

PLATTSMOUTH CITY COUNCIL

April 20, 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 April 20, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: John Porter. Also present: City Administrator Ervin Portis, City Inspector Kevin Larson, 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 5-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

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

- A Consider approval of the April 6, 2015 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Reception being held at Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on June 13, 2015 from 2:00 p.m. to 12:00 a.m.
- C Consider recommendation of approval of a Special Designated License filed by Mayden Layne Enterprises, Inc. d/b/a DC's Waterhole for a Fund Raiser being held at Plattsmouth Community Center, 308 South 18th Street, Plattsmouth on June 20, 2015 from 2:00 p.m. to 12:00 a.m.
- D Consider approval of claims

Claims Register Report as of 4/20/2015

Vendor Name Amount

Pay Date: 4/20/15
Com Ctr 8698.45
EMS 9537.86
General 16049.03
Library 6631.94
Park and Cemetery 3476.05
Police 35247.08
Senior 2176.03
Street 10357.81
Water and Sewer 12636.2

104810.45

Vendor Name

AMERITAS LIFE INSURANCE CORP (pension) 13869.15
COLLECTION SERVICES CENTER 186
EYE MED VISION CARE 307.33
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 25742.36
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3485.92
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 11122.23
PLATTSMOUTH STATE BANK 568.07
UNITED STATES LIFE INSURANCE CO 195.6

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 130
ECHO GROUP INC 94.8
HEARTLAND TECHNOLOGY SOLUTIONS 5513.8
IRINA A HARRINGTON 75
KATHRYN SHARP 125
KEARNEY LODGING 140
KONICA MINOLTA BUSINESS SOLUTIONS 373.64
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
MULLENAX AUTO SUPPLY 55.86
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) -55.06
NEBRASKA PLANNING & ZONING 540
NEBRASKA PUBLIC POWER DISTRICT 245.91
PAYLESS OFFICE PRODUCTS 43.98
PETTY CASH- CITY 200
PITNEY BOWES INC 180
PLUMBER DAVE INC 231
SHELL FLEET PLUS 13.04
THE COLUMBUS TELEGRAM 364.39

VERIZON WIRELESS 83.17
WASTE CONNECTIONS OF NEBRASKA INC 50.69
WINDSTREAM 264.21

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA HUMANE SOCIETY 38
NEBRASKA PUBLIC POWER DISTRICT 185.79
SHELL FLEET PLUS 28.64
VERIZON WIRELESS 40.01

Department : 03 - EMS
FORT DEARBORN LIFE INSURANCE CO 72.24
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 14.84
IDEAL PURE WATER 70.92
JEREMY BAILIFF 25.64
KATHRYN SHARP 300
KONICA MINOLTA PREMIER FINANCE 34.98
LINDER TIRE & AUTO INC 35
MATHESON TRI-GAS INC 214.09
NEBRASKA PUBLIC POWER DISTRICT 443.28
SHELL FLEET PLUS 352.89
VERIZON WIRELESS 254.14
WASTE CONNECTIONS OF NEBRASKA INC 15.91
WINDSTREAM 159.53

Department : 04 - POLICE
CASS COUNTY REGISTER OF DEEDS 20
FELD FIRE 117
JACK'S UNIFORMS & EQUIPMENT 260.93
JEFF HENRY CHEVROLET 33.3
KAHLER CONSTRUCTION 650
KONICA MINOLTA BUSINESS SOLUTIONS 79.82
KONICA MINOLTA PREMIER FINANCE 197.6
NEBRASKA HUMANE SOCIETY 125
PAYLESS OFFICE PRODUCTS 78.27
RYAN CRICK 35.85
SHELL FLEET PLUS 1716.53
VERIZON WIRELESS 171.73
WINDSTREAM 301.74

Department : 05 - STREET
CINTAS CORPORATION #749 255.52
ECHO GROUP INC 248.51
INDEPENDENT AUTO REPAIR 76.18
LINDER TIRE & AUTO INC 78
LYLE SIGNS INC 1674.14
LYMAN RICHEY CORPORATION 530.89
MARK HYDRAULIC CO INC 4.03

MARTIN MARIETTA AGGREGATES 775.16
MEESKE ACE HARDWARE 17.2
MITCHELL 1 977.04
MULLENAX AUTO SUPPLY 152.37
NEBRASKA PUBLIC POWER DISTRICT 7881.24
PLATTSMOUTH COMMUNITY SCHOOL 990
SHELL FLEET PLUS 726.05
THE COLUMBUS TELEGRAM 104
VERIZON WIRELESS 166.34
WASTE CONNECTIONS OF NEBRASKA INC 127.91
WINDSTREAM 107.45

Department : 06 - LIBRARY

ACCUCUT LLC 232
BAKER & TAYLOR BOOKS 657.54
CENTER POINT LARGE PRINT 258.84
HEARTLAND TECHNOLOGY SOLUTIONS 514.8
KONICA MINOLTA BUSINESS SOLUTIONS 87.89
KONICA MINOLTA PREMIER FINANCE 197.6
MITCHELL 1 977.05
NEBRASKA PUBLIC POWER DISTRICT 487.9
OCLC INC 109.6
OMAHA WORLD HERALD 256.88
PAYLESS OFFICE PRODUCTS 61.99
RACO INDUSTRIES 161
WASTE CONNECTIONS OF NEBRASKA INC 15.9

Department : 07 - PARK & REC

ALEGENT CREIGHTON HEALTH 140
CHARTER BUSINESS 30.46
ECHO GROUP INC 102.48
MEESKE ACE HARDWARE 102.05
MENARDS -17.12
MULLENAX AUTO SUPPLY 56.01
NEBRASKA PUBLIC POWER DISTRICT 200.32
OREILLY AUTOMOTIVE INC 24.39
PAYLESS OFFICE PRODUCTS 12.19
SHELL FLEET PLUS 149.06
VERIZON WIRELESS 31.49
WASTE CONNECTIONS OF NEBRASKA INC 119.28

Department : 08 - CEMETERY

BLACK HILLS ENERGY 67.92
SHELL FLEET PLUS 63.88
VERIZON WIRELESS 31.49

Department : 10 - FIRE

FORT DEARBORN LIFE INSURANCE CO 161.68

FOUR STAR LAUNDRY AND LINEN SUPPLY INC 14.84
IDEAL PURE WATER 70.92
KATHRYN SHARP 300
KONICA MINOLTA PREMIER FINANCE 34.98
NEBRASKA PUBLIC POWER DISTRICT 443.29
OFE OIL INC 1283.6
WASTE CONNECTIONS OF NEBRASKA INC 15.9
WINDSTREAM 159.53

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 118
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 205.98
NEBRASKA PUBLIC POWER DISTRICT 623.66
OFE OIL INC 47
STEUBES THRIFTWAY 479.53
THE THOMPSON COMPANY 3904.99

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 937
ASSOCIATED SUPPLY CO INC 146.81
BODY BASICS INC 5000
CHARTER BUSINESS 354.02
COCA COLA REFRESHMENTS USA INC 254.88
DXP ENTERPRISES INC 47.76
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 839
HYVEE 95.89
KONICA MINOLTA BUSINESS SOLUTIONS 177
KONICA MINOLTA PREMIER FINANCE 278.83
KRIZ DAVIS CO 72.69
KS STATEBANK 2096
LINDA GUYNN 150
MENARDS 12.08
MULLENAX AUTO SUPPLY 44.02
NEBRASKA PUBLIC POWER DISTRICT 5612.97
SAMS CLUB 146.46
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 10.73
STEPHEN C WARGA 54
THE THOMPSON COMPANY 187.11
VERIZON WIRELESS 51.68
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC
ALEGENT CREIGHTON HEALTH 35
ASSOCIATED SUPPLY CO INC 434.85
CHARTER BUSINESS 30.46
CYPERCEPTIONS INC 3599
NEBRASKA PUBLIC POWER DISTRICT 127.93

Department : 20 - WATER

AMERICAN UNDERGROUND SUPPLY LLC 1040.18
HD SUPPLY WATERWORKS LTD 1542.96
HEARTLAND TECHNOLOGY SOLUTIONS 926.64
JEFF HENRY CHEVROLET 40.97
MENARDS 279
MISSISSIPPI LIME COMPANY 3582
MUNICIPAL AUTOMATION & CONTROL 1730.75
MUNICIPAL SUPPLY INC 103.93
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 347.84
NEBRASKA PUBLIC POWER DISTRICT 27.66
ONE CALL CONCEPTS INC 33.05
RHYLANDER WELDING & MFG INC 755.42
SHELL FLEET PLUS 409.93
VERIZON WIRELESS 94.47
WINDSTREAM 109.02

Department : 24 - DRUG FORFEITURE

VERIZON WIRELESS 54.2

Department : 30 - SEWER

ACTION BATTERIES UNLIMITED INC 151.95
BARB CLARK 5.35
FASTENAL COMPANY 28.97
HEARTLAND TECHNOLOGY SOLUTIONS 617.76
KRIZ DAVIS CO 651.6
MIDWEST LABORATORIES INC 497.58
ONE CALL CONCEPTS INC 33.05
OREILLY AUTOMOTIVE INC 43.98
PAYLESS OFFICE PRODUCTS 12.19
PIONEER LOCK CO INC 210
SHELL FLEET PLUS 364.01
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 28.47
VERIZON WIRELESS 51.68
WASTE CONNECTIONS OF NEBRASKA INC 46.56
WINDSTREAM 108.89

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT

CASS COUNTY TREASURER 2225.52

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:02 p.m. to hear and receive Public comment concerning an application to the Nebraska Department of Economic Development (NDED) for a Community Development Block Grant (CDBG). This Grant is available for Community Development Activities. No one spoke. Mayor Lambert again stated the reason for the public hearing and with no one present who wanted to speak, he closed the public hearing at 7:03 p.m.

ITEM 8 B

Council Member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 15-013: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS FOR A PHASE II-DOWNTOWN REVITALIZATION IMPLEMENTATION PROJECT.**

Motion by Riese, seconded by Wiemer to adopt RESOLUTION NO. 15-013 by title only:

RESOLUTION NO. 15-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS FOR A PHASE II-DOWNTOWN REVITALIZATION IMPLEMENTATION PROJECT.

WHEREAS, the City of Plattsmouth, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant (CDBG) Program, and,

WHEREAS, the City of Plattsmouth, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$350,000 (CDBG) for a Phase II-Downtown Revitalization Implementation project; and,

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Plattsmouth, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between The City of Plattsmouth and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED this 20th day of April, 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 15-013 in to the record by title only. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Kerns. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 8 C

Council Member Kerns 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 Kerns, seconded by Tilson to approve third and final reading of ORDINANCE NO. 1892 by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Kerns and Brookhouser. No-None. Absent-Porter. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1892 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

John Trecek, Ameritas Investment Corp. reviewed the refunding of the bonds and stated that the current interest on the bonds is 3.6% and by refinancing that would drop to 1.3% which would be an approximate savings of \$39,000.00 over 8 years. Mr. Trecek recommended suspending the statutory rule of reading an ordinance on three separate days and adopting the ordinance in Item 9 B on third and final reading tonight.

Council Member Riese introduced Resolution No. 15-014 and moved its adoption. Council Member Tilson seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby. The following voted NAY: none. Absent: Porter. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 15-014

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on June 1, 2015, after which date interest on the bonds will cease:

Highway Allocation Refunding Bonds, Series 2010, dated April 1, 2010, in the total principal amount of \$505,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, (issued for the purpose of paying the costs of constructing certain improvements to certain highways and road of the City) maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$55,000	June 1, 2016	728092 DL8
55,000	June 1, 2017	728092 DM6
60,000	June 1, 2018	728092 DN4
60,000	June 1, 2019	728092 DP9
65,000	June 1, 2020	728092 DQ7
65,000	June 1, 2021	728092 DR5
70,000	June 1, 2022	728092 DS3
75,000	June 1, 2023	728092 DT1

Section 2. These bonds are to be paid at the office of the City Treasurer as Paying Agent and Registrar 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 _____ day of _____, 2015.

By /s/ R. Paul Lambert, Mayor

ATTEST:

/s/ Sandra J. Meyer, City Clerk

ITEM 9 B

Council Member Kerns introduced Ordinance No. 1894 entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF HIGHWAY ALLOCATION REFUNDING BONDS, SERIES 2015, IN THE AMOUNT OF FIVE HUNDRED TEN THOUSAND DOLLARS (\$510,000) FOR THE PAYMENT OF CERTAIN OUTSTANDING BONDS OF THE CITY OF PLATTSMOUTH, NEBRASKA; 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

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Tilson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby. The following voted NAY: none. Absent: Porter. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Council Member Kerns moved for final passage of the ordinance, which motion was seconded by Council Member Tilson. The Mayor then stated the question was "Shall Ordinance No. 1894 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby. The following voted NAY: none. Absent: Porter. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein.

ITEM 9 C

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1893: AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY IN BLOCK 2 TOWNSEND'S ADDITION TO THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ADJACENT PROPERTY OWNERS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Dugan to approve first reading of ORDINANCE NO. 1893 by title only. ROLL CALL: Yes-Derby, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-Porter. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1893 in to the record by title only.

ITEM 9 D

Motion by Brookhouser, seconded by Derby to approve a request of the Korn Klub asking for Council authorization of a fireworks display for its 2015 Harvest Festival. Following discussion, ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Wiemer and Derby. No-Dugan. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Wiemer, seconded by Derby to approve the appointment of Karl Boehm as a new member to the Plattsmouth Volunteer Fire Department. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Kerns. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 9 F

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

Council Member Riese suggested moving ITEM 9 G after ITEM 10 and ITEM 11. Mayor Lambert stated that the Council would conduct ITEM 10 and ITEM 11 prior to ITEM 9 G.

ITEM 9 G

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

7:36 p.m. Motion by Riese, seconded by Brookhouser to convene to Closed Session to protect the public interest with regard to real estate negotiations. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Kerns, Brookhouser and Tilson. No-None. Absent-Porter. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session is to protect the public interest with regard to real estate negotiations.

8:28 p.m. Motion by Tilson, seconded by Kerns to reconvene in to regular session. ROLL CALL: Yes-Dugan, Wiemer, Derby, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 12

8:30 p.m. Motion by Kerns, seconded by Tilson to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk