

PLATTSMOUTH CITY COUNCIL

March 4, 2013

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:04 o'clock p.m. on March 4, 2013 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: Terry Kerns, John R. Porter, Jeanie Brookhouser, Steve Riese, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry D. Tilson. 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 5-CITIZEN DELEGATION

No one spoke at citizen delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral proclamations.

ITEM 7-CONSENT AGENDA:

Council Member Riese asked that Item B of the Consent Agenda be removed from the Consent Agenda for separate consideration.

Motion by Riese, seconded by Derby to approve Items A, C and D of the Consent Agenda as presented:

- A Consider approval of February 18, 2013 City Council Meeting Minutes
- C Consider ratification of the City Administrator interim approval of Check #90811 to Plattsmouth State Bank in the amount of \$33,914.35 as the final payment of the Plattsmouth Community Center Equipment which was due February 25, 2013
- D Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES ending pay period 02/22/13 not Net as before

General Admin 14,273.69

Humane 1,169.60

EMS 7,394.37

Police 31,092.64

Street 11,205.82

Public Library 6,448.83

Parks 186.75

Oakhill Cemetery 1,376.80

Senior Center 2,182.56

Community Center 7,463.96

Pool

Water 6,117.72

Sewer 5,978.48

CBD 570.00

TOTAL SALARIES 95,461.22

VARIOUS

AMERICAN FAMILY LIFE ASS	215.59
BLUE CROSS BLUE SHIELD	39,050.91
DELTA DENTAL PLAN	2,109.65
FRATERNAL ORDER OF POLIC	180.00
MUTUAL OF OMAHA	560.48
PLATTSMOUTH STATE BANK	1,384.44
THE UNION CENTRAL LIFE I	155.02

GENERAL ADMINISTRATION

AGA- ASSOCIATION OF GOVN	100.00
BLACK HILLS ENERGY	966.41
CHARTER BUSINESS	40.00
D & D LASER INC	119.90
DUGAN BUSINESS FORMS	176.64
FIRST BANKCARD	11.53
GREAT PLAINS GOVT FINANC	85.00
J P COOKE COMPANY	187.93

KATHRYN SHARP	125.00
KONICA MINOLTA BUSINESS	20.69
OLMSTED & PERRY ENGINEER	1,388.63
OMAHA PAPER COMPANY INC	1,304.88
PAYFLEX	37.50
PITNEY BOWES	2,500.00
PITNEY BOWES INC.	108.00
QUILL CORP	139.59
THE COLUMBUS TELEGRAM	980.33
VERIZON WIRELESS	85.47

HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY	16.99
PLATTSMOUTH ANIMAL HOSPI	60.00
POLICE PETTY CASH	1.61
VCA 80 DODGE ANIMAL HOSP	122.05
VERIZON WIRELESS	40.03

POLICE

DIGITAL ALLY	119.00
FBINAA-NE INC	100.00
FIRST BANKCARD	473.03
JEFF HENRY CHEVROLET	820.36
JOHN'S APPLIANCE	13.90
KONICA MINOLTA BUSINESS	6.99
OMAHA PAPER COMPANY INC	401.25
PAYFLEX	25.00
POLICE CHIEFS ASSOC OF N	50.00
POLICE PETTY CASH	42.58
VERIZON WIRELESS	35.37
WINDSTREAM	289.67

STREET

AA WHEEL & TRUCK SUPPLY	281.48
ASPHALT & CONCRETE MATER	784.77
BADGER BODY & TRUCK EQUI	105.00
BLACK HILLS ENERGY	533.79
BOMGAARS SUPPLY	390.04
DULTMEIER SALES	110.53
FASTENAL COMPANY	50.85
IMPACT MANUFACTURING	44.44
LYMAN RICHEY SAND & GRAV	3,762.38
MENARDS	95.83
MICHAEL TODD & COMPANY I	348.25

NEBRASKA PUBLIC POWER DI	132.73
NEBRASKA SALT & GRAIN CO	4,700.85
PAYFLEX	12.50
QUALITY SIGNS	462.00
VERIZON WIRELESS	130.80
VOSS LIGHTING	173.00
WINDSTREAM	106.86

LIBRARY

BAKER & TAYLOR BOOKS	674.28
BIBLIOTHECA INC	905.00
BLACK HILLS ENERGY	203.90
BOMGAARS SUPPLY	.00
CENTER POINT LARGE PRINT	213.90
COMPUTERS TO GO	89.29
DOLLAR GENERAL	7.50
FIRST BANKCARD	1,308.54
GALE	54.50
HEARTLAND TECHNOLOGY SOL	230.00
HIGGINS HARDWARE	16.03
MT LIBRARY SERVICES	132.75
NEBRASKA LIBRARY COMMISS	10.00
NEBRASKA PUBLIC POWER DI	473.78
OMAHA PAPER COMPANY INC	342.90
STEUBE'S THRIFTWAY	32.53
USI EDUCATION AND GOVERN	498.04
VOSS LIGHTING	116.40
WINDSTREAM	125.53

PARK & REC

BLACK HILLS ENERGY	201.11
BOMGAARS SUPPLY	56.66
CHOICE ELECTRIC INC	1,050.00
FASTENAL COMPANY	1.79
JEFF HENRY CHEVROLET	3.35
MENARDS	1,212.90
NEBRASKA PUBLIC POWER DI	99.55
RICKY L MCFALL	4,550.00
VERIZON WIRELESS	32.70

CEMETERY

BOMGAARS SUPPLY	19.58
NEBRASKA PUBLIC POWER DI	73.19

PAYFLEX 6.25

FIRE

BLACK HILLS ENERGY 136.11
FIRST BANKCARD 74.50
FORT DEARBORN LIFE INSUR 161.68
FOUR STAR LAUNDRY 15.86
HIGGINS HARDWARE 21.86

SENIOR CITIZEN CTR

BLACK HILLS ENERGY 768.18
CIT TECHNOLOGY 156.85
FOUR STAR LAUNDRY 103.44
THE THOMPSON COMPANY 3,935.15

COMMUNITY CENTER

ALEXANDRIA MARIE VANDE V 37.50
ALLISON WELCH 150.00
AQUA CHEM INC 163.54
BLACK HILLS ENERGY 6,913.65
BOMGAARS SUPPLY 8.67
CECILIA A GUERRA 75.00
DAVE STEINKRUGER 50.00
DEBBIE BAGGENSTOSS 200.00
DEBRA S FLAHERTY 307.00
DHHS 40.00
DIANA L. POGREBA 25.00
EGAN SUPPLY CO 65.81
FISERV 187.50
FOUR STAR LAUNDRY 196.20
JOYCE HICKS 225.00
KAREN MOREHEAD 75.00
KELLEY STEELE 50.00
KONICA MINOLTA BUSINESS 191.28
LAUREN GEORGE 75.00
LINDA HAUENSTEIN 100.00
MICHAEL ANZALONE 120.00
MICHELLE MCKNIGHT 100.00
NOVA FITNESS EQUIPMENT 750.16
OMAHA PAPER COMPANY INC 1,021.32
PAYFLEX 6.25
SARAH ASCHENBRENNER 162.50
STEPHEN C. WARGA 27.00
USI EDUCATION AND GOVERN 61.15

VERIZON WIRELESS	64.76
AQUATIC	
BLACK HILLS ENERGY	18.67
DHHS	40.00
WINDSTREAM	23.58
ECONOMIC DEVELOPMENT	
OLMSTED & PERRY ENGINEER	332.50
SOUTHEAST NE DEV DISTRIC	120.97
THE COLUMBUS TELEGRAM	66.49
DEBT SERVICE	
PLATTSMOUTH STATE BANK	2,282.50
EMS	
BLACK HILLS ENERGY	136.10
FIRST BANKCARD	74.50
FOUR STAR LAUNDRY	15.86
PAYFLEX	6.25
VERIZON WIRELESS	150.00
WATER DEPARTMENT	
MUTUAL OF OMAHA	60.81
BLACK HILLS ENERGY	271.97
BOMGAARS SUPPLY	62.92
DUGAN BUSINESS FORMS	703.07
HAWKINS INC	612.85
HDR ENGINEERING INC	17,655.30
NEBRASKA PUBLIC HEALTH E	129.00
NEBRASKA PUBLIC POWER DI	1,805.46
NEBRASKA RURAL WATER ASS	75.00
OLMSTED & PERRY ENGINEER	237.26
ONE CALL CONCEPTS INC	14.05
PAYFLEX	6.25
STATE OF NEBRASKA	480.00
THE COLUMBUS TELEGRAM	31.14
VERIZON WIRELESS	98.10
SEWER DEPARTMENT	
MUTUAL OF OMAHA	18.96
BLACK HILLS ENERGY	1,103.71
BOMGAARS SUPPLY	357.54
DUGAN BUSINESS FORMS	703.07
HDR ENGINEERING INC	1,257.26
IMPACT MANUFACTURING	47.23
KERSTENS CONSTRUCTION	170.64

NEBRASKA PUBLIC POWER DI	42.18
OLMSTED & PERRY ENGINEER	237.27
ONE CALL CONCEPTS INC	14.05
VERIZON WIRELESS	32.70
KENO RESERVE	
SSRJ INC DBA PLATTSMOUTH	36.85
DRUG FORFEITURE	
POLICE - DRUG FUND	250.00
VERIZON WIRELESS	99.68
.05% SALES TAX STREET/SIDE MAINT	
BOMGAARS SUPPLY	9.68
FASTENAL COMPANY	7.35
OLMSTED & PERRY ENGINEER	1,051.25
LIBRARY MICROFILM DIGITIZATION	
COMPUTERS TO GO	224.00
IARCHIVES	2,438.00
Total Claims 130,054.41	
Total Claims and Salaries 225,515.63	

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

CONSENT AGENDA – ITEM 7 B

Motion by Kerns, seconded by Porter to approve Item B of the Consent Agenda (Consider approval of Pay Application No. 1 submitted by Layne Christensen for the Well No. 8 Construction Project in the amount of \$39,365.10 and authorize the Mayor to execute Pay Application No. 1). Council Member Riese asked for a project update. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1857: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 4, ARTICLE 1, SECTION 4-144 RELATED TO THE IMPLEMENTATION OF RESOLUTION NO. 11-044 CREATING LIMITED TRUCK ROUTES WITHIN THE CORPORATE LIMITS OF THE CITY AND TO ESTABLISH A PENALTY FOR THE VIOLATION OF THE SAME; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Riese, seconded by Dugan to approve third and final reading of Ordinance No. 1857 by title only. ROLL CALL: Yes-Brookhouser, Riese, Dugan,

Wiemer, Derby, Porter and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Craig Vincent, Nebraska Public Power District representative gave a presentation/updated the Mayor and Council on the operations of the City's electric system. Mr. Vincent introduced Mick Snell and Ray Boston, both Distribution Superintendents for NPPD. The Cooper Nuclear Plant was also discussed.

ITEM 9 B

Motion by Riese, seconded by Wiemer to approve waiving the conflict of interest and consent to representation by Baird Holm, Attorneys at Law, 1500 Woodmen Tower, Omaha, in regards to serving as Bond Counsel to the City of Plattsmouth on matters related to a request for Tax Increment Financing by Woodhouse Ford South and authorize the Mayor to execute the Waiver of Conflict of Interest and Consent to Representation Letter. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Riese, Dugan and Wiemer. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council Member Kerns introduced a Resolution numbered and titled as follows: **RESOLUTION NO. 13-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA DECLARING THE USE OF CITY OF PLATTSMOUTH PARK PROPERTY RELATING TO THE 4TH AVENUE-16TH STREET TO HILLCREST DRIVE PROJECT.**

Motion by Kerns, seconded by Brookhouser to adopt RESOLUTION NO. 13-012:

RESOLUTION NO. 13-012

DECLARATION AS TO USE

WHEREAS; the City of Plattsmouth is the owner of Lot(s) 1, Block N/A, Plattsmouth Park Addition Subdivision, Plattsmouth, Nebraska, and

WHEREAS; said Lot(s) 1, Block N/A, Plattsmouth Park Addition Subdivision Plattsmouth, Nebraska, is now being occupied by the City of Plattsmouth Park, and

WHEREAS; The City of Plattsmouth hereby wishes to construct, operate, and maintain a street, sidewalk, and storm sewer outfall, and associated appurtenances, across a portion of said property, and

WHEREAS; The street, sidewalk, and storm sewer outfall, and associated appurtenances, is to be constructed as part of Nebraska Department of Roads project URB-6404(1), Control Number 22313, and identified as 4th Ave. 16th St. to Hillcrest, and

WHEREAS; To comply with Federal Highway Administration 23 CFR 1.23(a) – “Interest to be acquired – The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation, and maintenance of a project”; It is necessary for the City of Plattsmouth to declare that a portion of said property shall be used for the construction, operation, and maintenance of a street, sidewalk, and storm sewer outfall and associated appurtenances for a period of no less than twenty five years from the completion of its construction, and

NOW THEREFORE, BE IT RESOLVED; that the Mayor and City Council of the City of Plattsmouth, Nebraska, hereby approves the use of a portion of said land owned by the City of Plattsmouth for the construction, operation, and maintenance of a street, sidewalk, and storm sewer outfall and associated appurtenances, as shown on attached Exhibit “A”, and as aligned in project plans and specifications for Nebraska Department of Roads project URB-6404(1), Control Number 22313, and identified as 4th Ave. 16th St. to Hillcrest for a period of no less than twenty five years from the completion of its construction

PASSED AND APPROVED this 4th day of March , 2013

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 13-012 in to the record. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Porter, seconded by Derby to approve holding the 6th Annual Sprint Triathlon on Saturday, June 22, 2013 and authorize the Mayor to sign the timing service contract. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Riese and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.


ITEM 9 E

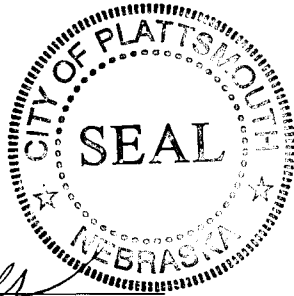
Motion by Brookhouser, seconded by Porter to approve payment of Invoice Number 11873 submitted by Kerns Excavating Company in the amount of \$390.00 for Snow Removal (hauling from Main Street) on January 31, 2013. Council Member Kerns stated that he would be abstaining from any discussion or action as he is president and majority share holder for Kerns Excavating Company. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter and Brookhouser. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.


ITEM 12

7:54 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED on a voice vote.

ATTEST:


Sandra J. Meyer, City Clerk




Michael C. Bowman, Mayor