

## PLATTSMOUTH CITY COUNCIL

July 20, 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 July 20, 2009 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Terry Kerns, Mike Bowman, Terry Tilson, Ruth Wassinger, Rod Jenkins and Doug Derby. Also present: City Administrator Erv 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 Delegation

### MAYOR PROCLAMATION

Mayor Lambert proclaimed August 22, 2009 as Disabled American Veterans Forget-Me-Not Day.

### CONSENT AGENDA:

Motion by Jenkins, seconded by Wassinger to approve all Consent Agenda items as listed:

- A Approval of July 6, 2009 City Council Meeting Minutes
- B Consider approval of claims

DATE 7/17/2009 CITY OF PLATTSMOUTH

PAGE 1

### CLAIMS REGISTER REPORT

#### 01 GENERAL ADMINISTRATION

Gross Salaries 7/03/09

General Admin 15,624.19

Humane Dept 810

Police Dept 31,597

Street Dept 10,370.88

Public Library 5,865.97  
Parks 1,806.13  
Oakhill Cemetery 2,155.39  
Community Center 9,869.85  
Senior Center 1,769.81  
Pool 11,309.62  
Payroll Sewer Dept. 4,414.48  
Payroll Water Dept. 7,150.05

TOTAL SALARIES 102,743.37

VARIOUS

AMERITAS LIFE INSURANCE 7,172.19  
CINTAS CORPORATION #749 21.80  
EMC NATIONAL LIFE COMPAN 98.65  
MUTUAL OF OMAHA 628.58  
UNITED STATES LIFE INSUR 95.40

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI 90.92  
BLACK HILLS ENERGY 41.71  
CHARTER BUSINESS 45.26  
DES MOINES STAMP MFG. CO 93.00  
DOLLAR GENERAL 16.00CR  
DUGAN BUSINESS FORMS 300.53  
FIRST BANKCARD 111.73  
HIGGINS HARDWARE 5.54  
IT'S GOT TO GO 165.00  
NEBRASKA PUBLIC POWER DI 370.39  
NETSHOPS INC 1,806.99  
PAPILLION SANITATION 45.08  
PAYFLEX 30.20  
PAYLESS OFFICE PRODUCTS 72.53CR  
PEGGY WILSEY 42.92  
PITNEY BOWES INC. 145.00  
PLATTSMOUTH STATE BANK 61.49  
RASMUSSEN LAWN SOLUTIONS 1,050.00  
THE COLUMBUS TELEGRAM 380.54  
WINDSTREAM 326.51

HUMANE/CODE ENFORCEMENT

AMSAN LLC 76.00  
HEARTS UNITED 65.00  
KV EQUINE 49.95  
LINDER TIRE & AUTO INC 126.00

NEBRASKA PUBLIC POWER DI	60.46
PLATTSMOUTH ANIMAL HOSPI	28.00
SUE BAKER	85.81

#### RESCUE SQUAD

BLACK HILLS ENERGY	18.80
BOUND TREE MEDICAL LLC	1,498.18
C & L CLEANING	400.00
EMS BILLING SERVICES INC	1,373.14
FOUR STAR LAUNDRY	12.25
INDEPENDENT AUTO REPAIR	259.79
LINWELD	105.34
MED ALLIANCE GROUP	1,000.00
NEBRASKA PUBLIC POWER DI	242.42
NEBRASKA STATEWIDE EMS C	175.00
PAMIDA DISCOUNT CENTER	36.13
PHONES PLUS	1,002.35
VERIZON WIRELESS	112.22
WINDSTREAM	113.16

#### POLICE DEPARTMENT

ALAMAR UNIFORMS	426.26
DES MOINES STAMP MFG. CO	47.95
DOLLAR GENERAL	28.00
FIRST WATCH INC	20.16
GALLS	142.97
GENE'S SERVICE & SPORTS	21.35
LINDER TIRE & AUTO INC	452.00
MULLENAX AUTO SUPPLY	157.14
NEXTEL PARTNERS	340.59
NORTHWESTERN UNIVERSITY	1,200.00
OMAHA POLICE FEDERAL CRE	116.57
PAYFLEX	38.12
PAYLESS OFFICE PRODUCTS	45.06
TINCHER FORD-MERCURY INC	518.17
WINDSTREAM	369.38

#### STREET DEPARTMENT

CINTAS CORPORATION #749	41.79
CONWAY OIL COMPANY	2,358.62
FARM PLAN	114.62
HIGGINS HARDWARE	35.95
LINDER TIRE & AUTO INC	110.00
M & M CONSTRUCTION INC	25,013.25
MARTIN MARIETTA AGGREGAT	997.33
MENARDS	34.97

MICHAEL TODD & COMPANY I	248.00
MULLENAX AUTO SUPPLY	425.77
MURRAY BUILDING & SUPPLY	30.40
NEBRASKA PUBLIC POWER DI	5,569.85
NEBRASKA SALT & GRAIN CO	5,370.16
OLMSTED & PERRY ENGINEER	933.82
PAMIDA DISCOUNT CENTER	34.96
PAPILLION SANITATION	109.28
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	45.98
TITAN MACHINERY	121.04
WILES BROS. INC.	215.18
WINDSTREAM	102.45

#### PUBLIC LIBRARY

BAKER & TAYLOR BOOKS	2,697.81
BIBLIOTHECA INC	5,276.00
BLACK HILLS ENERGY	38.19
CENTER POINT LARGE PRINT	228.84
CHARTER BUSINESS	40.00
CRETE PUBLIC LIBRARY	16.12
FIRST BANKCARD	1,660.25
IKON OFFICE SOLUTIONS	1,196.65
NEBRASKA DEPT OF REVENUE	.87
NEBRASKA PUBLIC POWER DI	652.15
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	99.58
SOUTHEAST LIBRARY SYSTEM	15.00
WINDSTREAM	77.58

#### PARK & RECREATION

DIAMOND VOGEL PAINT CENT	236.45
FARM PLAN	564.60
HIGGINS HARDWARE	7.08
JOHN DEERE CREDIT	1,559.55
MENARDS	1,109.85
MIDWEST FARMERS COOPERAT	770.00
MIDWEST MINOR MEDICAL	50.00
MULLENAX AUTO SUPPLY	5.45
MURRAY BUILDING & SUPPLY	5.18
NEBRASKA PUBLIC POWER DI	166.41
ODEYS INC	187.60
OFE OIL INC.	47.00
PAPILLION SANITATION	84.24
PILOT ROCK	565.60

THE COLUMBUS TELEGRAM	13.46
WILES BROS. INC.	302.65
WINDSTREAM	50.54
CEMETARY	
BLACK HILLS ENERGY	17.11
BOMGAARS SUPPLY	19.45
MULLENAX AUTO SUPPLY	10.29
PAYFLEX	7.92
WINDSTREAM	75.57
FIRE DEPARTMENT	
BILL DUDEK	84.37
BLACK HILLS ENERGY	18.81
BRIAN WUELLING	84.37
CASS COUNTY MUTUAL AID A	25.00
HOST COFFEE SERVICE INC	52.60
IDEAL PURE WATER	14.00
JONATHAN HARDY	22.50
MICHAEL WILSON	281.24
MULLENAX AUTO SUPPLY	271.35
NEBRASKA PUBLIC POWER DI	242.41
P&W	230.50
SCOTT D REISSIG	22.50
WINDSTREAM	113.15
SENIOR CITIZEN CENTER	
FOUR STAR LAUNDRY	711.08
NEBRASKA PUBLIC POWER DI	867.57
PAYLESS OFFICE PRODUCTS	92.69
STEUBE'S THRIFTWAY	334.75
THOMPSON & THOMPSON ROOF	6,830.88
WINDSTREAM	130.23
COMMUNITY CENTER	
AQUA CHEM INC	216.50
CAROL FADKE	100.00
CASSGRAM	60.00
CHARTER BUSINESS	81.17
CIT TECHNOLOGY	169.50
FITNESS PRO PLUS	90.00
FOUR STAR LAUNDRY	35.36
GRAPEFIX COMMUNICATIONS	162.00
JEN RUDNICK	50.00
MICHAEL ANZALONE	480.00
NEBRASKA DEPT OF REVENUE	3,122.38
NEBRASKA PUBLIC POWER DI	7,808.13

NO FRILLS SUPERMARKET	41.72
PAMIDA DISCOUNT CENTER	101.95
PAPILLION SANITATION	80.56
PLATTSMOUTH READY MIX IN	138.55
RONNIE BECKWITH	200.00
ROXANNE DOLECKI	75.00
SAM'S	266.12
SHARI BARRIES	485.00
SKEETER DJ	150.00
UNLIMITED VISION LLC	87.72
WINDSTREAM	390.72

#### AQUATIC

AQUA CHEM INC	1,335.09
NEBRASKA PUBLIC POWER DI	1,606.97
PAMIDA DISCOUNT CENTER	277.63
PAPILLION SANITATION	115.44
SAM'S	371.34
WINDSTREAM	45.09

#### ECONOMIC DEVELOPMENT

OLMSTED & PERRY ENGINEER	1,408.05
PLATTSMOUTH MAIN STREET	4,000.00

#### WATER DEPARTMENT

BLACK HILLS ENERGY	17.11
CENTRAL TRANSPORTATION S	1,645.88
DEPT OF HEALTH & HUMAN S	94.00
GRAINGER	215.55
GREAT PLAINS ONE CALL SE	42.65
HAWKINS INC	381.50
HD SUPPLY WATERWORKS LTD	1,212.00
HIGGINS HARDWARE	78.54
L.F.W. SANDBLASTING/PAIN	213.00
MARTIN MARIETTA AGGREGAT	218.81
MISSISSIPPI LIME COMPANY	3,125.00
NEBRASKA PUBLIC POWER DI	7,696.05
PAMIDA DISCOUNT CENTER	58.52
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	21.37
PLATTSMOUTH READY MIX IN	463.25
UTILITY EQUIPMENT COMPAN	82.35
WATER DEPARTMENT-PETTY C	468.32
WINDSTREAM	157.85

#### SEWER DEPARTMENT

AMERITAS LIFE INSURANCE	511.74
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EMC NATIONAL LIFE COMPAN	196.62
MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	18.40
BLACK HILLS ENERGY	92.64
CITY TREASURER	389.25
DPC INDUSTRIES INC	45.00
GREAT PLAINS ONE CALL SE	42.66
HDR ENGINEERING INC	2,165.91
LINDER TIRE & AUTO INC	25.00
MIDWEST LABORATORIES INC	462.50
MULLENAX AUTO SUPPLY	18.10
NEBRASKA PUBLIC POWER DI	2,385.45
PAPILLION SANITATION	32.41
PLATTSMOUTH READY MIX IN	219.33
PRUITT INC	19.02
THE WALDINGER CORPORATIO	1,724.51
WINDSTREAM	66.14
DRUG FORFEITURE	
COLEMAN TECHNOLOGIES	3,856.00

TOTAL CLAIMS- BY DEPT

01	GENERAL ADMINISTRATION & VARIOUS	13,040.90
02	HUMANE/CODE ENFORCEMENT	491.22
03	RESCUE SQUAD	6,348.78
04	POLICE DEPARTMENT	3,923.72
05	STREET DEPARTMENT	41,921.34
06	PUBLIC LIBRARY	12,006.96
07	PARK & RECREATION	5,725.66
08	CEMETARY	130.34
10	FIRE DEPARTMENT	1,462.80
11	SENIOR CITIZEN CENTER	8,967.20
12	DEBT SERVICE	
16	ECONOMIC DEVELOPMENT	5,408.05
17	COMMUNITY CENTER	14,392.38
18	AQUATIC	3,751.56
20	WATER DEPARTMENT	16,199.67
30	SEWER DEPARTMENT	8,433.64
24	DRUG FORFEITURE	3,856.00

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

UNFINISHED BUSINESS

ITEM 8 A

Bowman introduced a Resolution entitled: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO REGULATE THE ON-STREET PARKING ON THE WEST SIDE OF SOUTH 9<sup>TH</sup> STREET SOUTH OF 6<sup>TH</sup> AVENUE IN THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA.**

Motion by Bowman, seconded by Jenkins to adopt a Resolution:

**RESOLUTION NO. 09-019**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO REGULATE THE ON-STREET PARKING ON THE WEST SIDE OF SOUTH 9<sup>TH</sup> STREET SOUTH OF 6<sup>TH</sup> AVENUE IN THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA.

WHEREAS the Plattsmouth City Council has considered modifying the on-street parking on the west side of South 9<sup>TH</sup> Street at 6<sup>TH</sup> Avenue, including the public safety; and

WHEREAS the City Council is authorized to regulate parking on the public streets.

NOW, THEREFORE, BE IT RESOLVED by the Plattsmouth City Council that there shall be no parking on the west side of South 9<sup>TH</sup> Street for a distance of 63 feet south of the south curblin of 6<sup>TH</sup> Avenue, located in the City of Plattsmouth, Cass County, Nebraska, and that the same shall be posted "No Parking."

BE IT FURTHER RESOLVED that Resolution No. 09-014 is repealed in its entirety.

PASSED AND APPROVED this 20<sup>TH</sup> day of July 2009.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

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



## NEW BUSINESS

### ITEM 9 A

Craig Vincent, NPPD gave a presentation on an EnergyWise Pricing Pilot Project that NPPD will be conducting in the near future. The pilot project is scheduled to begin 11/01/2009 and continue through 09/30/2010; it will target residential and small commercial customers; the initial focus is on the time of use rates; and a Critical Peak Price (CPP) will be added in the Summer 2010. This is a voluntary pilot project so customers will be poled to see if they would be interested in participating. Customers that do participate and do complete the project will receive a \$50.00 bill credit at the end of the program.

Motion by Kerns, seconded by Jenkins to move Item 9 O under New Business (Consider directing the City Administrator to deliver notice to Castaway Pointe LLC that pursuant to the May 4, 2009 Escrow Agreement by and between Castaway Pointe, LLC that upon August 1, 2009 if Castaway Pointe has failed to complete the infrastructure required by subdivision agreements and the Escrow Agreement, the City will take over the project administration and complete the installation of improvements utilizing funds placed in the Escrow Account created by the Agreement to pay for the improvements) after Item 9 A and before Item 9 B under New Business. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Derby, Porter, Kerns and Bowman. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

Mayor Lambert advised of the need for the council to go in to Executive Session to protect the public interest with regard to a contract negotiation request made by Castaway Pointe LLC. 7:39 p.m. Motion made by Wassinger, seconded by Tilson to convene to Executive Session to protect the public interest in regard to requested contract negotiations requested by Castaway Pointe LLC. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Derby and Porter. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Executive Session was to protect the public interest with regard to contract negotiations with Castaway Pointe LLC.

8:10 p.m. Motion by Derby, seconded by Jenkins to reconvene in to regular session. All voting yes on a voice vote. MOTION CARRIED.

### ITEM 9 O

Motion by Tilson to direct the City Administrator to deliver notice to Castaway Pointe LLC that pursuant to the May 4, 2009 Escrow Agreement by and between Castaway Pointe, LLC that upon August 1, 2009 if Castaway Pointe has failed to complete the infrastructure required by subdivision agreements and the Escrow Agreement, the City will take over the project administration and pursue completion of the installation of improvements utilizing funds placed in the Escrow Account created by the Agreement to pay for the improvements. For lack of a second the motion died.

### ITEM 9 B

Pursuant to publication, the Mayor opened the public hearing at 8:13 p.m. with regard to hearing and

considering any comments on the proposed amending of the City of Plattsmouth CDBG (Community Development Block Grant) Program Income Housing Development Reuse Plan by including that Reuse Funds may be used for Neighborhood Revitalization to provide for the stabilization of blighted conditions or nuisance items and violations which are or may cause deterioration of neighborhoods. No one spoke in favor or opposition to the proposed amending of the City of Plattsmouth CDBG Program Income Housing Development Reuse Plan. The Mayor closed the public hearing at 8:14 p.m.

#### ITEM 9 C

Motion by Wassinger, seconded by Derby to amend the City of Plattsmouth CDBG (Community Development Block Grant) Program Income Housing Development Reuse Plan by including that Reuse Funds may be used for Neighborhood Revitalization to provide for the stabilization of blighted conditions or nuisance items and violations which are or may cause deterioration of neighborhoods. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Derby and Porter. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

#### ITEM 9 D

Motion by Jenkins, seconded by Bowman to refer proposed Ordinance No. 1789: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND SECTION 7.6 OF ARTICLE SEVEN, SUBDIVISION CHAPTER, OF THE LAND DEVELOPMENT ORDINANCE FOR THE CITY OF PLATTSMOUTH, AUGUST 2006, BY DELETING THE SAME IN ITS ENTIRETY AND SUBSTITUTING THE FOLLOWING AS IT RELATES TO PERFORMANCE GUARANTEES FOR PLAT APPROVAL; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** to the Planning Commission for review and recommendation. ROLL CALL: Yes-Wassinger, Jenkins, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

#### ITEM 9 E

Council Member Bowman introduced an ordinance numbered and titled as follows: Ordinance No. 1790: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 1, ARTICLE 5, SECTION 1-510 OF THE PLATTSMOUTH CITY CODE ENTITLED CONTRACTS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Jenkins to change the number of the Ordinance to 1789 and that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1789 be adopted on first reading by title only. ROLL CALL: Yes-Jenkins, Derby, Porter, Kerns, Bowman and Wassinger. No-Tilson. Absent-Tesarek. 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 Jenkins. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Derby. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Wassinger, seconded by Jenkins to approve the Mayor's nominations of Lisa Davis; Terry Kerns; Ron Sarno, M.D.; Rick Hagge; and John Baroni to the Plattsmouth Emergency Medical Services Board created by Resolution No. 09-004. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins, Derby, Porter and Kerns. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Wassinger, seconded by Porter to receive with regrets the resignation of Mike Wilson as the Plattsmouth Volunteer Fire Department Fire Chief. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 H

Motion by Kerns, seconded by Bowman to approve the Mayor's nomination of Bill Dudek as the Plattsmouth Volunteer Fire Department Fire Chief. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Derby, Porter, Kerns and Bowman. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 I

Motion by Jenkins, seconded by Wassinger to approve the Housing Rehabilitation Program Advisory Committee recommendation to revise financing categories of the 2008 City Wide Housing Rehabilitation Program to a single category in which all eligible families would have gross annual incomes at less than 80% of the Area Median Income and that all projects would be developed under a "Conditional Grant". ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Derby and Porter. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 J

Kevin Larson, City Inspector reviewed the status on the Mobile Home Park Inspections. Larson indicated that the owners of Hi-Vue Mobile Home Park and Hill City Mobile Home Park has made considerable progress since receiving notice on non-compliance with City Ordinance. Larson also stated that he would continue to monitor the progress at both mobile home parks.

ITEM 9 K

Erv Portis, City Administrator reviewed the Park Board recommendation of a policy to regulate vendor sales in the parks. Portis indicated that citizens have approached the Park Board inquiring as to the selling of various items at the City Parks. After discussion, Portis and Roger Johnson, City Attorney will review statutes and comprise a proposed ordinance to accommodate the Park Board recommendation.

ITEM 9 L

Council Member Jenkins introduced a Resolution numbered and titled as follows: Resolution No. 09-

018: **COMBINED CONSULTANT SELECTION, NEPA, UNIFORM ACT, FINANCIAL MANAGEMENT SYSTEMS.**

Motion by Jenkins, seconded by Wassinger to adopt Resolution No. 09-018:

**RESOLUTION  
COMBINED CONSULTANT SELECTION, NEPA, UNIFORM ACT,  
FINANCIAL MANAGEMENT SYSTEMS**

City of Plattsmouth

Resolution No. 09-018

**Whereas:** Certain transportation facilities (roads, streets, trails, and others) in the City of Plattsmouth have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

**Whereas:** The City of Plattsmouth desires to continue to participate in Federal-Aid transportation construction programs;

**Whereas:** The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds, and;

**Whereas:** The City of Plattsmouth as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads, including the Consultant Selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems; and.

**Whereas:** The City of Plattsmouth understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in the City of Plattsmouth being required to repay some or all of the federal funds expended for a project(s).

**Be It Resolved:** The City of Plattsmouth City Council does hereby adopt and bind itself to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems.

**Be It Further Resolved:** The City of Plattsmouth City Council does hereby designate the following as responsible for the management of the following processes:  
Consultant Selection process: Public Works Director

The National Environmental Policy Act (NEPA): Public Works Director

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act): Public Works Director

The following individual is hereby authorized to sign the Financial Management Systems Certification attached to this Resolution: Peggy A. Wilsey

Adopted this 20th day of July, 2009 at Plattsmouth, Nebraska.

The City Council of the City of Plattsmouth


\_\_\_\_\_  
/s/Mayor, R. Paul Lambert

Attest: /s/Sandra J. Meyer, City Clerk

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

ITEM 9 M

Motion by Jenkins, seconded by Tilson to approve the Olmsted & Perry Engineering Stimulus Agreements: 1-Engineering Agreement-South 15<sup>th</sup> Street between Avenue A and Avenue C; and 2-Engineering Agreement-South 15<sup>th</sup> Street between Main Street and 1<sup>st</sup> Avenue. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Derby. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 N


Motion by Jenkins, seconded by Porter to give a favorable recommendation to the Nebraska Liquor Control Commission regarding the Manager Application for Steven L. Goebel in connection with Pamida 3284, located at 211 South 23<sup>rd</sup> Street in Plattsmouth NE 68048. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins, Derby, Porter and Kerns. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 P


Motion by Wassinger, seconded by Porter to set a Special Meeting of the Mayor and City Council of the City of Plattsmouth on Monday, August 10, 2009 from 6:00 p.m. to 8:00 p.m. to conduct a budget workshop. ROLL CALL: Yes-Jenkins, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 12

8:48 p.m. Motion by Jenkins, seconded Porter to adjourn. MOTION CARRIED.

  
\_\_\_\_\_  
R. Paul Lambert, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra J. Meyer, City Clerk