

PLATTSMOUTH CITY COUNCIL  
January 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 January 5, 2009 at the City Hall in Plattsmouth Nebraska. Present were: Council Members: John Porter, Mike Bowman, Ruth Wassinger, Rod Jenkins, Art Tesarek and Doug Derby. Absent were Terry Kerns and Terry D. Tilson. 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 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's Delegation.

7:02 p.m. Council Member Kerns arrived.

CONSENT AGENDA:

Motion by Jenkins, seconded by Wassinger to approve the Consent Agenda as presented:

- A Approval of December 15, 2008 City Council Meeting Minutes
- B Approval of the Mayor's recommendation of the Reappointment of Mike Wilson as the Fire Chief for the Plattsmouth Volunteer Fire Department for 2009
- C Consider recommendation for approval of a Special Designated License filed by the Knights of Columbus for a Fund Raiser on February 5, 2009 from 12:00 p.m. to 12:00 a.m. at 500 South 18<sup>th</sup> Street, Plattsmouth, Nebraska
- D Consider recommendation for approval of a Special Designated License filed by the Knights of Columbus for a Reception on February 28, 2009 from 12:00 p.m. to 12:00 a.m. at 500 South 18<sup>th</sup> Street, Plattsmouth, Nebraska
- E Approval of Claims

## CLAIMS REGISTER REPORT

## SALARIES 12/03/08-12/16/08

General Admin	10,707.59
Humane Dept	666.59
Police Dept	22,784.85
Street Dept	7,693.95
Public Library	4,572.58
Parks	1,087.03
Oakhill Cemetery	1,115.63
Community Center	11,910.99
Senior Center	1,489.86
Payroll Sewer Dept.	2,574.38
Payroll Water Dept.	4,907.65

TOTAL SALARIES	69,511.10
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ADVANCED OFFICE AUTO	104.86
ALAMAR UNIFORMS	97.46
ALL FLAGS ETC	1,939.00
ALLTEL	140.79
AMERICAN FAMILY LIFE	24.10
AMERITAS LIFE INSURANCE	8,473.55
AMSAN LLC	708.15
ASPHALT & CONCRETE MATER	639.10
ASPHALT SOLUTIONS	4,389.70
ATLAS AWNING COMPANY	25.00
BILL DUDEK	84.37
BLACK HILLS ENERGY	4,036.56
BLUE CROSS BLUE SHIELD	30,534.64
BLUE DEVIL SPORTING GOOD	676.83
BOMGAARS SUPPLY	649.13
BRIAN D PAULSEN	40.00
BRIAN WUELLING	84.37
CAROL GRAY	48.96
CARTRIDGE WORLD	159.98
CHARTER BUSINESS	112.94
DELTA DENTAL PLAN	1,865.10
FASTENAL COMPANY	14.88
FILTER SHOP	99.18
FIRST BANKCARD	149.00

FIRST WATCH INC	65.00
FOUR STAR LAUNDRY	526.49
FRATERNAL ORDER OF POLICE	210.00
GOVERNMENT FINANCE OFFICE	165.00
HART'S AUTO SUPPLY	126.00
HEARTLAND TECHNOLOGY	495.00
HOLIDAY INN	140.00
IDEAL PURE WATER	35.00
IMPACT MANUFACTURING	62.24
INTERNAL REVENUE SERVICE	23,856.19
INTERSTATE POWER SYSTEMS	2,209.12
IOWA PRISON INDUSTRIES	423.06
JEREMY SHOOK	1,531.23
JOHN DEERE CREDIT	1,559.55
JOHN'S APPLIANCE	40.00
JONATHAN HARDY	22.50
KENNEDY STORAGE	50.00
LINDER TIRE & AUTO INC	15.00
MENARDS	193.32
MICHAEL TODD & COMPANY	1,065.20
MICHAEL WILSON	281.24
MULLENAX AUTO SUPPLY	182.86
MUTUAL OF OMAHA	1,745.32
NE DEPT ENVIRONMENTAL	150.00
NE DEPT OF HEALTH/HUMAN	60.00
NE DEPT OF REVENUE	3,327.63
NEBR ECONOMIC DEVELOPERS	75.00
NEBRASKA DEPT OF REVENUE	1,443.16
NEBRASKA PUBLIC POWER	8,362.07
NEBRASKA SALT & GRAIN CO	2,751.16
NEXTEL PARTNERS	929.99
OCE IMAGISTICS	321.65
PAMIDA DISCOUNT CENTER	56.95
PAYLESS OFFICE PRODUCTS	5.56
PEPSI COLA	2.08
PITNEY BOWES INC.	641.93
PL INTERIORS	1,107.50
PLATTSMOUTH READY MIX IN	360.36
PLATTSMOUTH RURAL FIRE - Pumper	14,618.12
SCOTT D REISSIG	22.50
SECURITY EQUIPMENT INC	420.00
SHELL	3,188.82
STEUBE'S THRIFTWAY	430.15

THE COLUMBUS TELEGRAM	276.00
THE UNION CENTRAL LIFE	155.02
UNITED STATES LIFE INS	109.30
UNITED STATES POST OFFICE	106.00
WEIS FIRE & SAFETY EQUIP	28.33
WELLS FARGO FINANCIAL	177.49

Total Claims 129,223.74

Total Salary and Claims 198,734.84

Addition to Claims List 01/05/09	
Cass County Treasurer- IT Interlocal	9,782.50
Higgins Hardware	46.95
Ofe Oil- Repairs	26.50
Oce	295.63
Addition to Claims list 12/15/08	<u>10,151.58</u>

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

UNFINISHED BUSINESS

There was no UNFINISHED BUSINESS to be discussed.

NEW BUSINESS

ITEM 8 A

7:04 p.m. Mayor Lambert opened a Public Hearing: Theresa Sherman, agent for the Plattsmouth Community Schools, rezoning application requesting a change from AG (Agricultural) to R1 (Urban Residential Low Density District) on property located northwest of the intersection of School Road and Third Street, legally described as Section 2, Township 12 North, Range 13 East of the 6<sup>th</sup> P.M., Cass County, Nebraska, Southeast ¼, Lot 3 (Northwest ¼). Theresa Sherman spoke in favor of the rezoning application. 7:07 p.m. Mayor Lambert closed the Public Hearing.

ITEM 8 B

Motion by Jenkins, seconded by Bowman to recommend approval of the application made by Theresa Sherman, agent for the Plattsmouth Community Schools, rezoning application requesting a change from AG (Agricultural) to R1 (Urban Residential Low Density District) on property located northwest of the intersection of School Road and Third Street, legally described as Section 2, Township 12 North, Range 13 East of the 6<sup>th</sup> P.M., Cass County, Nebraska, Southeast ¼, Lot 3 (Northwest ¼) and direct the City Attorney to prepare an Ordinance for Council consideration at the next regularly scheduled Plattsmouth City Council Meeting. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Wassinger, seconded by Jenkins to approve the Special Use Permit Application submitted by Theresa Sherman, agent for the Plattsmouth Community Schools, to have a Day Care in R1 District on property located northwest of the intersection of School Road and Third Street, legally described as Section 2, Township 12 North, Range 13 East of the 6<sup>th</sup> P.M., Cass County, Nebraska, Southeast ¼, Lot 3 (Northwest ¼) with the Planning Commission recommendation of a limit of 21 Children. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Wassinger, Jenkins and Tesarek. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 D

Council Member Bowman introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1781- AN ORDINANCE TO AMEND CHAPTER 4, ARTICLE 1, SECTION 4-123 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2002 BY DELETING THE SAME IN ITS ENTIRETY AND SUBSTITUTING THE FOLLOWING AS IT RELATES TO SPEED LIMITS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Bowman, seconded by Derby that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1781 be adopted on first reading by title only. ROLL CALL: Yes-Jenkins, Tesarek, Derby, Porter, Kerns, Bowman and Wassinger. No-None. Absent-Tilson. 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 Tesarek. ROLL CALL: Yes-Kerns, Bowman, Wassinger, Jenkins, Tesarek, Derby and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 8 E

Motion by Bowman, seconded by Kerns to adopt Resolution No. 09-001:

**RESOLUTION NO. 09-001**

**A Resolution of the City Council of Plattsmouth, Nebraska to adopt the Lower Platte South Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.**

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes;

**WHEREAS**, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by Lower Platte South Natural Resources District from JEO Consulting Group, Inc. of Lincoln, NE;

**WHEREAS**, the Lower Platte South Natural Resources District includes the City of Plattsmouth;

**WHEREAS**, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the jurisdiction and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards;

**WHEREAS**, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Plattsmouth in the form of a resolution and further request approval of the plan at the federal level; and

**NOW, THEREFORE, be it resolved** that the City Council of Plattsmouth, does herewith adopt the Lower Platte South NRD Multi-Jurisdictional Hazard Mitigation Plan in its entirety and requested approval of the plan at the federal level.

PASSED AND APPROVED this 5<sup>th</sup> day of January, 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra Meyer, City Clerk

Resolution No. 09-001 was read in to the record by City Attorney, Roger Johnson. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Bowman, Wassinger and Jenkins. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Bowman, seconded by Jenkins to adopt Resolution No. 09-002:

**Resolution No. 09-002**

**A Resolution of the City Council of Plattsmouth, Nebraska to support the International City/County Management Association's Public Library Innovation Grant titled "Community Under The Stars."**

**Whereas**, ICMA Public Library Innovation Grant is aimed at strengthening the local government manager/public library partnership in order to better address community issues and priorities.

**Whereas**, this grant proposes the purchase of a portable outdoor movie system much like that of the drive-in theater's of yester year, providing the citizens of Plattsmouth yet another venue for enhancing the quality of life in our community.

**Whereas**, with the City of Plattsmouth and the Plattsmouth Public Library this grant prepared in partnership shows a renewed commitment to the citizens of Plattsmouth in adding to their quality of life by balancing the values of environmental stewardship, economic development, and social equity.

**Now, Therefore**, be it resolved that the City Council of Plattsmouth, does herewith adopted this resolution of support for the ICMA Public Library Innovation Grant project.

PASSED AND APPROVED this 5<sup>th</sup> day of January, 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra Meyer, City Clerk

Resolution No. 09-002 was read in to the record by City Attorney, Roger Johnson. ROLL CALL: Yes-Bowman, Wassinger, Jenkins, Tesarek, Derby, Porter and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 G

Motion by Jenkins, seconded by Derby to approve the Certificate of Compliance for Nebraska Department of Roads Maintenance Agreement No. 21 for the period January 1, 2008 through December 31, 2008 and direct the Mayor to execute the document. ROLL CALL: Yes-Wassinger, Jenkins, Tesarek, Derby, Porter, Kerns and Bowman. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 H

Motion by Derby, seconded by Wassinger to approve the request of Beckie Vermuele, Plattsmouth Community Center Program Director to waive the \$30.00 Joining Fee for a Membership Drive being held on Saturday, January 24, 2009 at the Community Center. ROLL CALL: Yes-Porter, Kerns, Bowman, Wassinger, Jenkins, Tesarek and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 I

Motion by Kerns, seconded by Porter to make a favorable recommendation to the Nebraska Liquor Control Commission with regard to the Special Designated License filed by McKenna's Blues Booze & Barbeque for a Membership Drive on Friday, January 23, 2009 at the Plattsmouth Community Center, 308 South 18<sup>th</sup> Street, Plattsmouth, Nebraska. ROLL CALL:

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

ITEM 8 J

Mike Wilson, Plattsmouth Volunteer Fire Department Chief presented the 2008 Annual Report for the Plattsmouth Volunteer Fire Department and the Plattsmouth Volunteer Rescue Squad. Wilson stated that the Fire Department was down about 25 calls from 2007; there are 45 current members in good standing; 8 new members; the department will be reviewing applications for 2 more members at their next meeting; Years of Service range from 50 years to 1 month; the equipment is in good standing; the average per call is 11 members; total man hours per call is 1,914 hours; each member is required to respond to 10% of all calls to be in good standing; and that the 2009 officers are the same as the 2008 officers. Wilson also stated that the Volunteer Rescue is still short on members.

ITEM 11

7:30 p.m. Motion by Tesarek, seconded by Porter to adjourn. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

Attest:

/s/Sandra J. Meyer, City Clerk