

PLATTSMOUTH CITY COUNCIL
May 21, 2012

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 May 21, 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. 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 reviewed events of the past week and stated that the first kiosk will be installed at 4th and Main on Wednesday, May 23, 2012.

Terry Tilson reviewed the success of the Rhino Run and stated that the event will receive recognition from the American Motorcyclist Association (AMA)-the designated governing body of motorcycle sport in the U.S. by the world governing body, The Federation Internationale de Motorcyclisme (FIM) which will provide worldwide recognition through the web and publications.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

Motion by Riese, seconded by Tesarek to approve the consent agenda as presented:

- A Consider approval of May 7, 2012 Plattsmouth City Council Meeting Minutes
- B Consider approval of claims

CLAIMS

REGISTER REPORT

Please note these are GROSS SALARIES 5/04/2012 not Net as before
General Admin 14,533.51

Humane 1,146.40
 EMS 5,040.88
 Police 31,067.34
 Street 12,543.99
 Public Library 6,362.71
 Parks 1,597.99
 Oakhill Cemetery 1,349.60
 Senior Center 1,983.69
 Community Center 7,378.33
 Pool
 Water 6,263.45
 Sewer 6,127.43
 CBD 570.00
 TOTAL SALARIES 95,965.32

Various
 Shell 6470.05

GENERAL ADMINISTRATION

BLACK HILLS ENERGY 165.96
 CASS COUNTY TREASURER 5,872.75
 CHARTER BUSINESS 163.06
 DANA F. COLE & COMPANY L 3,901.80
 FIRST BANKCARD 100.00
 GOVERNMENT FINANCE OFFIC 368.50
 HIGGINS HARDWARE 2.00
 JOHNSON LAW OFFICE 551.84
 KATHRYN SHARP 125.00
 MICROFILM IMAGING SYSTEM 60.00
 OFE OIL INC. 13.00
 OLMSTED & PERRY ENGINEER 1,983.50
 PAYLESS OFFICE PRODUCTS 196.60
 SCHNEIDER AGENCY 72,892.20
 VERIZON WIRELESS 88.40
 WINDSTREAM 280.27
 WIREBUILT CO 75.00

HUMANE/CODE ENFORCEMENT

HEARTS UNITED 70.00
 PLATTSMOUTH ANIMAL HOSPI 190.00

POLICE

CASS COUNTY SHERIFF 3,509.00
 COMPUTERS TO GO 149.00
 KAHLER CONSTRUCTION 250.00
 LINDER TIRE & AUTO INC 24.60
 MJN INC 600.00
 TILSON AUTOMOTIVE 505.10

VERIZON WIRELESS	37.04
WARGA BROADCASTING LLC	300.00
WINDSTREAM	351.48
STREET	
CONWAY OIL COMPANY	4,065.27
CRA PAYMENT CENTER	50.31
FACTORYMOTORPARTS	40.88
HIGGINS HARDWARE	98.90
PAYLESS OFFICE PRODUCTS	25.59
PLATTSMOUTH READY MIX IN	145.85
VERIZON WIRELESS	136.24
WINDSTREAM	106.10
LIBRARY	
BAKER & TAYLOR BOOKS	538.06
BLACK HILLS ENERGY	20.50
BRODART COMPANY	182.24
CASS COUNTY TREASURER	975.00
CENTER POINT LARGE PRINT	213.90
DEMCO	54.93
O'KEEFE ELEVATOR CO INC	326.00
SOUTHEAST LIBRARY SYSTEM	20.00
PARK & REC	
HIGGINS HARDWARE	38.69
LINDER TIRE & AUTO INC	64.00
LONNIE ILES	250.00
NEBRASKA PUBLIC POWER DI	73.10
VERIZON WIRELESS	34.06
WINDSTREAM	51.44
CEMETERY	
BLACK HILLS ENERGY	24.34
PAYLESS OFFICE PRODUCTS	5.99
WINDSTREAM	74.77
FIRE	
FELD FIRE	600.00
FIRST WATCH INC	240.00
FOUR STAR LAUNDRY	37.15
KATHRYN SHARP	600.00
WINDSTREAM	109.16
SENIOR CITIZEN CTR	
STEUBE'S THRIFTWAY	319.72
WINDSTREAM	110.71
COMMUNITY CENTER	
ALLISON WELCH	162.50
CINDI BOSWELL	25.00
DAVE STEINKRUGER	25.00
DEBBIE BAGGENSTOSS	175.00

DHHS	80.00
DIANA L. POGREBA	50.00
KAREN MOREHEAD	175.00
KELLEY STEELE	150.00
LAUREN GEORGE	50.00
MICHAEL ANZALONE	120.00
MICHELLE MCKNIGHT	250.00
NOVA FITNESS EQUIPMENT	561.00
OLMSTED & PERRY ENGINEER	415.00
SARAH ASCHENBRENNER	62.50
SHARI BARRIOS	60.00
THOMAS WOODS	925.00
VERIZON WIRELESS	68.86
WINDSTREAM	332.14
AQUATIC	
AQUA CHEM INC	2,165.52
DOLLAR GENERAL	158.90
FASTENAL COMPANY	78.11
HIGGINS HARDWARE	5.20
IMPACT MANUFACTURING	35.00
PLATTSMOUTH STATE BANK	400.00
THE COLUMBUS TELEGRAM	243.16
DEBT SERVICE	
PLATTSMOUTH STATE BANK	60,512.50
WATER & SEWER DEPARTMENT	6,113.22
WELLS FARGO	33,805.00
EMS	
D & D COMMUNICATIONS INC	55.00
D & D LASER INC	103.90
MARLA FLETCHER	99.30
MATHESON TRI-GAS INC	302.18
METRO BILLING SERVICES	510.00
OMAHA DOOR & WINDOW COMP	229.00
PAYLESS OFFICE PRODUCTS	12.69
WINDSTREAM	109.16
WATER	
MUTUAL OF OMAHA	57.01
BLACK HILLS ENERGY	73.50
CASS COUNTY TREASURER	1,760.85
DANA F. COLE & COMPANY L	1,300.60
GREAT PLAINS ONE CALL SE	40.87
HACH COMPANY	426.95
HAWKINS INC	532.00
LINDER TIRE & AUTO INC	32.00
MENARDS	29.97
MISSISSIPPI LIME COMPANY	3,241.35

MUNICIPAL SUPPLY INC	577.43
PAMIDA DISCOUNT CENTER	42.79
SCHNEIDER AGENCY	24,292.40
STEUBE'S THRIFTWAY	2.53
UTILITY EQUIPMENT COMPAN	59.39
VERIZON WIRELESS	102.18
WENTZ HOLDING LLC	750.00
WINDSTREAM	153.47
SEWER	
MUTUAL OF OMAHA	18.96
A & M GREEN POWER	20.74
BLACK HILLS ENERGY	208.54
CASS COUNTY TREASURER	1,173.90
DANA F. COLE & COMPANY L	1,300.60
DULTMEIER SALES	98.45
GREAT PLAINS ONE CALL SE	40.87
MENARDS	39.08
MIDWEST LABORATORIES INC	98.23
PLATTSMOUTH READY MIX IN	292.85
PRUITT INC	41.89
SCHNEIDER AGENCY	24,292.40
UTILITY EQUIPMENT COMPAN	227.61
VERIZON WIRELESS	34.06
WINDSTREAM	48.28
DRUG FORFEITURE	
COLEMAN TECHNOLOGIES	588.00
NEXTEL PARTNERS	99.98
30 HWY 75 PROJECT	
OLMSTED & PERRY ENGINEER	7,729.00
32 WESTSIDE	
BAIRD HOLM LLP	13,993.50
TH CONSTRUCTION	1928.81
33 BNSF	
V & V CONSTRUCTION	124,704.13
Total Claims	303,304.93
Total Claims and Salaries	399,270.25

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

A discussion was held concerning the proposed financing to be provided for the City by the Nebraska Department of Environmental Quality for the City's sanitary sewer system. Council Member Kerns introduced an ordinance numbered and titled as follows: Ordinance No. 1847: AN ORDINANCE AUTHORIZING THE ISSUANCE OF A COMBINED WATER AND SEWER REVENUE BOND, 2012 SERIES, OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION SEVEN HUNDRED EIGHTY THOUSAND DOLLARS (\$1,780,000) IN THE FORM OF A PROMISSORY NOTE ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY; APPROVING THE FORM OF SAID BOND (ISSUED AS A SINGLE PROMISSORY NOTE) AND RELATED CONTRACT FOR LOAN THERETO; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM OWNED OR TO BE OWNED BY THE CITY FOR THE PAYMENT OF SAID BOND; PROVIDING FOR THE ISSUANCE AND SALE OF SAID BOND; AUTHORIZING THE DELIVERY OF SAID BOND AND RELATED CONTRACT FOR LOAN THERETO TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SAID BOND; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. Motion by Kerns, seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1847 be adopted on first reading by title only. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Kerns moved for final passage of the ordinance, which motion was seconded by Porter. ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed such Clerk's signature thereto and ordered the ordinance to be published as provided therein.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Derby, seconded by Porter to authorize the expenditure of \$5,000.00 to the Plattsmouth Main Street Association to conduct and coordinate a full program of events within the Plattsmouth Fourth Street Entertainment Plaza. After discussion and clarification, ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Motion by Riese, seconded by Tesarek to approve a five year lease agreement with Konica Minolta Business Solutions Us, Inc. for Konica Minolta copiers at City Hall, Police Department, Library, and Community Center at a combined price of \$970.22 per month plus a per copy maintenance price as specified on the Konica Minolta Business Solutions US, Inc Request for Proposals response; and authorize the Mayor to execute the contract subject to final contract revisions by the City Attorney. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to negotiations with the Plattsmouth Rural Fire Board; and threatened litigation with Castaway Pointe, LLC concerning the relocation of the floodway line per Ordinance No. 1819. 7:26 p.m. Motion by Riese, seconded by Dugan to convene in Closed Session to protect the public interest with regard to negotiations with the Plattsmouth Rural Fire Board; and threatened litigation with Castaway Pointe, LLC concerning the relocation of the floodway line per Ordinance No. 1819. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Tesarek and Derby. 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 negotiations with the Plattsmouth Rural Fire Board; and threatened litigation with Castaway Pointe, LLC concerning the relocation of the floodway line per Ordinance No. 1819.

7:37 p.m. Motion by Riese, seconded by Brookhouser to reconvene in regular session. On a voice vote, MOTION CARRIED.

ITEM 12

7:45 p.m. Motion by Tesarek, seconded by Dugan to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk