

## PLATTSMOUTH CITY COUNCIL

August 15, 2011

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 August 15, 2011 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Mike Bowman, Terry D. Tilson, Steve Riese, Pat Dugan, Art Tesarek and Doug Derby. Council Members Absent: None. 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 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

Charles Jones, Executive Director of Plattsmouth Main Street Association displayed the Christmas decorations that the Main Street Design Committee has chosen for placement on the light poles on Main Street and the adjoining side streets in the downtown area.

### ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral proclamations.

### ITEM 7-CONSENT AGENDA:

Motion by Riese, seconded by Tilson to approve the consent agenda as listed:

- A Consider approval of August 1, 2011 City Council Meeting Minutes
- B Consider recommendation for approval of a Special Designated License filed by Plattsmouth Chamber of Commerce for September 9, 2011 and September 10, 2011 for a Fundraiser/Beer Garden on South 5<sup>th</sup> Street from Main south to the east west alley half-way down the block, Plattsmouth NE from 2:00 p.m. to 12:00 midnight each
- C Consider moving the next regularly scheduled Plattsmouth City Council meeting to Tuesday, September 6, 2011 due to the Labor Day holiday
- D Consider approval of claims

## CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 8/1/2011 not Net as before

General Admin 12,271.22

Humane 1,112.80

Police 27,477.51

Street 10,590.56

Public Library 6,284.11

Parks 3,132.00

Oakhill Cemetery 1,400.28

Community Center 8,098.88

Senior Center 2,010.52

Pool 10,236.13

Sewer 5,449.85

Water 9,128.75

EMS 3,161.54

TOTAL SALARIES 100,363.15

### VARIOUS

CINTAS CORPORATION #749 23.25

### GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI 191.54

BAIRD HOLM LLP 3,000.00

BLACK HILLS ENERGY 100.83

COMPUTERS TO GO 1,838.00

FIRST BANKCARD 146.99

GREAT PLAINS GOVT FINANC 85.00

KATHRYN SHARP 100.00

MENARDS 201.57

MICROFILM IMAGING SYSTEM 90.00

NATIONAL LEAGUE OF CITIE 1,117.00

NEBRASKA PUBLIC POWER DI 60.00

OMAHA WORLD HERALD 85.80

PAPILLION SANITATION 48.50

SOUTHEAST NE DEV DISTRIC 4,500.00

THE COLUMBUS TELEGRAM 1,220.47

THE FRAZIER COMPANY 291.00

WINDSTREAM 11.02

WIREBUILT CO 175.00

### HUMANE

NEBRASKA PUBLIC POWER DI 134.19

PLATTSMOUTH ANIMAL HOSPI 50.38

### POLICE

CENTRAL STATE LEEDS 400.00

FIRST BANKCARD 301.77

GE CAPITAL 639.00

JACK'S UNIFORMS & EQUIPM 9.20

KAHLER CONSTRUCTION 60.00

LINDER TIRE & AUTO INC 314.00

MATTHEW J. GLUP	1,750.00
MJN INC	300.00
MULLENAX AUTO SUPPLY	40.86
PAYLESS OFFICE PRODUCTS	40.54
POLICE OFFICERS ASSOCIAT	120.00
SPRINGHILL SUITES MARRIO	468.69
THE COLUMBUS TELEGRAM	240.00
STREET	
CINTAS CORPORATION #749	296.75
FASTENAL COMPANY	143.82
LINDER TIRE & AUTO INC	278.44
MEESKE ACE HARDWARE	117.94
MULLENAX AUTO SUPPLY	560.47
NEBRASKA PUBLIC POWER DI	7,482.15
PAPILLION SANITATION	117.66
PLATTSMOUTH READY MIX IN	1,069.98
VOGEL TRAFFIC SERVICES	1,353.10
PUBLIC LIBRARY	
BAKER & TAYLOR BOOKS	695.56
BARBARA MILLER	14.96
BLACK HILLS ENERGY	20.50
CHARTER BUSINESS	16.00
EGAN SUPLLY CO	15.00
FIRST BANKCARD	356.93
HIGGINS HARDWARE	1.99
IKON OFFICE SOLUTION	36.61
MIDWEST MINOR MEDICAL	70.00
NEBRASKA LIBRARY COMMISS	2,744.20
OCLC INC	567.79
PLATTSMOUTH CONSERVANCY	
500.00	
UPSTART	9.00
PARK & RECREATION	
BOMGAARS SUPPLY	30.19
C SCOTT SERVICES	180.00
HIGGINS HARDWARE	46.98
JOHN DEERE CREDIT	1,774.98
LINDER TIRE & AUTO INC	234.00
MIDWEST MINOR MEDICAL	70.00
MULLENAX AUTO SUPPLY	91.52
NEBRASKA PUBLIC POWER DI	164.69
PAPILLION SANITATION	95.35
PROFESSIONAL WASTE WATER	
125.00	
THE COLUMBUS TELEGRAM	14.58
CEMETERY	
BLACK HILLS ENERGY	18.60
LINDER TIRE & AUTO INC	118.00
MULLENAX AUTO SUPPLY	130.83
PANKONIN'S INC	87.98
WINDSTREAM	74.97

FIRE DEPARTMENT

BLACK HILLS ENERGY	23.50
NEBRASKA STATE VOLUNTEER	900.00
P&W	326.25

SENIOR CITIZEN CENTER

EGAN SUPPLY CO	121.16
FOUR STAR LAUNDRY	131.56
NEBRASKA PUBLIC POWER DI	1,175.41
SHORT STOP	193.44
STEPHEN C. WARGA	18.00
STEUBE'S THRIFTWAY	258.72
THE THOMPSON COMPANY	4,840.64
WINDSTREAM	106.00

COMMUNITY CENTER

ALLISON WELCH	75.00
CIT TECHNOLOGY	156.85
DIANA L. POGREBA	250.00
FOUR STAR LAUNDRY	19.62
KAREN MOREHEAD	50.00
KELLEY SCANLAN	75.00
METAL DOORS & HARDWARE C	140.00
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	100.00
NEBRASKA PUBLIC POWER DI	10,578.72
PAMIDA DISCOUNT CENTER	100.73
PAPILLION SANITATION	95.28
SARAH ASCHENBRENNER	125.00
SHARI BARRIOS	90.00
THOMAS WOODS	950.00
WINDSTREAM	318.01

AQUATIC

JAMIE ZIMMERER	240.25
NE DOL/ OFFICE SAFETY &	36.00
NEBRASKA PUBLIC POWER DI	2,324.00
PAMIDA DISCOUNT CENTER	139.29
PAPILLION SANITATION	119.88
PEPSI COLA	298.50
THE THOMPSON COMPANY	3,502.08
WINDSTREAM	38.52

ECONOMIC DEVELOPMENT

FREMONT NAT'L BANK & TRU	4,600.00
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DEBT SERVICE

PLATTSMOUTH STATE BANK	2,720.00
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EMS

ARROW TOWING INC	250.00
BLACK HILLS ENERGY	23.50
FIRST BANKCARD	447.50
FOUR STAR LAUNDRY	42.72
HIGGINS HARDWARE	7.58
KATHRYN SHARP	400.00

LIFE-ASSIST INC	895.43
MATHESON TRI-GAS INC	333.24
NEBRASKA MEDICAL CENTER	299.57
RUSTY ECK FORD	558.27
WATER	
BLACK HILLS ENERGY	18.60
FASTENAL COMPANY	55.42
GREAT PLAINS ONE CALL SE	23.19
HAWKINS INC	1,028.72
MARK A. KLINKER	2,550.00
MEESKE ACE HARDWARE	69.99
MULLENAX AUTO SUPPLY	99.41
NEBRASKA PUBLIC POWER DI	9,434.29
NMC EXCHANGE LLC	268.92
O'REILLY AUTOMOTIVE INC	26.72
PAMIDA DISCOUNT CENTER	78.92
PAYLESS OFFICE PRODUCTS	28.36
PLATTSMOUTH READY MIX IN	456.54
RGS REPAIR INC	472.05
STEUBE'S THRIFTWAY	135.04
WATER DEPARTMENT-PETTY C	370.74
WINDSTREAM	152.06
SEWER	
BLACK HILLS ENERGY	2.64
GREAT PLAINS ONE CALL SE	23.18
MULLENAX AUTO SUPPLY	115.56
NEBRASKA PUBLIC POWER DI	1,024.07
NMC EXCHANGE LLC	3,595.00
PAPILLION SANITATION	36.51
UTILITY EQUIPMENT COMPAN	291.92
WATER DEPARTMENT-PETTY C	16.03
WINDSTREAM	66.51
PLATTSMOUTH KENO	
STAGERIGHT CORP	39,040.00
25 BURK TRUST	
EMS	
PRO SHIRT SHOP	650.00
28 .05% SALES TX ST/SIDE MAINT DEBT	
STREET	
PLATTSMOUTH STATE BANK	2,265.00
Total Claims	139,011.73
Total Claims and Salaries	239,374.88

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

## ITEM 8-UNFINISHED BUSINESS

### ITEM 8 A

Motion by Dugan, seconded by Riese to approve the Supplemental Agreement #2-Nebraska Department of Roads (NDOR) Project RD-34-7 (1034) CN22303 in Plattsmouth, City/State Agreement-CSO Phase I. City Administrator Erv Portis clarified that the amendment would be for an increase in the section to be reconstructed by the City at a State cost, which would also increase the amount to be reimbursed from \$46,000.00 to \$66,000.00. ROLL CALL: Yes-Kerns, Bowman, Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### ITEM 8 B

Council Member Bowman moved to authorize the closure of Hwy 34 on Main Street from 3<sup>rd</sup> Street to 6<sup>th</sup> Street and South 6<sup>th</sup> Street from Main Street to 1<sup>st</sup> Avenue for the Harvest Festival (September 7, 2011 noon to September 11, 2011 at 8:00 a.m.), therein acknowledging the City's acceptance of the duties set out in subsection (2) of LB589 and the City's agreement to indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the closing contingent upon meeting all requirements set out in Resolution No. 11-009 adopted by the Plattsmouth City Council on March 21, 2011. Council Member Derby seconded the foregoing motion and upon roll call the following Council Members voted Yes: Tilson, Riese, Dugan, Tesarek, Derby, Porter, Kerns and Bowman. The following voted No: None. The following Council Members Absent: None. Whereupon the foregoing motion passed.

## ITEM 9 – NEW BUSINESS

### ITEM 9 A

Pursuant to publication, the Mayor opened the public hearing at 7:12 p.m. with regard to considering any comments regarding the Nebraska Liquor Control Commission Application for Liquor License from JALISCO INC dba LaFiesta, 902 Chicago Avenue Suite B, Plattsmouth, Nebraska. City Attorney Roger Johnson asked that the record reflect that he represents JALISCO INC and would not be able to participate in providing advice on legal matters if the situation should arise. No one spoke in favor or opposition to the Nebraska Liquor Control Commission Application for Liquor License from JALISCO INC dba LaFiesta. The Mayor closed the public hearing at 7:13 p.m.

### ITEM 9 B

Motion by Porter, seconded by Bowman to give a favorable recommendation to the Nebraska Liquor Control Commission regarding the Application for Liquor License from JASLISCO INC dba LaFiesta, 902 Chicago Avenue Suite B, Plattsmouth, Nebraska. City Attorney Roger Johnson asked that the record reflect that he represents JALISCO INC and would not be able to participate in providing advice on legal matters if the situation should arise. ROLL CALL: Yes-Tesarek, Derby,

Porter, Kerns, Bowman, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 C

Motion by Riese, seconded by Tesarek to approve an amendment to the Plattsmouth Downtown Revitalization Project, CDBG #09-DTR-101-Downtown Revitalization Phase II, to allocate \$59,200.00 additional "other funds" from project activity #590 Commercial Rehabilitation to project activity #70 Public Facilities and to communicate the requested change to the Nebraska Department of Economic Development. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Bowman, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 D

Motion by Kerns, seconded by Riese to approve Change Order No. 10 on the Main Street Corridor Improvement Project with a Difference Net Increase of \$628,689.77 for a revised contract price of \$5,862,105.53. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Riese, Dugan and Tesarek. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 E

Motion by Riese, seconded by Bowman to approve the request of the Plattsmouth Chamber of Commerce for the closing of Main Street from 3<sup>rd</sup> Street to 7<sup>th</sup> Street, 4<sup>th</sup> Street from Avenue A to 1<sup>st</sup> Avenue, 5<sup>th</sup> Street from the east west alley ½ block north of Main Street to the east west alley ½ block south of Main Street and 6<sup>th</sup> Street from Avenue A to 1<sup>st</sup> Avenue and to reserve 4<sup>th</sup> Street from Main Street to 1<sup>st</sup> Avenue for the City's Main Street ribbon cutting and related entertainment on Friday, October 7, 2011 from 4:00 p.m. to 9:00 p.m. for Cruizin Main contingent upon meeting all requirements set out in Resolution No. 11-009 adopted by the Plattsmouth City Council on March 21, 2011. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Riese, Dugan, Tesarek and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 9 F

Council Member Dugan moved to authorize the closure of Hwy 34 on Main Street from 3<sup>rd</sup> Street to 6<sup>th</sup> Street and South 6<sup>th</sup> Street from Main Street to 1<sup>st</sup> Avenue for CRUIZIN MAIN (October 7, 2011 at 4:00 p.m. to 9:00 p.m.), therein acknowledging the City's acceptance of the duties set out in subsection (2) of LB589 and the City's agreement to indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the closing contingent upon meeting all requirements set out in Resolution No. 11-009 adopted by the Plattsmouth City Council on March 21, 2011. Council Member Riese seconded the foregoing motion and upon roll call the following Council Members voted Yes: Tilson, Riese, Dugan, Tesarek, Derby, Porter, Kerns and Bowman. The following voted No: None. The following Council Members Absent: None. Whereupon the foregoing motion passed.

ITEM 9 G

Motion by Kerns, seconded by Riese to authorize the hiring of two part-time paramedics at 30 hours per week. Council members discussed pros, cons and other options with Mike Wood, Plattsmouth EMS Director. ROLL CALL: Yes-Bowman, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 H

City Administrator Erv Portis stated that the request to purchase one (1) 2010 Ford Crown Victoria police cruiser is not budgeted but this is the last year of production of the Crown Victoria model and the equipment that we currently have will not work in other models, so if we wait on the purchase we would also need to purchase new equipment to outfit the cruiser. Portis also recommended doing the 3 year lease purchase. Motion by Riese, seconded by Derby to authorize the purchase of one (1) 2010 Ford Crown Victoria from Tincher Ford-Mercury, Inc. at a total price of \$22,000.00 (State Contract Price), with a trade in of \$500.00, resulting in a net price of \$21,500.00 which will be set up on a 3 year Lease Purchase. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10 STREET COMMITTEE

Nothing to report.

ITEM 13

7:40 p.m.. Motion by Tesarek, seconded by Porter to adjourn. MOTION CARRIED on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk