

PLATTSMOUTH CITY COUNCIL
September 20, 2010

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 September 20, 2010 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Mike Bowman, Rod Jenkins, Art Tesarek and Doug Derby. Also present: City Administrator Erv Portis, City Clerk Sandra J. Meyer 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'S DELEGATION:

No one spoke at Citizen Delegation.

ITEM 6-MAYOR PROCLAMATION

There were no mayoral proclamations

ITEM 7-CONSENT AGENDA:

Motion by Bowman, seconded by Porter to approve the consent agenda as listed:

- A Consider approval of September 7, 2010 City Council Meeting Minutes
- B Consider the request of Mike Wilson, Chief of the Plattsmouth Volunteer Fire Department for a street closing: North 5th Street-from east/west alley north to Avenue A on October 7, 2010 from 1:00 p.m. to 9:00 p.m. for the Annual Fire Department Spaghetti Feed
- C Consider approval of claims

DATE 9/16/2010 CITY OF PLATTSMOUTH PAGE 1
CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 9/10/2010 not Net as before.
General Admin 12,513.81
Humane 1,080.00
Police 29,070.02

Street 10,162.72
Public Library 4,744.10
Parks 1,296.00
Oakhill Cemetery 1,376.00
Community Center 7,943.12
Senior Center 1,675.12
Pool 81.56
Sewer 1,675.12
Water 7,526.28
Rescue 3,360.00
TOTAL SALARIES 84,923.53

Various

Shell 4,657.39
CINTAS CORPORATION #749 14.20
FRATERNAL ORDER OF POLIC 180.00
NEBRASKA DEPT OF REVENUE 2,758.57
NEBRASKA STATE PATROL 150.00
NEBRASKA UNEMPLOYEMNT 115.35

GENERAL ADMINISTRATION

BLACK HILLS ENERGY 59.50
C & L CLEANING 150.00
CHARTER BUSINESS 40.00
D & D LASER INC 304.75
EGAN SUPPLY CO 82.61
FIRST BANKCARD 310.80
HIGGINS HARDWARE 19.86
MICROFILM IMAGING SYSTEM 90.00
PAYFLEX 30.20
PAYLESS OFFICE PRODUCTS 200.50
PLATTSMOUTH STATE BANK 69.98
VERIZON WIRELESS 103.76
WINDSTREAM 331.40

HUMANE

MULLENAX AUTO SUPPLY 18.75
NEBRASKA DEPT OF AG 150.00
PLATTSMOUTH ANIMAL HOSPI 75.00
VERIZON WIRELESS 51.88

EMS

BLACK HILLS ENERGY 30.73
CREIGHTON EMS EDUCATION 688.00
FOUR STAR LAUNDRY 35.46
HIGGINS HARDWARE 76.50
IDEAL PURE WATER 19.94
LIFE-ASSIST INC 235.08
LINDER TIRE & AUTO INC 500.00
LINWELD 442.47
MARY COWLES 95.10
MULLENAX AUTO SUPPLY 7.58
NEBRASKA PUBLIC POWER DI 320.21

OFE OIL INC.	528.42
TAMRA NIELSON	197.17
VERIZON WIRELESS	104.97
WINDSTREAM	92.45
POLICE	
CASS COUNTY SHERIFF	3,509.00
GENE'S SERVICE & SPORTS	64.17
MULLENAX AUTO SUPPLY	108.46
NEXTEL PARTNERS	166.33
OCE IMAGISTICS	713.27
PAYFLEX	38.12
PAYLESS OFFICE PRODUCTS	16.99
PITNEY BOWES INC.	172.94
TINCHER FORD-MERCURY INC	379.79
VERIZON WIRELESS	311.27
WARGA BROADCASTING LLC	300.00
WINDSTREAM	360.65
STREET	
BOBCAT OF OMAHA	134.40
CASS COUNTY DEPT OF ROAD	230.00
CINTAS CORPORATION #749	232.56
EGAN SUPPLY CO	243.56
LINDER TIRE & AUTO INC	1,664.44
MULLENAX AUTO SUPPLY	203.61
NEBRASKA PUBLIC POWER DI	35.78
OMAHA DOOR & WINDOW COMP	1,677.15
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	26.19
VERIZON WIRELESS	207.52
WILES BROS. INC.	71.40
WINDSTREAM	102.93
PUBLIC LIBRARY	
BARBARA MILLER	159.43
PAYFLEX	7.92
PARK & RECREATION	
FARM PLAN	440.70
FERGUSON ENTERPRISES	1,405.00
HIGGINS HARDWARE	37.84
KERNS EXCAVATING COMPANY	400.00
LINDER TIRE & AUTO INC	37.00
MEESKE ACE HARDWARE	81.66
MENARDS	826.21
MULLENAX AUTO SUPPLY	158.07
NEBRASKA PUBLIC POWER DI	90.88
PIONEER EXCAVATING COMPA	2,710.00
PLATTSMOUTH READY MIX IN	291.86
PROFESSIONAL WASTE WATER	140.00
VERIZON WIRELESS	51.88
WILES BROS. INC.	515.46
WINDSTREAM	50.69

CEMETERY

BLACK HILLS ENERGY	20.10
PANKONIN'S INC	289.40
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	4.79
WINDSTREAM	75.52

FIRE DEPARTMENT

BILL DUDEK	84.37
BLACK HILLS ENERGY	30.74
BRIAN WUELLING	84.37
ERIC GRIMSHAW	22.50
FORT DEARBORN LIFE INSUR	175.44
JIM PACZKOWSKI	22.50
MICHAEL WILSON	281.24
NEBRASKA PUBLIC POWER DI	320.21
NEBRASKA STATE VOLUNTEER	780.00
OFE OIL INC.	528.41
VERIZON WIRELESS	51.88
WINDSTREAM	92.45

SENIOR CITIZEN CENTER

EGAN SUPPLY CO	3.42
FIRST BANKCARD	508.81
PAYLESS OFFICE PRODUCTS	50.50
SHORT STOP	226.62
STEUBE'S THRIFTWAY	303.17
THE THOMPSON COMPANY	9,173.28
WINDSTREAM	120.19

COMMUNITY CENTER

BETTINA MOSLEY	200.00
DAVE STEINKRUGER	25.00
DEBBIE BAGGENSTOSS	125.00
DONNA HOLMES	50.00
EGAN SUPPLY CO	101.12
FITNESS PRO PLUS	180.00
JODY DISTEFAANO	40.00
KAREN MOREHEAD	50.00
KELLEY SCANLAN	120.00
MAKD INC	287.50
MARIA SCHMIDT	225.00
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	25.00
MULLENAX AUTO SUPPLY	9.71
NEBRASKA PUBLIC POWER DI	9,722.06
PAMIDA DISCOUNT CENTER	151.90
PAYLESS OFFICE PRODUCTS	53.69
ROXANNE DOLECKI	281.25
SARAH ASCHENBRENNER	75.00
SHARI BARRIES	120.00
THOMAS WOODS	975.00
UNLIMITED VISION LLC	100.00

VERIZON WIRELESS	103.76
WINDSTREAM	360.56
AQUATIC	
AQUA CHEM INC	45.50
THE THOMPSON COMPANY	607.01
DEBT SERVICE	
WATER & SEWER DEPARTMENT	6,113.22
WATER	
CASS COUNTY DEPT OF ROAD	110.00
CENTRAL TRANSPORTATION S	1,670.45
GREAT PLAINS ONE CALL SE	54.59
HIGGINS HARDWARE	36.15
LINDER TIRE & AUTO INC	149.89
NEBRASKA DEPARTMENT OF R	25.00
NEBRASKA SAFETY COUNCIL	270.00
PAYFLEX	7.92
PAYLESS OFFICE PRODUCTS	11.76
TINCHER FORD-MERCURY INC	8.99
UTILITY EQUIPMENT COMPAN	406.93
VERIZON WIRELESS	103.76
WATER DEPARTMENT-PETTY C	488.18
WINDSTREAM	154.59
SEWER	
BLACK HILLS ENERGY	137.29
DPC INDUSTRIES INC	45.00
GREAT PLAINS ONE CALL SE	54.59
KERNS EXCAVATING COMPANY	24,292.50
MIDWEST LABORATORIES INC	386.00
PAMIDA DISCOUNT CENTER	39.46
UTILITY EQUIPMENT COMPAN	53.36
VERIZON WIRELESS	51.87
WINDSTREAM	134.10
16 SENIOR CITIZEN CENTER	
TIMS FLOORING	800.00
24 STREETScape	
PSB- Street Improvement Int	1,032.50
25 BURKE SENIOR CITIZEN CENTER	
FIRST BANKCARD	444.51
Total Claims 96,336.13	
Total Salaries and Claims 181,259.66	

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

ITEM 8-UNFINISHED BUSINESS

There was no unfinished business to be discussed or to take action on.

ITEM 9

7:03 p.m. CONVENE AS THE BOARD OF ADJUSTMENT AND EQUALIZATION

ITEM 9 A

No hearing held in regard to imposition of a special assessment on real estate at 1023 North 9th Street #74 legally described as PLATTSMOUTH—IOLL HIVUE MHP LOT 74 1965 HOMETTE HOMES #58X1738K resulting from the clean up of said property by the City of Plattsburgh for the violation of the nuisance ordinances of the City of Plattsburgh Revised Municipal Ordinance 2002

ITEM 9 B

No hearing held in regard to imposition of a special assessment on real estate at 1023 North 9th Street #30 legally described as PLATTSMOUTH—IOLL HIVUE MHP LOT 30 1977 BELLA VISTA #77H3917 resulting from the clean up of said property by the City of Plattsburgh for the violation of the nuisance ordinances of the City of Plattsburgh Revised Municipal Ordinance 2002

ITEM 9 C

Pursuant to publication, the Mayor opened the public hearing at 7:05 p.m. with regard to Imposition of a special assessment on real estate at 620 South 6th Street legally described as PLATTS—GLUP'S 1ST SUBDIVISION LOT 2 (.24) resulting from the clean up of said property by the City of Plattsburgh for the violation of the nuisance ordinances of the City of Plattsburgh Revised Municipal Ordinance 2002. Amber Gudgell, Evidence Technician for the Plattsburgh Police Department presented Exhibit A and reviewed the timeline for all events regarding the imposition of a special assessment and a summary of costs on the above listed real estate. No one else spoke in favor or opposition to the special assessment. The Mayor closed the public hearing at 7:07 p.m.

ITEM 9 D

Pursuant to publication, the Mayor opened the public hearing at 7:07 p.m. with regard to Imposition of a special assessment on real estate at 907 South 1st Street legally described as PLATTS—PALMERS LOTS 7 8 9 & 10 BLK 2 resulting from the clean up of said property by the City of Plattsburgh for the violation of the nuisance ordinances of the City of Plattsburgh Revised Municipal Ordinance 2002. Amber Gudgell, Evidence Technician for the Plattsburgh Police Department presented Exhibit B and reviewed the timeline for all events regarding the imposition of a special assessment and a summary of costs on the above listed real estate. No one else spoke in favor or opposition to the special assessment. The Mayor closed the public hearing at 7:08 p.m.

ITEM 9 E

Pursuant to publication, the Mayor opened the public hearing at 7:08 p.m. with regard to Imposition of a special assessment on real estate at 912 South 1st Street legally described as PLATTS—WINTERSTEEN ADD LOT (6) resulting from the clean up of said property by the City of Plattsmouth for the violation of the nuisance ordinances of the City of Plattsmouth Revised Municipal Ordinance 2002. Amber Gudgell, Evidence Technician for the Plattsmouth Police Department presented Exhibit C and reviewed the timeline for all events regarding the imposition of a special assessment and a summary of costs on the above listed real estate. No one else spoke in favor or opposition to the special assessment. The Mayor closed the public hearing at 7:10 p.m.

ITEM 10

7:10 p.m. RECONVENE AS THE PLATTSMOUTH CITY COUNCIL

ITEM 11-NEW BUSINESS

ITEM 11 A

Motion by Jenkins, seconded by Tesarek to approve the Mayor's nomination of David Steinkruger, replacing Jim Bronson, to the Economic Development Application Review Committee. After discussion, ROLL CALL: Yes-Derby, Porter, Bowman, Jenkins and Tesarek. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 B

Council Member Bowman introduced a Resolution numbered and titled: RESOLUTION NO. 10-023: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENTS AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.**

Motion by Bowman, seconded by Porter to adopt Resolution No. 10-023. City Attorney Roger Johnson read the Resolution in to the record:

RESOLUTION NO. 10-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING REAL ESTATE FOR IMPROVEMENTS AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE CASS COUNTY TREASURER AND CASS COUNTY CLERK.

WHEREAS, the property owners of the following listed properties failed to clean up said property following notice to do so for maintaining the property in violation of the City's

ordinances:

620 S. 6 th Street	\$61.08
907 S. 1 st Street	\$211.08
912 S. 1 st Street	\$86.08

WHEREAS, the City completed the cleanup at the cost listed above of which the property owners have failed and refused to pay; and

WHEREAS, a public hearing was held and evidence was received and considered by the Mayor and City Council sitting as a Board of Adjustment and Equalization.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds and determines that the following improvements were made to the listed properties at the listed locations which specially benefitted the same:

620 S. 6 th Street	PLATTS—GLUP’S 1 ST SUBDIVISION LOT 2 (.24)
907 S. 1 st Street	PLATTS—PALMERS LOT 7 8 9 & 10 BLK 2
912 S. 1 st Street	PLATTS—WINTERSTEEN ADD LOT 6

BE IT FURTHER RESOLVED that the cost of the clean up is a correct statement of special benefit to the property and that there be and hereby is levied against the properties as listed which shall be due in a single payment not later than November 9, 2011, at which time the assessment shall be delinquent:

620 S. 1 st Street	\$61.08
907 S. 1 st Street	\$211.08
912 S. 1 st Street	\$86.08

BE IT FURTHER RESOLVED that this special assessment shall become due on or before November 9, 2010, which is fifty days after the date of the public hearing and may be paid within that time without interest. If not paid by said date, interest shall accrue at the rate of seven percent (7%) per annum until paid, and if not paid by the delinquency date, interest shall accrue at the rate of nine percent (9%) per annum until paid.

BE IT FURTHER RESOLVED that the City Clerk shall certify a copy of this levy to the County Clerk and County Treasurer of Cass County, Nebraska for spreading the same on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

PASSED AND APPROVED this 20th day of September 2010.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

ROLL CALL: Yes-Tesarek, Derby, Porter, Bowman and Jenkins. No-None. Absent-Kerns,

Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 C

Motion by Jenkins, seconded by Tesarek to receive the Blight Study completed by J. B. R. Planning and Consulting submitted by and on behalf of Westside Development, L.L.C. and refer the Blight Study to the Planning Commission. City Administrator Erv Portis indicated that this is the first step of consideration of the application for Tax Increment Financing. ROLL CALL: Yes-Bowman, Jenkins, Tesarek, Derby and Porter. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 D

Motion by Bowman, seconded by Porter to award a Housing Rehabilitation Contract to Solstice Company in an amount not to exceed \$23,910.00 for Project #PLATTS-OOR-011, 1709 2nd Avenue. After discussion, ROLL CALL: Yes-Porter, Bowman, Jenkins, Tesarek and Derby. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 E

Motion by Jenkins, seconded by Bowman to award a Housing Rehabilitation Contract to Waddell Drywall in an amount not to exceed \$24,000.00 on Project #PLATTS-OOR-009, 617 S. 7th Street. ROLL CALL: Yes-Derby, Porter, Bowman, Jenkins and Tesarek. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 F

Motion by Porter, seconded by Bowman to approve the Construction Phase Engineering Task Order Agreement between the City of Plattsmouth and Alfred Benesch & Company (aka HWS) regarding Stimulus Project No. URB-6403(3) Control No. 22314 (15th Street, 1st Avenue to Main Street) and direct the Mayor to execute the agreement. ROLL CALL: Yes-Jenkins, Tesarek, Derby, Porter and Bowman. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 G

Motion by Porter, seconded by Tesarek to approve the Construction Phase Engineering Task Order Agreement between the City of Plattsmouth and Alfred Benesch & Company (aka HWS) regarding Stimulus Project No. URB-6403(2) Control No. 22312 (15th Street, Avenue A to Avenue C) and direct the Mayor to execute the agreement. ROLL CALL: Yes-Bowman, Jenkins, Tesarek, Derby and Porter. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 H

Motion by Jenkins, seconded by Derby to receive with regrets the resignation of Mia Martin from the position of Emergency Management Services Director. ROLL CALL: Yes-Porter, Bowman, Jenkins, Tesarek and Derby. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 11 I

Motion by Derby, seconded by Bowman to approve the Mayor's recommendation to appoint Mike Wood as the Interim Emergency Medical Services Director. After discussion, ROLL CALL: Yes-Tesarek, Derby, Porter, Bowman and Jenkins. No-None. Absent-Kerns, Tilson and Wassinger. Abstain-None. MOTION CARRIED.

ITEM 12-STREETS AND ALLEYS

The Streets and Alleys Committee had nothing to report.

ITEM 15

87:28 p.m. Motion by Tesarek, seconded by Jenkins to adjourn. On a voice vote, MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk