

PLATTSMOUTH CITY COUNCIL
April 2, 2012

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:08 o'clock p.m. on April 2, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, 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 4-CITIZEN DELEGATION

Max Kathol, Director of the Plattsmouth Chamber of Commerce informed the Mayor and Council that the Chamber has completed a major renovation of their data systems. Member merchants can now list job postings on the website. The Chamber has also published an Area Map and Guide for Plattsmouth. Kathol also thanked the Mayor and Council for attendance at ribbon cuttings and also referenced the scheduled groundbreaking ceremonies scheduled for April 4, 2012 at Highway 75 and Avenue to mark the start of the Nebraska Department of Roads Hwy 75 Widening Project.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral proclamations.

Mayor Bowman stated that Item B under the Consent Agenda needed to be removed before consideration.

ITEM 6-CONSENT AGENDA:

Motion by Riese, seconded by Tesarek to approve the consent agenda excluding item B:

- A Consider approval of March 19, 2012 City Council Meeting Minutes
- B Karen Mier, Director of the Plattsmouth Public Library requests authorization and consent to apply for a grant from the Nebraska State Board of Records for the digitization of The Journal on microfilm

- C Consider the Mayor's recommendation of the appointment of John Williams to the Park Board to fill the vacancy created when Jeanie Brookhouser was appointed to the Plattsmouth City Council
- D Consider recommendation for approval of a Special Designated License filed by the Knights of the Roundtable for an event at 502 South 18th Street, Plattsmouth NE on May 26, 2012 from 6:00 p.m. to 11:00 p.m.
- E Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 3/23/2012 not Net as before

General Admin 16,958.581

Humane 1,146.40

EMS 5,049.13

Police 32,405.59

Street 11,321.57

Public Library 6,411.26

Parks 190.00

Oakhill Cemetery 1,349.61

Senior Center 2,056.16

Community Center 7,631.58

Pool

Water 6,010.09

Sewer 5,874.08

Streetscape

TOTAL SALARIES 96,403.98

Various

Shell 6,504.83

AMERICAN FAMILY LIFE 215.59

BLUE CROSS BLUE SHIELD 33,741.90

CINTAS CORPORATION #749 18.60

DELTA DENTAL PLAN 53.55

MUTUAL OF OMAHA 590.24

PLATTSMOUTH STATE BANK 1,101.12

THE UNION CENTRAL LIFE I 155.02

UNITED STATES LIFE INSUR 212.82

GENERAL ADMINISTRATION

ADVANCED OFFICE AUTOMATI 181.47

DELTA DENTAL PLAN 288.65

HOLIDAY INN OF KEARNEY	149.90
JOHN BAXTER	50.00
KATHRYN SHARP	125.00
LEAGUE OF NEB MUNICIPAL	670.00
MCMULLEN FORD INC	198.21
PAYFLEX	40.02
PITNEY BOWES INC.	93.16
RDG PLANNING & DESIGN	2,340.00
VERIZON WIRELESS	90.30
WELLS FARGO FINANCIAL LE	177.49
HUMANE	
HEARTS UNITED	85.00
VCA 80 DODGE ANIMAL HOSP	50.00
POLICE	
BOMGAARS SUPPLY	3.50
CONSOLIDATED MANAGEMENT	253.75
DELTA DENTAL PLAN	672.65
MITCHELL 1	599.67
MULLENAX AUTO SUPPLY	286.91
PAYFLEX	26.68
POLICE OFFICERS ASSOCIAT	17.50
VERIZON WIRELESS	37.08
STREET	
ASPHALT & CONCRETE MATER	694.10
BLACK HILLS ENERGY	426.30
BOMGAARS SUPPLY	105.62
CASS COUNTY G I S	80.00
CINTAS CORPORATION #749	238.20
DELTA DENTAL PLAN	309.55
FASTENAL COMPANY	39.23
IMPACT MANUFACTURING	62.00
JOHN DEERE CREDIT	177.54
KERNS EXCAVATING COMPANY	2,145.00
LINDER TIRE & AUTO INC	363.62
MATHESON TRI-GAS INC	250.00
MEESKE ACE HARDWARE	93.32
MENARDS	122.07
MICHAEL TODD & COMPANY I	710.56
MITCHELL 1	599.67
MULLENAX AUTO SUPPLY	696.29
NEBRASKA PUBLIC POWER DI	86.63
OLD DOMINION BRUSH	2,014.54
PAYFLEX	6.66

PLATTSMOUTH READY MIX IN	167.66
PROTECH COMMERCIAL VEHIC	16,280.00
RHOMAR INDUSTRIES INC	638.92
ROSE EQUIPMENT INC	3,787.91
SAFETY-KLEEN CORPORATION	381.45
VERIZON WIRELESS	136.40
LIBRARY	
BAKER & TAYLOR BOOKS	369.21
CENTER POINT LARGE PRINT	236.07
CHARTER BUSINESS	16.00
CITY OF OMAHA	47.94
DELTA DENTAL PLAN	107.10
EBSCO SUBSCRIPTION SERVI	70.21
IKON OFFICE SOLUTIONS	464.43
MITCHELL 1	599.66
NEBRASKA PUBLIC POWER DI	455.91
O'KEEFE ELEVATOR CO INC	308.00
PARK & REC	
BLACK HILLS ENERGY	159.61
BOMGAARS SUPPLY	76.29
JOHN DEERE CREDIT	1,579.69
MENARDS	905.85
MIDWEST MINOR MEDICAL	35.00
MULLENAX AUTO SUPPLY	152.48
VERIZON WIRELESS	34.10
CEMETERY	
DELTA DENTAL PLAN	53.55
NEBRASKA PUBLIC POWER DI	59.51
PAYFLEX	6.66
FIRE	
CASS COUNTY EMA	100.00
FORT DEARBORN LIFE INSUR	357.76
FOUR STAR LAUNDRY	49.25
IDEAL PURE WATER	41.00
KATHRYN SHARP	800.00
OFE OIL INC.	1,518.80
SENIOR CITIZEN CTR	
BLACK HILLS ENERGY	141.16
FOUR STAR LAUNDRY	102.78
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	63.04
ALLISON WELCH	162.50
AQUA LOGIC INC	161.71

BLACK HILLS ENERGY	1,270.42
BOMGAARS SUPPLY	19.96
CINDI BOSWELL	75.00
DAVE STEINKRUGER	25.00
DEBBIE BAGGENSTOSS	175.00
DELTA DENTAL PLAN	74.45
DIANA L. POGREBA	50.00
KAREN MOREHEAD	200.00
KELLEY STEELE	100.00
KRIZ DAVIS CO	124.00
LAUREN GEORGE	75.00
MEESKE ACE HARDWARE	37.28
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	100.00
MID-STATES SUPPLY COMPAN	115.69
NOVA FITNESS EQUIPMENT	118.50
PAYFLEX	6.66
SARAH ASCHENBRENNER	125.00
SHARI BARRIOS	90.00
UNITED RENTALS	1,053.89
VERIZON WIRELESS	68.94
VOSS LIGHTING	63.16
AQUATIC	
AQUA CHEM INC	347.50
BLACK HILLS ENERGY	18.79
DALTILE	79.66
POOLANDSPA.COM INC	1,830.87
ECONOMIC DEVELOPMENT	
CASS COUNTY NEBRASKA ECO	3,750.00
PLATTSMOUTH MAIN STREET	5,000.00
EMS	
DELTA DENTAL PLAN	74.45
LIFE-ASSIST INC	1,855.15
MATHESON TRI-GAS INC	317.89
METRO BILLING SERVICES	833.00
MICHAEL WOOD	160.49
MULLENAX AUTO SUPPLY	23.96
VERIZON WIRELESS	106.84
WATER	
BOMGAARS SUPPLY	259.16
DELTA DENTAL PLAN	137.15
ECHO GROUP INC	455.00
HAWKINS INC	1,427.42

HOLIDAY INN	95.00
JEFF HENRY CHEVROLET	26.80
MENARDS	122.23
NEBRASKA DEPARTMENT OF H	619.34
NEBRASKA PUBLIC POWER DI	120.57
OLMSTED & PERRY ENGINEER	1,680.00
PAYFLEX	6.66
SHERWIN WILLIAMS	522.40
VERIZON WIRELESS	102.30
SEWER	
BLUE CROSS BLUE SHIELD	2,425.75
CENTRAL UNITED LIFE INSU	265.44
MUTUAL OF OMAHA	18.96
UNITED STATES LIFE INSUR	30.40
BOMGAARS SUPPLY	284.43
DELTA DENTAL PLAN	160.65
DPC INDUSTRIES INC	45.00
FASTENAL COMPANY	8.90
HD SUPPLY WATERWORKS LTD	1,213.61
HOLIDAY INN	95.00
MULLENAX AUTO SUPPLY	13.71
OLMSTED & PERRY ENGINEER	7,450.00
PAYFLEX	6.66
USA BLUEBOOK	532.31
UTILITY EQUIPMENT COMPAN	256.69
VERIZON WIRELESS	34.10
VOSS LIGHTING	49.68
22 CSO PROJECT PHASE II	
HDR ENGINEERING INC	35,662.24
NEBRASKA DEPT OF HEALTH	444.50
24 .05% SALES TAX STREET/SIDE MAINT	
DELTA DENTAL PLAN	20.90
28 .05% SALES TX ST/SIDE MAINT DEBT	
PSB- Py off Bd Ant Note/Refin to BDS	2,405,000.00
PSB Bd Ant Note Int	4,890.17
PSB Py off Bd Ant Note/Refin to BDS	150,000
Total Claims	2,722,148.80
Total Claims and Salaries	2,818,552.78

Checks 86780-86894

Council Member Kerns stated that he would be abstaining from any discussion or action as his company, Kern's Excavating has a claim submitted for approval of payment.

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Council Member Porter introduced an ordinance numbered and titled as follows: Ordinance No. 1844: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 2, ARTICLE 12, SECTION 2-1202 ENTITLED “MEMBERS; VACANCIES; MEETINGS” AS THE SAME RELATES TO THE CITIZEN ADVISORY REVIEW COMMITTEE OF THE ECONOMIC DEVELOPMENT PROGRAM; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Porter, seconded by Brookhouser to suspend the statutory rule requiring reading an ordinance on three different days and that Ordinance No. 1844 be adopted on second reading by title only. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1844 in to the record by title only.

ITEM 7 B

Charles Jones, Executive Director of Plattsmouth Main Street Association justified the requested time for the street closing and stated that there are mixed feeling among the main street businesses. Jones stated that this is an Economic Development event in hopes that the participants and spectators will return to do future business with main street businesses. Motion by Derby, seconded by Dugan to approve the request of the Plattsmouth Main Street Association for closure of Main Street from 3rd Street to 7th Street and adjacent streets including 4th, 5th, and 6th from Avenue A to 1st Avenue for the purpose of conducting the Fourth Annual Motorcycles on Main Show and Shine and the Second Annual Rhino Run Safety Rally on Saturday, May 19, 2012 between the hours of 10:00 a.m. to 11:00 p.m. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 C

Council Member Kerns introduced a resolution numbered and titled: **RESOLUTION NO. 12-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR A SPECIAL EVENT SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA DEPARTMENT OF ROADS.**

Motion by Kerns, seconded by Tilson to adopt **RESOLUTION NO. 12-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE TEMPORARY USE OF THE STATE HIGHWAY**

SYSTEM FOR A SPECIAL EVENT SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA DEPARTMENT OF ROADS. City Attorney Roger Johnson read Resolution No. 12-004 in to the record by title only. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 D

Council Member Tilson introduced a resolution numbered and titled: **RESOLUTON NO. 12-010: OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA (CITY) TO AUTHORIZE AMENDMENTS TO THE PLATTSMOUTH MAIN STREET FAÇADE IMPROVEMENT PROGRAM FOR COMMERCIAL PROPERTIES WITHIN THE PLATTSMOUTH MAIN STREET HISTORIC DISTRICT FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS GRANTED TO THE CITY BY THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED).**

Motion by Tilson, seconded by Riese to adopt **RESOLUTON NO. 12-010: OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA (CITY) TO AUTHORIZE AMENDMENTS TO THE PLATTSMOUTH MAIN STREET FAÇADE IMPROVEMENT PROGRAM FOR COMMERCIAL PROPERTIES WITHIN THE PLATTSMOUTH MAIN STREET HISTORIC DISTRICT FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS GRANTED TO THE CITY BY THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED).** After discussion, City Attorney Roger Johnson read Resolution No. 12-010 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 E

Erv Portis, City Administrator stated that when the Plattsmouth Flood Control Study was put together it was seriously underestimated. Chris Koenig, HDR Engineering Inc. stated that Amendment No. 2 to Task Order No. 1 provides for continued permitting coordination for the placement of excess fill from the BNSF double track project and to assist the City in preparing Nebraska Hazard Mitigation Grant Program (HMGP) application for funding for the “Emergency Access Road” mitigation option. It was clarified that the fees are strictly engineering charges. Motion by Brookhouser, seconded by Kerns to approve Amendment No. 2 to Task Order No. 1-Plattsmouth Flood Control Study increasing the contract by a not to exceed amount of \$11,400.00 for the amendment, with a total contract amount not to exceed \$97,771.00 and authorize the Mayor to execute the Amendment. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 F

Motion by Riese, seconded by Porter to approve Amendment No. 2 to Task Order No. 2-

Plattsmouth Flood Control Study increasing the contract by a not to exceed amount of \$11,400 for the amendment, with a total contract amount not to exceed \$112,230.00 and authorize the Mayor to execute the Amendment. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8-NEW BUSINESS

ITEM 8 A

Steve Perry, PE of Olmsted & Perry Consulting Engineers Inc., City Engineer presented information on the Westside Commercial Subdivision Sewage Pumping Station Project. Perry stated that the existing pumping station doesn't have the capacity to handle the Westside Commercial Subdivision and the estimated cost is \$210,000.00. Council Member Kerns stated that he would be abstaining as his company is a potential bidder. Motion by Riese, seconded by Dugan to authorize the publication of a notice for sealed bids on the Westside Commercial Subdivision Sewage Pumping Station Project. ROLL CALL: Yes-Porter, Brookhouser, Tilson, Riese, Dugan, Tesarek and Derby. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 B

Pursuant to publication Mayor Bowman opened a public hearing at 7:40 p.m. concerning a Engineering Report for construction of **Sewer Separation Phase 2** as required for State Revolving Loan Funding from the Nebraska Department of Environmental Quality and other funding Agencies. The purpose of this public hearing is to discuss the Preliminary Engineering Report and the potential impact to the existing sewer rates and debt service. Chris Koenig, Consulting Engineer, HDR, Inc. presented information on the purpose of the project (Sewer Separation Phase 2), project impact, estimated project cost and the project schedule. The debt service fee per customer was also reviewed. Jerry Blackwell, 1432 Lincoln Ave, Plattsmouth expressed his concern with routing the trucks on Lincoln Avenue as it is a residential area and it is marked as 12 ton. Mayor Bowman closed the public hearing at 8:05 p.m.

ITEM 8 C

Motion by Riese, seconded by Dugan to approve construction of Sewer Separation Phase 2 and authorize the publication of a notice for sealed bids. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Council Member Kerns introduced a resolution numbered and titled: **RESOLUTION NO. 12-005: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1908 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA**

Motion by Kerns, seconded by Porter to adopt : **RESOLUTION NO. 12-005: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1908 LINCOLN AVENUE, PLATTSMOUTH, NEBRASKA.** City Attorney Roger Johnson read Resolution No. 12-005 in to the record by title only. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED

ITEM 8 E

Council Member Dugan introduced a resolution numbered and titled: **RESOLUTION NO. 12-006: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 315 NORTH 9TH STREET, PLATTSMOUTH, NEBRASKA**

Motion by Dugan, seconded by Tesarek to adopt : **RESOLUTION NO. 12-006: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 315 NORTH 9TH STREET, PLATTSMOUTH, NEBRASKA.** City Attorney Roger Johnson read Resolution No. 12-006 in to the record by title only. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Council Member Riese introduced a resolution numbered and titled: **RESOLUTION NO. 12-007: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1100 BLOCK OF 17TH AVENUE, PLATTSMOUTH, NEBRASKA.**

Motion by Riese, seconded by Tesarek to adopt: **RESOLUTION NO. 12-007: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 1100 BLOCK OF 17TH AVENUE, PLATTSMOUTH, NEBRASKA.** City Attorney Roger Johnson read Resolution No. 12-007 in to the record by title only. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 G

Council Member Brookhouser introduced a resolution numbered and titled: **RESOLUTION NO. 12-008: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 429 MAIN STREET, PLATTSMOUTH, NEBRASKA.**

Motion by Brookhouser, seconded by Kerns to adopt: **RESOLUTION NO. 12-008: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 429 MAIN STREET, PLATTSMOUTH, NEBRASKA.** City Attorney Roger Johnson read Resolution No. 12-008 in to the record by title only. ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 H

Council Member Riese introduced a resolution numbered and titled: **RESOLUTION NO. 12-009: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 209 SOUTH 9TH STREET, PLATTSMOUTH, NEBRASKA.**

Motion by Riese, seconded by Brookhouser to adopt: **RESOLUTION NO. 12-009: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, SPECIALLY ASSESSING THE REAL ESTATE LOCATED AT 209 SOUTH 9TH STREET, PLATTSMOUTH, NEBRASKA.** City Attorney Roger Johnson read Resolution No. 12-009 in to the record by title only. ROLL CALL: Yes-Tilson, Riese, Dugan, Tesarek, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 I

Charles Jones, Executive Director for the Plattsmouth Main Street Association stated that the Main Street Association is managing the Entertainment Plaza and scheduling events. Jones proposed that South 4th Street from Main Street south to the east west alley (1/2 block) be closed from May 1 through October 5 so that the stage can be put up permanently and it would be tarped when not in use. Jones stated that the car count on the above mentioned portion of South 4th Street is quite consistent at 220 cars/vehicles per day. Concerns of the stage being out for long periods of time were expressed and the storage and set-up of the stage were discussed. Chief Rathman stated that the Police Department does not have enough staff to also patrol the South 4th Street area where the stage is set up watching for vandals. The possibility of adopting a Resolution to have the street closing request for each individual event be handled administratively was also discussed. Erv Portis, City Administrator suggested doing a more extensive traffic study and bring the results back to council for consideration. NO FORMAL ACTION TAKEN.

ITEM 8 J

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to discussing property negotiations for storm drainage in the area of U.S. Highway 75 and Avenue B; to discuss negotiations with the Rural Fire Board; negotiations with Cass County Rural Water District 1; and notice of Tort Claim submitted on behalf of Cass County Bank regarding property located at 1003 Chicago Avenue, Plattsmouth, NE. 8:31 p.m.

Motion by Tilson, seconded by Porter to convene to Closed Session to protect the public interest with regard to discussing property negotiations for storm drainage in the area of U.S. Highway 75 and Avenue B; to discuss negotiations with the Rural Fire Board; negotiations with Cass County Rural Water District 1; and notice of Tort Claim submitted on behalf of Cass County Bank regarding property located at 1003 Chicago Avenue, Plattsmouth, NE. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to discussing property negotiations for storm drainage in the area of U.S. Highway 75 and Avenue B; to discuss negotiations with the Rural Fire Board; negotiations with Cass County Rural Water District 1; and notice of Tort Claim submitted on behalf of Cass County Bank regarding property located at 1003 Chicago Avenue, Plattsmouth, NE.

9:18 p.m. Mayor Bowman reconvened the council to open session.

ITEM 8 K

Motion by Porter, seconded by Brookhouser to refer the Notice of a Tort Claim submitted on behalf of Cass County Bank regarding property located at 1003 Chicago Avenue, Plattsmouth, NE to legal counsel. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11

9:29 p.m. Motion by Tesarek, seconded by Porter to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk