

PLATTSMOUTH CITY COUNCIL
November 5, 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 November 5, 2012 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: Terry Kerns, John R. Porter, 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 Attorney Roger Johnson and City Treasurer Peggy Wilsey.

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

No one spoke at Citizen Delegation.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA:

Motion by Riese, seconded by Tesarek to approve the Consent Agenda with the additional claims list.

- A Consider approval of October 15, 2012 Plattsmouth City Council Meeting Minutes
- B Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 10/19/2012 not Net as before

General Admin 14,323.19

Humane 1,169.60

EMS 5,408.73

Police 31,245.63

Street 12,482.27

Public Library 6,402.25
Parks 1,978.14
Oakhill Cemetery 1,376.81
Senior Center 2,114.18
Community Center 7,535.38
Pool
Water 6,041.28
Sewer 5,902.04
CBD 570.00
TOTAL SALARIES 96,549.50

VARIOUS

AMERICAN FAMILY LIFE	215.59
MUTUAL OF OMAHA	57.01
DELTA DENTAL PLAN	55.40
FIDELITY SECURITY LIFE	257.44
FRATERNAL ORDER OF POLIC	345.00
MUTUAL OF OMAHA	521.19
PLATTSMOUTH STATE BANK	1,101.12
CENTRAL UNITED LIFE INSU	265.44
MUTUAL OF OMAHA	18.96
THE UNION CENTRAL LIFE I	155.02

PSB COMMUNIITY CENTER BOND 237,373.75
First Bankcard hotel & flight 1,974.90
Reimburse for Confer 167.02

GENERAL ADMINISTRATION

BLACK HILLS ENERGY	216.26
CHARTER BUSINESS	40.00
COMPUTERS TO GO	30.98
DELTA DENTAL PLAN	298.65
EGAN SUPPLY CO	162.47
HDR ENGINEERING INC	1,218.00
ICMA	758.00
KATHRYN SHARP	125.00
KONICA MINOLTA BUSINESS	24.51
KONICA MINOLTA PREMIER F	592.32

LEAGUE OF NEB MUNICIPALI	378.95
MATT PARROTT & SONS CO.	356.27
MICROFILM IMAGING SYSTEM	1,468.55
NEBRASKA MUNICIPAL CLERK	35.00
NEBRASKA PUBLIC POWER DI	975.60
PAYFLEX	40.02
PAYLESS OFFICE PRODUCTS	105.93
PITNEY BOWES INC.	108.00
PLATTSMOUTH STATE BANK	72.00
SCHNEIDER AGENCY	23,049.60
STEUBE'S THRIFTWAY	10.74
STEVE KONFRST TRASH	5,133.10
VERIZON WIRELESS	86.55
WINDSTREAM	440.36
HUMANE/CODE ENFORCEMENT	
BOMGAARS SUPPLY	96.74
NEBRASKA PUBLIC POWER DI	111.10
R & R CLEANING	75.00
RGS REPAIR INC	820.12
POLICE	
CORY J SCOTT	89.85
DELTA DENTAL PLAN	640.60
FIRST BANKCARD	17.07
FORD CREDIT DEPT 67-434	7,879.45
KAHLER CONSTRUCTION	585.00
KONICA MINOLTA BUSINESS	10.01
KONICA MINOLTA PREMIER F	197.60
O'REILLY AUTOMOTIVE INC	91.18
PAYFLEX	26.68
POLICE MOUNTAIN BIKE TRA	262.50
REID RICHTER	138.75
RGS REPAIR INC	1,985.51
ROBERT L. BURNETT	600.00
TILSON AUTOMOTIVE	867.33
VERIZON WIRELESS	70.71
WINDSTREAM	290.62
STREET	
ASPHALT & CONCRETE MATER	750.20
BLACK HILLS ENERGY	165.98
BOMGAARS SUPPLY	318.61
COMPUTERS TO GO	525.00
DELTA DENTAL PLAN	320.30
FASTENAL COMPANY	219.06

HIGGINS HARDWARE	110.25
LOGAN CONTRACTORS SUPPLY	1,000.00
MICHAEL TODD & COMPANY I	63.50
MULLENAX AUTO SUPPLY	424.52
NEBRASKA PUBLIC POWER DI	7,714.88
PALFLEET TRUCK EQUIP	9.71
PAYFLEX	6.66
PAYLESS OFFICE PRODUCTS	5.89
PLATTSMOUTH READY MIX IN	1,454.88
PROFESSIONAL WASTE WATER	75.00
PRUITT INC	20.00
RHYLANDER WELDING & MFG	61.80
STEUBE'S THRIFTWAY	5.94
VERIZON WIRELESS	133.00
WINDSTREAM	106.56
LIBRARY	
ACCUCUT LLC	47.00
AVERY RENTS	47.27
BAKER & TAYLOR BOOKS	1,168.08
BARBARA MILLER	83.05
BIBLIOTHECA INC	495.00
BLACK HILLS ENERGY	23.13
CENTER POINT LARGE PRINT	213.90
CHARTER BUSINESS	16.00
COMPUTERS TO GO	2,125.00
DELTA DENTAL PLAN	110.80
DEMCO	459.92
DOLLAR GENERAL	23.95
FIRST BANKCARD	1,094.44
GALE	51.50
HEARTLAND TECHNOLOGY SOL	322.00
INTERSTATE ALL BATTERY	75.96
KIRSTEN WOOD	27.00
KONICA MINOLTA PREMIER F	197.60
MICROFILM IMAGING SYSTEM	1,468.55
MIDWEST MINOR MEDICAL	35.00
MT LIBRARY SERVICES	125.55
NEBRASKA PUBLIC POWER DI	533.93
SPECIALTY STORE SERVICES	97.26
UPSTART	270.70
PARK & REC	
BLACK HILLS ENERGY	19.20
FASTENAL COMPANY	3.10

HIGGINS HARDWARE	34.47
NEBRASKA PUBLIC POWER DI	187.88
UNITED SEED INC	82.50
VERIZON WIRELESS	33.25
WINDSTREAM	52.13
CEMETERY	
DELTA DENTAL PLAN	55.40
NEBRASKA PUBLIC POWER DI	32.78
PAYFLEX	6.66
PRUITT INC	59.77
WINDSTREAM	74.55
FIRE	
BLACK HILLS ENERGY	16.78
FIRST BANKCARD	189.19
FORT DEARBORN LIFE INSUR	154.80
FOUR STAR LAUNDRY	22.29
HEIMAN INC	288.95
MOTOROLA	52,579.01
NEBRASKA PUBLIC POWER DI	249.88
WINDSTREAM	105.74
SENIOR CITIZEN CTR	
BLACK HILLS ENERGY	78.83
EGAN SUPPLY CO	102.00
FOUR STAR LAUNDRY	103.44
JOHN'S APPLIANCE	69.00
PAYLESS OFFICE PRODUCTS	7.59
WINDSTREAM	115.13
COMMUNITY CENTER	
ALLISON WELCH	437.50
BLACK HILLS ENERGY	709.43
BOMGAARS SUPPLY	135.30
CHARTER BUSINESS	96.34
DAVE STEINKRUGER	50.00
DEBBIE BAGGENSTOSS	437.50
DEBRA S FLAHERTY	2,269.00
DELTA DENTAL PLAN	77.05
DIANA L. POGREBA	100.00
FISERV	187.50
FOUR STAR LAUNDRY	156.96
HIGGINS HARDWARE	32.88
JOYCE HICKS	450.00
KAREN MOREHEAD	237.50
KELLEY STEELE	250.00

KONICA MINOLTA PREMIER F	278.83
LINDA HAUENSTEIN	200.00
MICHAEL ANZALONE	240.00
MICHELLE MCKNIGHT	150.00
NEBRASKA AIR FILTER INC	42.93
NOVA FITNESS EQUIPMENT	578.99
PAYFLEX	6.66
SAM'S	363.38
SARAH ASCHENBRENNER	312.50
SHARI BARRIOS	60.00
STEPHEN C. WARGA	90.00
VERIZON WIRELESS	65.86
WINDSTREAM	345.42
AQUATIC	
BLACK HILLS ENERGY	18.60
NEBRASKA PUBLIC POWER DI	253.37
WINDSTREAM	46.58
ECONOMIC DEVELOPMENT	
KASS KOUNTY KING KORN KL	1,000.00
LOVELAND LAWNS INC	173.42
EMS	
BLACK HILLS ENERGY	16.79
BOUND TREE MEDICAL LLC	353.04
COMPUTERS TO GO	15.85
DELTA DENTAL PLAN	77.05
FOUR STAR LAUNDRY	22.31
IMAGE TREND	1,212.50
LINDER TIRE & AUTO INC	318.78
MATHESON TRI-GAS INC	236.32
METRO BILLING SERVICES	527.00
MIDWEST MINOR MEDICAL	100.00
MOTOROLA	7,672.00
MULLENAX AUTO SUPPLY	132.35
NEBRASKA PUBLIC POWER DI	249.87
STERICYCLE INC	694.34
WINDSTREAM	105.74
WATER	
BLACK HILLS ENERGY	39.10
BOMGAARS SUPPLY	157.23
DELTA DENTAL PLAN	175.75
EGAN SUPPLY CO	32.00
GRAYBAR	71.14
HAWKINS INC	2,378.74

HD SUPPLY WATERWORKS LTD	41.89
HDR ENGINEERING INC	35,293.07
JEFF HENRY CHEVROLET	26.80
JOEL PETEREIT	100.00
KNIGHT TRUCKING LLC	686.69
LAMOTTE CO	44.60
MISSISSIPPI LIME COMPANY	3,241.35
MULLENAX AUTO SUPPLY	68.67
NEBRASKA DEPT OF HEALTH & HUMAN	551.19
NEBRASKA PUBLIC HEALTH E	348.00
NEBRASKA PUBLIC POWER DI	9,371.52
PAYFLEX	6.66
READY MIX CONCRETE CO	513.68
SCHNEIDER AGENCY	7,683.20
SEI SECURITY EQUIPMENT	348.00
UNITED SEED INC	1,215.00
USA BLUEBOOK	96.85
UTILITY EQUIPMENT COMPAN	131.90
VERIZON WIRELESS	99.75
WATER DEPARTMENT-PETTY C	474.68
WINDSTREAM	110.36

SEWER

BLACK HILLS ENERGY	231.86
BOMGAARS SUPPLY	61.94
DELTA DENTAL PLAN	166.20
JOEL PETEREIT	100.00
MULLENAX AUTO SUPPLY	25.18
NDEQ - FISCAL SERVICES	150.00
NEBRASKA PUBLIC POWER DI	3,372.09
PAYFLEX	6.66
PRUITT INC	268.14
RASMUSSEN MECHANICAL SER	506.25
SCHNEIDER AGENCY	7,683.20
UTILITY EQUIPMENT COMPAN	50.92
VERIZON WIRELESS	33.25

DRUG FORFEITURE

NEXTEL PARTNERS	99.98
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CSO PROJECT PHASE II

HDR ENGINEERING INC	36,392.55
JAMES HAN	1,453.53

.05% SALES TAX STREET/SIDE MAINT

DELTA DENTAL PLAN	21.65
TURD TOTERS	700.00

WESTSIDE

OLMSTED & PERRY ENGINEER 641.75

Total Claims 507,279.58

Total Claims and Salaries 603,829.08

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Motion by Porter, seconded by Riese to approve Change Order No. 5 submitted by Roloff Construction, Inc. for the Sewer Separation Phase 2 project with an increase of \$44,196.62 for an adjusted contract price of \$1,495,033.42 and authorize the Mayor to execute Change Order No. 5. After discussion of the clarification of items, ROLL CALL: Yes-Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 B

Motion by Riese, seconded by Dugan to approve Pay Application No. 5 submitted by Roloff Construction Inc. for Sewer Separation Phase 2 in the amount of \$526,783.94 and authorize the Mayor to execute Pay Application No. 5. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Pursuant to publication, Mayor Bowman opened the public hearing at 7:09 p.m. with regard to the use of \$200,000.00 of Housing Reuse Program Income under the approved Housing Development Reuse Plan to Keeler Properties, LLC owned by Douglas and Karen Keeler as a “conditional reuse loan” . Doug Keeler-Keeler Properties LLC stated that he was available to answer any questions. No one else spoke in favor or opposition. Mayor Bowman closed the public hearing at 7:10 p.m.

ITEM 8 B

Motion by Riese, seconded by Porter to approve the Systems Agreement by and between the City of Plattsmouth and Tyler Technologies, Inc., Lubbock, Texas for the purchase of finance software at a cost of \$82,340, and a five (5) year annual subscription agreement for internet based hosted services at an annual cost of \$30,306.00; and authorize the Mayor to execute the agreements. After discussion, ROLL CALL: Yes-Tesarek, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Derby, seconded by Brookhouser to approve the Mayor' s nomination of Janice Carnes to the Library Board to complete the unexpired term (expires January 2013) of Leigh Jean Koinzan and an appointment to a 4 year term (January 2013 through January 2017). ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Mayor and Council reviewed the request of the Deer Creek Homeowners Association for the placement of No Parking signs on one side of both East Deer Lane and West Deer Lane and also No Outlet/Dead End on each street. Motion by Dugan, seconded by Brookhouser to direct the City Attorney to prepare a Resolution authorizing the placement of a No Parking sign on the east side of East Deer Lane and a No Parking sign on the west side of West Deer Lane for consideration at the next city council meeting. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Tesarek, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Mike Wilson, Fire Chief Plattsmouth Volunteer Fire Department reported the following statistics: 49 members; 188 calls to date-2 call increase from last year; busiest call month was July-32 calls; equipment is in good condition; all narrow band radios installed; Civil Defense sirens are narrow band capable; reflective striping was installed on the back of the trucks and safety vests are now being worn by all members; and a two (2) day training session (Situational Awareness Class) is scheduled for December 2 and 3, 2012. Chief Wilson then reviewed the Recruitment and Retention procedures for the department as set out in their constitution and bylaws. The job descriptions for Firefighter and Volunteer Firefighter Logistics and Support were presented. After further discussion, motion by Brookhouser, seconded by Riese to approve the job descriptions for Firefighter and Volunteer Firefighter Logistics and Support. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Tesarek. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Mayor Bowman indicated the need for the council to go in to Closed Session to protect the public interest with regard to legal contractual matters related to the Plattsmouth Rural Fire Board Interlocal Agreement; and Castaway Point, LLC vs. City of Plattsmouth, litigation filed in Federal District Court regarding the relocation of the floodway line per Ordinance No. 1819. 7:56 p.m. Motion by Dugan, seconded by Porter to convene in Closed Session to protect the public interest with regard to legal contractual matters related to the Plattsmouth Rural Fire Board Interlocal Agreement; and Castaway Point, LLC vs. City of Plattsmouth, litigation filed in Federal District Court regarding the relocation of the floodway line per Ordinance No. 1819. ROLL CALL: Yes-Riese, Dugan, Tesarek, Derby, Porter, Kerns, Brookhouser and Tilson. 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 legal contractual matters related to the Plattsmouth Rural

Fire Board Interlocal Agreement; and Castaway Point, LLC vs. City of Plattsburgh, litigation filed in Federal District Court regarding the relocation of the floodway line per Ordinance No. 1819.

8:32 p.m. Motion by Riese, seconded by Tilson to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 11

8:34 p.m. Motion by Tesarek, seconded by Tilson to adjourn. On a voice vote, MOTION CARRIED.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk