

PLATTSMOUTH CITY COUNCIL
June 17, 2013

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 June 17, 2013 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John R. Porter, Jeanie Brookhouser, Terry D. Tilson, Pat Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Steve Riese and Terry Kerns. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer 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 updated the Mayor and Council on the events at the Entertainment Plaza.

7:03 p.m. Council Member Terry Kerns arrived.

ITEM 6-MAYORAL PROCLAMATIONS

- A There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

Motion by Dugan, seconded by Brookhouser to approve the Consent Agenda as presented:

- A Consider approval of the June 3, 2013 City Council Meeting Minutes
- B Consider approval of the 2013 Applications for Fireworks License contingent upon receipt of all fees and documentation (State Fire Marshall Fireworks Permit, State of Nebraska Sales Tax Certificate and Proof of Insurance) required and Fire Chief approval:
 - *(All fees and documentation have been received)
 - 1 John Masters-1318 South 15th Street
 - 2 Royce Productions-906 Webster Blvd.
 - 3 Hometown Fireworks-830 Chicago Ave.
 - 4 Ka-Boomer's Ent. Inc.-302 Fulton Ave.
 - 5 Wild Willy's Fireworks-16618 Bestman Drive
 - 6 Bellino Fireworks-2405 Oak Hill Road

- 7 Bronson Family Fireworks-Hwy 75 & Avenue B
- 8 Plattsmouth Booster Club-316 Chicago Ave.

C Consider approval of claims

DATE 6/13/2013 CITY OF PLATTSMOUTH PAGE 1
CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES -06/14

General Admin 13,216.41
Humane 1,169.60
EMS 7,829.33
Police 32,479.22
Street 11,019.64
Public Library 6,513.57
Parks 3,194.00
Oakhill Cemetery 1,376.80
Senior Center 2,152.35
Community Center 7,254.03
Pool 6,281.33
Water 5,683.69
Sewer 5,544.45
CBD 570.00
TOTAL SALARIES 104,284.42

VARIOUS

SHELL 6040.37

CINTAS CORPORATION #749	15.00
FIDELITY SECURITY LIFE E	269.00
PEGGY WILSEY	106.60
REBECCA VERMUELE	41.24
UNITED STATES LIFE INSUR	107.21
UNITED STATES LIFE INSUR	30.40

GENERAL ADMINISTRATION

AIM	329.00
CASS COUNTY COURT	17.00
CHARTER BUSINESS	40.00

DANA F. COLE & COMPANY L	7,650.00
HIGGINS HARDWARE	40.06
J P COOKE COMPANY	21.63
KATHRYN SHARP	125.00
KONICA MINOLTA BUSINESS	282.45
MICROFILM IMAGING SYSTEM	100.00
NEBRASKA PUBLIC POWER DI	288.57
NEBRASKA STATE HISTORICA	35.00
OLMSTED & PERRY ENGINEER	738.07
OMAHA WORLD HEARLD	503.07
PAPILLION SANITATION	48.50
THE COLUMBUS TELEGRAM	703.41
THE FRAZIER COMPANY	333.00
VERIZON WIRELESS	83.21
WELCH LAW FIRM LLC	4,320.00
WELLS FARGO BANK	350.00
WINDSTREAM	325.06
WIREBUILT CO	75.00

HUMANE/CODE ENFORCEMENT

HEARTS UNITED	20.00
NEBRASKA HUMANE SOCIETY	550.00
NEBRASKA PUBLIC POWER DI	105.52
PLATTSMOUTH ANIMAL HOSPI	60.00
VERIZON WIRELESS	40.01

POLICE

KAHLER CONSTRUCTION	1,645.00
KONICA MINOLTA BUSINESS	35.31
MJN INC	1,350.00
MULLENAX AUTO SUPPLY	28.47
OMAHA WORLD HERALD	22.75
QUALITY SIGNS	145.50
WINDSTREAM	298.62

STREET

ALLIED OIL & TIRE COMPAN	265.20
BGNE INC	175.75
CINTAS CORPORATION #749	334.90
FASTENAL COMPANY	11.75
HUSKER AUTO GROUP	29,938.00
JOHN'S APPLIANCE	15.03
LINDER TIRE & AUTO INC	48.00
MICHAEL TODD & COMPANY I	228.60

MID COUNTY MACHINERY	394.08
MULLENAX AUTO SUPPLY	30.48
NEBRASKA PUBLIC POWER DI	7,443.94
PAPILLION SANITATION	117.66
PLATTSMOUTH READY MIX IN	63.60
VERIZON WIRELESS	126.04
WATKINS CONCRETE BLOCK C	331.50
WINDSTREAM	109.00

LIBRARY

BAKER & TAYLOR BOOKS	494.02
COMPUTERS TO GO	55.00
D & D LASER INC	108.75
DOLLAR GENERAL	19.75
KONICA MINOLTA BUSINESS	180.82
OCLC INC	7.66
PAPILLION SANITATION	14.56
UPSTART	15.00
WILDLIFE ENCOUNTERS	300.00

PARK & REC

ALEGENT CREIGHTON HEALTH	140.00
LINDER TIRE & AUTO INC	20.00
MICHAEL TODD & COMPANY I	262.50
MR LANDSCAPE NURSERY	13.98
MULLENAX AUTO SUPPLY	388.94
NEBRASKA PUBLIC POWER DI	127.44
PAPILLION SANITATION	107.62
PIONEER MANUFACTURING CO	545.00
PRUITT OUTDOOR POWER	729.45
VERIZON WIRELESS	31.51
WINDSTREAM	53.99
WOODHOUSE FORD SOUTH INC	2.86

CEMETERY

BLACK HILLS ENERGY	29.34
BOMGAARS SUPPLY	23.90
LINDER TIRE & AUTO INC	37.00
MULLENAX AUTO SUPPLY	147.53
PANKONIN'S INC	222.97
WINDSTREAM	211.96

FIRE

ERIC GRIMSHAW	275.95
FOUR STAR LAUNDRY	18.57

HOWARD JOHNSON RIVERSIDE	1,068.00
IDEAL PURE WATER	7.00
JUSTIN DOERING	195.54
MULLENAX AUTO SUPPLY	8.98
NEBRASKA PUBLIC POWER DI	241.37
ORION BERG	68.51
PAPILLION SANITATION	14.56
ROBERT BRYAN TAYLOR	83.83
WINDSTREAM	108.67
ZACHARY LEWIS	39.70

SENIOR CITIZEN CTR

NEBRASKA PUBLIC POWER DI	815.73
OFE OIL INC.	115.20
PLATTSMOUTH STATE BANK	135.00
STEUBE'S THRIFTWAY	382.27
THE THOMPSON COMPANY	6,782.92
WINDSTREAM	127.29

COMMUNITY CENTER

AARON BOWEN	50.00
ALEX BROWN	50.00
ALLISON BROWN	50.00
AMERICAN RED CROSS- HEAL	19.00
AMY LARSEN	50.00
ANNIKA STROOPE	50.00
AQUA CHEM INC	772.75
ARRON KOCHANOWICZ	50.00
BRYAN NEWMAN	50.00
CHRIS SCHMID	50.00
CHRISTOPHER WEIBYE	50.00
CHRISTYN STUMPS	50.00
DAN GRANDICK	50.00
DAN STOCKMANN	50.00
DESARAE SKIDMORE	50.00
ELECTRIC MACHINERY SALES	361.70
ELEISA PRESTON	50.00
ELLEN MILLER	50.00
FIRST BANKCARD	108.00
FOUR STAR LAUNDRY	636.00
GRANT HEBEL	50.00
JASON KOCH	50.00
JESSICA TURNER	50.00

JIM ESOLA	50.00
JOHN WHITE	50.00
JOSEPH LOPP	50.00
KARL SCHAPHORST	50.00
KEELAH WAGONER	120.00
KENT CISAR	50.00
KEVIN KENNEY	50.00
KEVIN TURNER	50.00
KONICA MINOLTA BUSINESS	203.04
KRISTA HINMAN	50.00
LEXY QUANDT	50.00
MAIN STREET JEWELERS	263.50
MARCIA ESOLA	50.00
MARILYN FIFE	50.00
MEGAN BERRY BARLOW	50.00
MICHAEL ANZALONE	150.00
NEBRASKA AIR FILTER INC	227.32
NEBRASKA PUBLIC POWER DI	7,341.54
NICHOL BELKA	50.00
NICK PRESTON	50.00
PAPILLION SANITATION	101.00
REBEKAH WHITTLE	50.00
RYAN HORNER	50.00
SALLY GRANDICK	50.00
SAM'S	54.76
SANDY BIKUS	50.00
TYLER KEITH	50.00
VERIZON WIRELESS	62.60
WAYNE REICHTER	50.00
WINDSTREAM	381.87

AQUATIC

ALEGENT CREIGHTON HEALTH	1,015.00
AQUA CHEM INC	18.00
FERGUSON ENTERPRISES	139.52
HIGGINS HARDWARE	17.28
MULLENAX AUTO SUPPLY	34.78
NEBRASKA PUBLIC POWER DI	554.60
PAYLESS OFFICE PRODUCTS	209.93
SHOPKO STORES OPERATING	166.41
THE COLUMBUS TELEGRAM	254.66
THE THOMPSON COMPANY	2,421.48

ECONOMIC DEVELOPMENT

CASS COUNTY NEBRASKA ECO 3,750.00
OLMSTED & PERRY ENGINEER 2,276.33

ECONOMIC DEV - DTR PHASE 2

CASS COUNTY REGISTER OF 44.00

REHMEIER CONSTRUCTION 8,100.00

EMS

FOUR STAR LAUNDRY 18.57
IDEAL PURE WATER 7.00
MATHESON TRI-GAS INC 188.98
METRO BILLING SERVICES 340.00
NEBRASKA PUBLIC POWER DI 241.37
PAPILLION SANITATION 14.58
VERIZON WIRELESS 150.00
WINDSTREAM 108.67
WOODHOUSE FORD SOUTH INC 776.24

WATER

HAWKINS INC 1,386.40
HD SUPPLY WATERWORKS LTD 96.94
KNIGHT TRUCKING LLC 677.08
MUNICIPAL SUPPLY INC 332.25
NEBRASKA PUBLIC POWER DI 6,902.61
OLMSTED & PERRY ENGINEER 336.56
ONE CALL CONCEPTS INC 28.80
PHONETICS INC 420.00
SARGENT DRILLING 19,490.78
STEPHEN C. WARGA 9.00
THE COLUMBUS TELEGRAM 140.00
USA BLUEBOOK 95.11
UTILITY EQUIPMENT COMPAN 57.71
VERIZON WIRELESS 81.77
WATER DEPARTMENT-PETTY C 461.09
WINDSTREAM 162.08

SEWER

MIDWEST LABORATORIES INC 542.00
MULLENAX AUTO SUPPLY 90.93
NEBRASKA PUBLIC POWER DI 2,410.60
O'REILLY AUTOMOTIVE INC 144.17
OLMSTED & PERRY ENGINEER 299.06
ONE CALL CONCEPTS INC 28.80
PAPILLION SANITATION 41.21

RAILROAD MANAGEMENT COMP	132.87
READY MIX CONCRETE CO	909.98
RGS REPAIR INC	346.52
TELEDYNE ISCO INC	269.85
VERIZON WIRELESS	31.51
WINDSTREAM	49.47
DRUG FORFEITURE	
VERIZON WIRELESS	53.99
24 .05% SALES TAX STREET/SIDE MAINT	
LOVELAND LAWNS INC	356.19
30 HWY 75 PROJECT	
OLMSTED & PERRY ENGINEER	261.41
TOTAL CLAIMS 151,930.42	
TOTAL SALARIES AND CLAIMS 256,214.84	

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Mayor Bowman indicated the need for the council to go in to closed session to protect the public interest in regard to litigation entitled W Herek; A Herek; M Bergerson; J Bergerson vs. C Gourley; S Gourley; City of Plattsmouth, filed in Cass County District Court regarding the Special Use Permit for a stable. 7:07 p.m. Motion by Kerns, seconded by Porter to convene in closed session to protect the public interest in regard to litigation entitled W Herek; A Herek; M Bergerson; J Bergerson vs. C Gourley; S Gourley; City of Plattsmouth, filed in Cass County District Court regarding the Special Use Permit for a stable. ROLL CALL: Yes-Brookhouser, Tilson, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED. Mayor Bowman again stated that the Closed Session was to protect the public interest with regard to litigation entitled W Herek; A Herek; M Bergerson; J Bergerson vs. C Gourley; S Gourley; City of Plattsmouth, filed in Cass County District Court regarding the Special Use Permit for a stable.

7:19 p.m. Motion by Derby, seconded by Porter to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 8 B

Motion by Brookhouser, seconded by Wiemer to receive a lawsuit entitled W Herek; A Herek; M Bergerson; J Bergerson vs C Gourley; S Gourley; City of Plattsmouth and refer it to insurance for determination of defense and coverage. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Dugan, Wiemer, Derby and Porter. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Porter to approve, which motion was seconded by Wiemer. In discussion, other Council Members sought clarity of the motion. Porter stated he moved to approve the denial. Following additional discussion, Wiemer rescinded her second of the motion, thus the motion stood without a second. There being no other Council Member to second Porter's motion, the motion failed.

Motion by Kerns to direct the City Attorney to prepare a resolution to grant the special use permit filed by Tom Harter for a kennel operation and to include specific findings of fact as discussed to support determination. Kern's motion was seconded by Wiemer. Brookhouser asked how the situation would be handled if a litter of puppies was born, which would obviously increase the number of dogs. City Attorney Roger Johnson stated that puppies are covered by ordinance and City Inspector Kevin Larson stated that puppies would be covered to age 4 months. Brookhouser requested that a restriction be added that would state that if the dogs are running at large again that the Harter's would have violated the Special Use Permit and the permit would be rescinded. Dugan stated that he felt the original five (5) dogs be allowed but as the dogs diminish they cannot be replaced until the Harter's are down to two (2) dogs which would put them in compliance with the City Ordinance. Brookhouser stated that the quarterly inspections should continue after the first year. Kerns stated that he would like to have the Harter's list of restrictions included in the Resolution granting the special use permit for a kennel operation. ROLL CALL: Yes-Tilson, Dugan, Wiemer, Derby, Kerns and Brookhouser. No-Porter. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 D

Council Member Kerns introduced a Resolution numbered and titled: RESOLUTION NO. 13-028: Request for Relaxation of Design Standards for Nebraska Department of Roads Project No. URB-6404(1) 4th Avenue-16th Street to Hillcrest Drive.

Steve Perry, Olmsted & Perry Consulting Engineers Inc. reviewed the request for Relaxation of Design Standards for Nebraska Department of Roads Project No. URB-6404(1) 4th Avenue-16th Street to Hillcrest Drive specifically a decrease in design speed, an increase in Maximum Horizontal Curve Degree and Maximum Grade Percent and a decrease in Full Lighting.

Motion by Kerns, seconded by Brookhouser to adopt Resolution No. 13-028:

RESOLUTION NO. 13-028

WHEREAS, the City of Plattsmouth will utilize Federal-aid Surface Transportation (STP) for the 4th Avenue - 16th Street to Hillcrest Drive NDOR Project No. URB-6404(1) CN 22313 Project for the year 2013; and

WHEREAS, the minimum design standards according to the Rule and Regulations of the Board of Public Classifications and Standards, Title 428 of the Nebraska Administrative Code, require specific criteria for Other Arterials and Roadways for vertical and horizontal curve designs, maximum street grades, design speed, and lighting; and

WHEREAS, the existing 4th Avenue right-of-way, topography along with the current street intersection geometry do not provide the conditions to construct the horizontal and vertical alignment to meet the minimum design requirements; and

WHEREAS, the City of Plattsmouth is seeking the relaxation of the design standards to allow the City to proceed with this project without meeting the referenced minimum horizontal and vertical curve design standards, grade, design speed, and lighting.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, that the request to seek the relaxation of the minimum design standards in hereby approved.

BE IT FURTHER RESOLVED, that the Street Superintendent or authorized representative is hereby authorized and directed to execute such request on behalf of the City of Plattsmouth.

Adopted by the City Council of the City of Plattsmouth, Nebraska this 17th day of June 2013.

/s/Michael C. Bowman. Mayor

Attest:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read Resolution No. 13-028 in to the record. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 E

Council Member Brookhouser introduced a resolution numbered and titled: RESOLUTION NO. 13-029: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING AN INTERLOCAL AGREEMENT WITH SANITARY AND IMPROVEMENT DISTRICT NO. 10, CASS COUNTY, NEBRASKA (SID 10) REGARDING THE PARTIAL ANNEXATION OF SID 10 BY THE CITY OF PLATTSMOUTH.

Motion by Brookhouser, seconded by Tilson to adopt Resolution No. 13-029:

RESOLUTION NO. 13-029

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA APPROVING AN INTERLOCAL AGREEMENT WITH SANITARY AND IMPROVEMENT DISTRICT NO. 10, CASS COUNTY, NEBRASKA (SID 10) REGARDING THE PARTIAL ANNEXATION OF SID 10 BY THE CITY OF PLATTSMOUTH.

WHEREAS, the City Council has determined that an Interlocal Agreement with SID 10 is necessary;

WHEREAS, the Interlocal Agreement sets forth the division of assets, liabilities, maintenance and other obligations between the City and SID 10 as the same relates to the area annexed;

WHEREAS, the Interlocal Agreement sets forth the change in boundaries of SID 10 as a result of the annexation of a portion of SID 10 by the City on June 6, 2013;

WHEREAS, pursuant to the Interlocal Agreement the City will also commence operation and maintenance of the lift station and force main in an area not annexed by the City; and

WHEREAS, SID 10 acknowledges the right of the City to use SID 10's sewer system for those areas of the City which must do so in exchange for the City taking on the operation and maintenance of the lift station and force main, both of which constitute liabilities in excess of their asset value.

NOW, THEREFORE, BE IT RESOLVED, that the Interlocal Agreement with Sanitary and Improvement District No. 10, Cass County, Nebraska (SID 10) concerning the partial annexation of SID 10 by the City of Plattsmouth is approved and the Mayor and City Clerk are hereby authorized to execute the same on behalf of the City with such revisions and amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

BE IT FURTHER RESOLVED that the City Attorney is hereby authorized to commence an action in the District Court of Cass County to seek approval of the Interlocal Agreement to satisfy the requirements of Neb. Rev. Stat. § 31-766.

Passed and approved this 17th day of June 2013.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson stated that a hearing in Cass County District Court is set for July 1, 2013. City Attorney Roger Johnson read Resolution No. 13-029 in to the record. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Dugan and Wiemer. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Brookhouser, seconded by Tilson to approve an amendment to the Rhylander Park Right of Entry Access Agreement executed April 30, 2013 by and between the City of Plattsmouth and

the Nebraska Department of Environmental Quality (NDEQ) with said amendment to allow for termination of the same at 5:00 p.m. on August 31, 2013; and authorize the Mayor to execute the Amendment. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Dugan, Wiemer and Derby. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 G

Motion by Wiemer, seconded by Derby to approve an amendment to the Systems Agreement and contract by and between the City of Plattsmouth and Tyler Technologies to add a Project Accounting Module and to increase implementation service cost by \$1,000 and Annual Subscription Fee for the Project Accounting Module by \$1,244. After discussion, ROLL CALL: Yes-Brookhouser, Tilson, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Motion by Kerns, seconded by Porter to approve a request of the Kass County King Korn Klub for street closings for The Plattsmouth Harvest Festival to be held September 5, 2013 through September 9, 2013 (Itemized request is attached and considered part of the agenda). After discussion, ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Dugan. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council Member Kerns introduced a resolution numbered and titled: **RESOLUTION NO. 13-027: 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 REV. STATUTE § 39-1359.** (in regards to the Kass County King Korn Klub request for street closing September 5, 2013 through September 9, 2013).

Motion by Kerns, seconded by Wiemer to adopt Resolution No. 13-027:

RESOLUTION NO. 13-027

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 REV. STATUTE § 39-1359.

WHEREAS, the City of Plattsmouth acknowledges and accepts the duties set out in Neb. Rev. Stat. § 39-1359(2) and, if a claim is made against the State, the City shall 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 a special event.

WHEREAS, a portion of United States Highway 34 also known as Main Street; a portion of United States Highway 34 also known as South 6th Street from Main Street to 1st Avenue and 1st Avenue to Chicago Avenue; and a portion of United States Highway 34 also known as South 3rd Street from Main Street to 2nd Avenue, all located within the corporate limits of the City of Plattsmouth.

WHEREAS, the City must notify the Nebraska Department of Roads of a proposed closure of a State Highway or United States Highway under its control and jurisdiction, and the City must agree to indemnify the State of Nebraska.

WHEREAS, Kass County King Korn Klub has requested the closure of US Highway 34, also known as Main Street, from 5th Street to 6th Street on September 4, 2013 for preliminary set up for a special event from 6:00 p.m. to 8:30 p.m.; Main Street from 5th Street to 6th Street on September 5, 2013 from 7:00 a.m. to 5:00 p.m.; Main Street from 3rd Street to 6th Street for a special event from September 5, 2013 at 5:00 p.m. through September 8, 2013 at 2:00 a.m.; South 6th Street from Main Street to 1st Avenue on September 5, 2013 at 5:00 p.m. through September 8, 2013 at 2:00 a.m.; South 3rd Street from Main Street to 2nd Avenue on September 5, 2013 from 5:00 p.m. to September 8, 2013 at 2:00 a.m.; 1st Avenue and South 6th Street to Chicago Avenue and Chicago Avenue from 1st Avenue to 8th Avenue on September 7, 2013 from 3:00 p.m. until 8:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Plattsmouth, Nebraska that, US Highway 34 be closed: Main Street from 5th Street to 6th Street on September 4, 2013 for preliminary set up for a special event from 6:00 p.m. to 8:30 p.m.; Main Street from 5th Street to 6th Street on September 5, 2013 from 7:00 a.m. to 5:00 p.m.; Main Street from 3rd Street to 6th Street for a special event from September 5, 2013 at 5:00 p.m. through September 8, 2013 at 2:00 a.m.; South 6th Street from Main Street to 1st Avenue on September 5, 2013 at 5:00 p.m. through September 8, 2013 at 2:00 a.m.; South 3rd Street from Main Street to 2nd Avenue on September 5, 2013 from 5:00 p.m. to September 8, 2013 at 2:00 a.m.; 1st Avenue and South 6th Street to Chicago Avenue and Chicago Avenue from 1st Avenue to 8th Avenue on September 7, 2013 from 3:00 p.m. until 8:00 p.m. and that the City of Plattsmouth accepts the duties set out in Neb. Rev. Stat. § 39-1359(2), if a claim is made against the State, the City shall 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 a special event, and so notify the Nebraska Department of Roads.

PASSED AND APPROVED this 17th day of June 2013.

City of Plattsmouth, Nebraska
/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

ITEM 12

8:03 p.m. Motion by Porter, seconded by Dugan to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk