCOVERY 147
EYE MED VISION CARE 307.33
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 26004.44
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3468.09
PLATTSMOUTH COMMUNITY CENTER 2743.78
PLATTSMOUTH STATE BANK 537.31

Department : 01 - GENERAL ADMINISTRATION

IRINA A HARRINGTON 75
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 451.22
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
MULLENAX AUTO SUPPLY 17.28
NEBRASKA PUBLIC POWER DISTRICT 250.4
SHELL FLEET PLUS 27.98
THE COLUMBUS TELEGRAM 354.1
WASTE CONNECTIONS OF NEBRASKA INC 48.5
WINDSTREAM 251.55

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA HUMANE SOCIETY 1225
NEBRASKA PUBLIC POWER DISTRICT 169.4
SHELL FLEET PLUS 10.15

Department : 03 - EMS

FOUR STAR LAUNDRY AND LINEN SUPPLY INC 21.28
HYVEE 440.25
IDEAL PURE WATER 16.37
JONES AUTOMOTIVE INC 309.73
KONICA MINOLTA PREMIER FINANCE 34.98
LIFE-ASSIST INC 512.35
MATHESON TRI-GAS INC 194.92
NEBRASKA PUBLIC POWER DISTRICT 424.42
OMAHA DOOR & WINDOW COMPANY 619.28
SHELL FLEET PLUS 318.79
WASTE CONNECTIONS OF NEBRASKA INC 15.16
WINDSTREAM 160.82

Department : 04 - POLICE

CASS COUNTY REGISTER OF DEEDS 26
JEFF HENRY CHEVROLET 188.95
KONICA MINOLTA BUSINESS SOLUTIONS 53.83

KONICA MINOLTA PREMIER FINANCE 197.6
LEROY LEWIS 134.82
NEBRASKA ASSOC OF PROPERTY & EVIDENCE 25
REID RICHTER 25
SHELL FLEET PLUS 1326.05
WINDSTREAM 301.21

Department : 05 - STREET
BADGER BODY & TRUCK EQUIPMENT 62
BGNE INC 161.6
CINTAS CORPORATION #749 272.08
CONWAY OIL COMPANY 2765.09
FASTENAL COMPANY 39.06
JEFF HENRY CHEVROLET 25.74
LINDER TIRE & AUTO INC 203
LYLE SIGNS INC 665.13
MICHAEL TODD & COMPANY INC 431.64
MULLENAX AUTO SUPPLY 1041.67
NEBRASKA PUBLIC POWER DISTRICT 7869.18
NEBRASKA SALT & GRAIN CO 3214.79
RHYLANDER WELDING & MFG INC 525.55
SHELL FLEET PLUS 668.92
THE COLUMBUS TELEGRAM 6.73
WASTE CONNECTIONS OF NEBRASKA INC 122.35
WINDSTREAM 110.8

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 935.13
BIBLIOTHECA INC 153
CENTER POINT LARGE PRINT 41.94
CHARTER BUSINESS 16
KONICA MINOLTA BUSINESS SOLUTIONS 121.64
KONICA MINOLTA PREMIER FINANCE 197.6
NE DEPARTMENT OF LABOR 140
NEBRASKA PUBLIC POWER DISTRICT 463.86
OCLC INC 109.6
WASTE CONNECTIONS OF NEBRASKA INC 15.14
WINDSTREAM 54.97

Department : 07 - PARK & REC
AGRIVISION 1801.06
ECHO GROUP INC 162.27
FASTENAL COMPANY 25.34
LINDER TIRE & AUTO INC 64
NEBRASKA PUBLIC POWER DISTRICT 205.23
PIONEER MANUFACTURING COMPANY INC 390
SHELL FLEET PLUS 152.65
TED'S MOWER SALES AND SERVICE 185.5
THE COLUMBUS TELEGRAM 104
WASTE CONNECTIONS OF NEBRASKA INC 119.28

Department : 08 - CEMETERY
BLACK HILLS ENERGY 166.09
FASTENAL COMPANY 3.26
PAYLESS OFFICE PRODUCTS 8.99
SHELL FLEET PLUS 65.42
TED'S MOWER SALES AND SERVICE 185.5
WINDSTREAM 91.33

Department : 10 - FIRE
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 21.29
HYVEE 1530.94
IDEAL PURE WATER 16.38
KONICA MINOLTA PREMIER FINANCE 34.98
NEBRASKA PUBLIC POWER DISTRICT 424.42
WASTE CONNECTIONS OF NEBRASKA INC 15.14
WINDSTREAM 160.82

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 121.4
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 137.57
NEBRASKA PUBLIC POWER DISTRICT 685.56
STEUBES THRIFTWAY 441.08
THE THOMPSON COMPANY 3468.68

Department : 12 - DEBT SERVICE
PLATTSMOUTH STATE BANK 1611.67

Department : 16 - ECONOMIC DEVELOPMENT
CASS COUNTY REGISTER OF DEEDS 142
RDG SCHUTTE WILSCAM BIRGE INC 640

Department : 17 - COMMUNITY CENTER
ALEGENT CREIGHTON HEALTH 70
BROWN FLORAL & CREATIONS 193
BSN SPORTS INC 583.83
CHARTER BUSINESS 364.22
COMPUTERS TO GO 145
DEBRA S FLAHERTY 15
EGAN SUPPLY CO 286.19
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 918.5
KONICA MINOLTA BUSINESS SOLUTIONS 112.42
KONICA MINOLTA PREMIER FINANCE 278.83
NE DEPARTMENT OF LABOR 140
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES 40
NEBRASKA PUBLIC POWER DISTRICT 6170.02
PIONEER MANUFACTURING COMPANY INC 162.5
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 42.1
STEPHEN C WARGA 45
THE THOMPSON COMPANY 287.37

Department : 18 - AQUATIC
NEBRASKA PUBLIC POWER DISTRICT 127.93
STEPHEN C WARGA 72
THE COLUMBUS TELEGRAM 142.56

Department : 20 - WATER
HD SUPPLY WATERWORKS LTD 436
NEBRASKA PUBLIC POWER DISTRICT 27.43
OREILLY AUTOMOTIVE INC 13.69
PAYLESS OFFICE PRODUCTS 18.26
PETTY CASH-WATER DEPARTMENT 462.89
SHELL FLEET PLUS 458.35
WINDSTREAM 107.28

Department : 30 - SEWER
CASS COUNTY REGISTER OF DEEDS 22
FASTENAL COMPANY 23.27
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 1399.99
MIDWEST LABORATORIES INC 448
OREILLY AUTOMOTIVE INC 49.24
SHELL FLEET PLUS 417.53
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 24.04
WASTE CONNECTIONS OF NEBRASKA INC 41.19
WINDSTREAM 107.55

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
DAVID GORIN ASSOCIATES LLC 1918.96

Department : 41 - KENO RESERVE
SSRJ INC DBA PLATTSMOUTH KENO 163.84

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Motion by Brookhouser, seconded by Riese to approve Change Order No. 1 submitted by Oldcastle Materials Midwest Co. for the CDBG Street and Water Improvement Project Contract No. 2 in the amount of \$(-)24,221.65 for an adjusted construction project cost of \$334,378.12 and authorize the Mayor to execute the Change Order. Following discussion, ROLL CALL: Yes-Derby, Brookhouser, Dugan, Porter, Tilson, Riese and Kerns. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

ITEM 7 B

Council Member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-011: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA

TO RECEIVE AND APPROVE THE 2015 PLATTSMOUTH DOWNTOWN REVITALIZATION PLAN WHICH WAS PARTIALLY FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITH THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT.

Motion by Riese, seconded by Porter to adopt RESOLUTION NO. 15-011:

RESOLUTION NO. 15-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO RECEIVE AND APPROVE THE 2015 PLATTSMOUTH DOWNTOWN REVITALIZATION PLAN WHICH WAS PARTIALLY FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITH THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT.

WHEREAS, on July 15, 2014, the City of Plattsmouth and the State of Nebraska Department of Economic Development (NEDED) entered into Community Development Block Grant Contract No. 14-DTR-001 to implement a citizen participation process to identify, evaluate and prioritize downtown revitalization project pursuant to the NEDED CDBG Downtown Revitalization (DTR) program;

WHEREAS, the deadline for project completion and submittal of a preliminary plan to NEDED was March 4, 2015 and the 2015 Downtown Revitalization Plan was submitted to NEDED on that same date;

WHEREAS, the planning process components included multiple meetings with a Downtown Steering Committee, Plattsmouth Downtown Market Study, stakeholder focus groups, and community surveys;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska receives and approves the 2015 Plattsmouth Downtown Revitalization Plan.

PASSED AND APPROVED this 16th Day of March 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-011 in to the record by title only. ROLL CALL: Yes-Kerns, Dugan, Tilson, Porter, Derby, Brookhouser and Riese. No-None. Absent-Wierner. Abstain-None. MOTION CARRIED.

ITEM 7 C

Council Member Brookhouser introduced a resolution numbered and title as follows: RESOLUTION NO. 15-012: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO APPROVE SUBMITTAL OF A NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NEDED) COMMUNITY DEVELOPMENT (CDBG) DOWNTOWN REVITALIZATION (DTR) PHASE 2 PRELIMINARY APPLICATION.

Motion by Brookhouser, seconded by Riese to adopt RESOLUTION NO. 15-012:

RESOLUTION NO. 15-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO APPROVE SUBMITTAL OF A NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NEDED) COMMUNITY DEVELOPMENT (CDBG) DOWNTOWN REVITALIZATION (DTR) PHASE 2 PRELIMINARY APPLICATION.

WHEREAS, on July 15, 2014, the City of Plattsmouth and the State of Nebraska Department of Economic Development (NEDED) entered into Community Development Block Grant Contract No. 14-DTR-001 to implement a citizen participation process to identify, evaluate and prioritize downtown revitalization project pursuant to the NEDED CDBG Downtown Revitalization (DTR) program;

WHEREAS, under 14-DTR-001, NEDED has made a reservation of up to \$350,000 in CDBG funds for a possible future award to implement the strategies defined in the Plattsmouth 2015 Downtown Revitalization Plan;

WHEREAS, NEDED's decision as to whether to award the reserved funds will be made after NEDED reviews and evaluates the 2015 Plan submitted by Plattsmouth, and Plattsmouth submits a preliminary application for Phase 2 funding prior to March 27, 2015.

WHEREAS, if NEDED awards Phase 2 funding to Plattsmouth, there will be a separate contract setting forth the strategies and activities involved in implementing the results of the study and governing use of the reserved funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsmouth, Nebraska submittal of the preliminary CDBG DTR Phase 2 application is approved.

PASSED AND APPROVED this 16th Day of March 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-012 in to the record by title only. ROLL CALL: Yes-Riese, Kerns, Derby, Dugan, Porter, Brookhouser and Tilson. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

ITEM 8-NEW BUSINESS

ITEM 8 A

Kerry Gustafsson, Dana F. Cole & Company, LLP presented the City of Plattsmouth Audit for fiscal year October 1, 2013 through September 30, 2014.

ITEM 8 B

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1892: AN ORDINANCE ENACTING CHAPTER 8, ARTICLE 4, SECTION 8-402 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 RELATED TO LIMITATIONS ON THE DAYS AND HOURS FOR THE DISPLAY OF FIREWORKS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese, seconded by Tilson to approve first reading of ORDINANCE NO. 1892 by title only as amended. Following discussion, ROLL CALL: Yes-Dugan, Porter, Brookhouser, Derby, Riese, Kerns and Tilson. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED. City Attorney

Roger Johnson read ORDINANCE NO. 1892 in to the record by title only.

ITEM 8 C

Motion by Kerns, seconded by Porter to approve a Street Closing or Event Permit Application submitted by Eleanor E. Biederman to have a Block Party on Saturday, April 25, 2015 from 4:30 p.m. to 9:00 p.m. at South 2nd Street from 4th Avenue to 5th Avenue with the additional closing of 4th Avenue from South 2nd Street to South 1st Street for the duration of the event for public safety. ROLL CALL: Yes-Tilson, Derby, Dugan, Porter, Brookhouser, Riese and Kerns. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

ITEM 8 D

Motion by Riese, seconded by Dugan to approve an Application for Sidewalk Café Permit (Renewal) submitted by Sisters Café, LLC, 534 Main Street, Plattsburgh. ROLL CALL: Yes-Kerns, Riese, Brookhouser, Dugan, Derby, Tilson and Porter. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Riese, seconded by Tilson to approve a request for a special fee structure for the Pee Wee Harrison Basketball Clinic on July 20 and 21, 2015 at the Plattsburgh Community Center. Following discussion, ROLL CALL: Yes-Tilson, Derby, Porter, Brookhouser, Dugan, Riese and Kerns. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Kerns, seconded by Derby to approve the Plattsburgh Volunteer Fire Department Roster as submitted. ROLL CALL: Yes-Kerns, Dugan, Riese, Porter, Derby, Tilson and Brookhouser. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

Council Member Riese recommended moving ITEMS 9 and 10 before ITEM 8 G.

ITEM 8 G

Mayor Lambert indicated the need for the council to go in to a Closed Session to protect the public interest with regard to real estate negotiations.

7:29 p.m. Motion by Riese, seconded by Tilson to convene to closed session to protect the public interest with regard to real estate negotiations. ROLL CALL: Yes-Riese, Derby, Dugan, Porter, Brookhouser, Kerns and Tilson. No-None. Absent-Wiemer. Abstain-None. MOTION CARRIED.

Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to real estate negotiations.

8:07 p.m. Motion by Porter, seconded by Derby to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 11

8:07 p.m. Motion by Porter, seconded by Kerns to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk