

PLATTSMOUTH CITY COUNCIL

January 6, 2014

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 January 6, 2014 at City Hall in Plattsmouth Nebraska. Present were Mayor Michael C. Bowman and Council Members: John R. Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Pat Dugan and Wanda Wiemer. Council Members Absent: Doug Derby. Also present: City Clerk Sandra J. Meyer, City Treasurer Roger Davis 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, Plattsmouth Main Street Association Executive Director recognized Chief Wilson and all the fire departments that were on scene for the 4th and Main fire on Thursday and Friday (Jan. 2 and 3, 2014). Jones then gave a detailed history of the buildings affected by the fire.

7:10 p.m. Council Member Doug Derby arrived.

ITEM 6-MAYORAL PROCLAMATIONS

- A There were no Mayoral Proclamations. Mayor Bowman did commend Chief Wilson and all the fire departments on scene for the above mentioned fire and also recognized the businesses that contributed/donated. The City Departments were also recognized for their efforts in the Emergency situation.

ITEM 7-CONSENT AGENDA:

Motion by Brookhouser, seconded by Tilson to approve the Consent Agenda and additional claims list as presented.

- A Consider approval of the December 16, 2013 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by the Nebraska Corn Grower's Association for the Annual Customer Appreciation Dinner being held at Church of the Holy Spirit, 520 S. 18th Street, Plattsmouth on February 11, 2014 from 5:00 p.m. to 12:00 a.m.
- C Consider approval of claims

Claims Register Report
as of 1/6/2014

Dept Name Vendor Name Amount

Payroll Claim

Pay Date: 12/27/13
Com Ctr 8420.93
EMS 9668.5
General 18735.14
Library 6576.87
Park and Cemetery 2179.21
Police 33594.39
Senior 2224.32
Street 12168.16
Water and Sewer 12620.16

106187.68

VARIOUS DEPARTMENTS

Shell – Credit Card Fuel 5391.17
Blue Cross Blue Shield – Insurance 48707.85
Central United Life Ins. – Insurance 265.44
Delta Dental – Insurance 2272.85
EyeMed Vision Care – Insurance 300.94
Fort Dearborn Life insurance- Ins 178.88
The Union Central Life Ins. Co. – Insurance 155.02
Konica Minolta Finance – Copiers 1040.15

Department : 01 - GENERAL ADMINISTRATION

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 163.5
BLACK HILLS ENERGY 993.57
CHARTER BUSINESS 40
FOUR STAR LAUNDRY 108
JEO CONSULTING GROUP INC 575
KATHRYN SHARP 125
KEVIN LARSON 220.35
KONICA MINOLTA BUSINESS SOLUTIONS 603.59
MENARDS 95.73
PAPILLION SANITATION 48.5
PAYFLEX 37.5
PAYLESS OFFICE PRODUCTS 22.89
PITNEY BOWES INC. 108
Plattsmouth Com. Schools – Liquor and Tobacco Licenses 10772.5
PLATTSMOUTH JOURNAL 44.7

PURCHASE POWER 2000
The Columbus Tribune – Publishing 392.25
TYLER TECHNOLOGIES 291.05
VERIZON WIRELESS 83.22
NEBRASKA PUBLIC POWER DISTRICT 286.33

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA HUMANE SOCIETY 155
VERIZON WIRELESS 40.01
NEBRASKA PUBLIC POWER DISTRICT 214.93

Department : 03 - EMS
ALADTEC INC 1395
BLACK HILLS ENERGY 165.6
BOUND TREE MEDICAL LLC 44.53
FOUR STAR LAUNDRY 2.03
INVENTORY TRADING COMPANY 1056
MATHESON TRI-GAS INC 105.51
NEBRASKA EMERGENCY MEDICAL SERVICES 170
NEBRASKA PUBLIC POWER DISTRICT 411.46
PAPILLION SANITATION 14.58
PAYFLEX 6.25
VERIZON WIRELESS 150

Department : 04 - POLICE
DEBRA S FLAHERTY 11
FIRST BANKCARD 269.62
JACK'S UNIFORMS & EQUIPMENT 539.73
JEFF HENRY CHEVROLET 174.55
KONICA MINOLTA BUSINESS SOLUTIONS 60.18
PAYFLEX 25
PAYLESS OFFICE PRODUCTS 50.48
POLICE OFFICERS ASSOCIATION OF NE 146.25
VERIZON WIRELESS 120.15

Department : 05 - STREET
ALAN AYLOR 75.1
BLACK HILLS ENERGY 606.22
BOMGAARS SUPPLY 223.83
FASTENAL COMPANY 85.06
FERGUSON ENTERPRISES 60
MENARDS 35.67
NEBRASKA PUBLIC POWER DISTRICT 7905.75
NEBRASKA SALT & GRAIN CO 1506.83
OLMSTED & PERRY ENGINEERING 855
PALFLEET TRUCK EQUIP 114.54
PAYFLEX 12.5
PAYLESS OFFICE PRODUCTS 16.26

UTILITY EQUIPMENT COMPANY 48.01
VERIZON WIRELESS 126.08

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 512.4
BLACK HILLS ENERGY 267.83
CENTER POINT LARGE PRINT 216.9
CHARTER BUSINESS 16
FIRST BANKCARD 826.74
GALE GROUP INC 54
JOHN'S APPLIANCE 456.9
KAREN MIER 399.31
KONICA MINOLTA BUSINESS SOLUTIONS 139.82
LONGLEAF SERVICES INC 136.74
NEBRASKA PUBLIC POWER DISTRICT 481.38
O'KEEFE ELEVATOR CO INC 160.16
PAPILLION SANITATION 14.56
POLARIS USERS GROUP 100
STEPHEN C. WARGA 26
VOSS LIGHTING 69.3
WINDSTREAM 56.18

Department : 07 - PARK & REC

BLACK HILLS ENERGY 216.22
BOMGAARS SUPPLY 59.74
JOHN DEERE CREDIT 97.9
NEBRASKA PUBLIC POWER DISTRICT 242.15
PAPILLION SANITATION 111.37
VERIZON WIRELESS 65.03

Department : 08 - CEMETERY

BOMGAARS SUPPLY 10.99
NEBRASKA PUBLIC POWER DISTRICT 68.15
PAYFLEX 6.25
PAYLESS OFFICE PRODUCTS 15.47
WINDSTREAM 90.65

Department : 10 - FIRE

BLACK HILLS ENERGY 165.6
CASS COUNTY MUTUAL AID ASSOCIATION 100
FOUR STAR LAUNDRY 2.04
MOTOROLA SOLUTIONS INC 1401.6
NEBRASKA PUBLIC POWER DISTRICT 411.45
PAPILLION SANITATION 14.56
TRI-MUTUAL AID FIREFIGHTERS 150

Department : 11 - SENIOR CITIZEN CTR

BIG RED LOCKSMITH INC 87.5

BLACK HILLS ENERGY 376.68
COMPUTERS TO GO 929
FOUR STAR LAUNDRY 190.3
NEBRASKA PUBLIC POWER DISTRICT 835.28
OFE Oil, Inc. – Gas 103.5
PAYLESS OFFICE PRODUCTS 24.09
Stubbe’s Thriftway – Food Senior Center 228.49
The Thompson Company I Food Senior Center 3137

Department : 16 - ECONOMIC DEVELOPMENT

E-Z Construction 5530
PLATTSMOUTH MAIN STREET ASSOCIATION 5500
Plattsmouth State Bank – Check Order 17.52
Quality Construction 3450
Quality Construction 1736
Quality Construction 2480
Quality Construction 2040
SENDD – EDLF Admin Fees 799.08
SENDD – Housing Re-Use Admin and Mgt Fees 2465.36

Department : 17 - COMMUNITY CENTER

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 81.75
BLACK HILLS ENERGY 3390.1
BOMGAARS SUPPLY 240.25
COMPUTERS TO GO 322
EGAN SUPPLY CO 185.82
FERGUSON ENTERPRISES 80.36
FOUR STAR LAUNDRY 995.5
KONICA MINOLTA BUSINESS SOLUTIONS 277.01
MICHAEL ANZALONE 90
NEBRASKA PUBLIC POWER DISTRICT 7517.52
NOVA FITNESS EQUIPMENT 276.6
PAPILLION SANITATION 101
PAYFLEX 6.25
PAYLESS OFFICE PRODUCTS 132.85
QUALITY SIGNS 404
SEI SECURITY EQUIPMENT 444
VERIZON WIRELESS 51.7

Department : 18 - AQUATIC

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 81.75
BLACK HILLS ENERGY 20.88
NEBRASKA PUBLIC POWER DISTRICT 144.77
WINDSTREAM 47.76

Department : 20 - WATER

AMERICAN UNDERGROUND SUPPLY LLC 308
AMERICAN WATER WORKS ASSOC 174

BLACK HILLS ENERGY 348.56
BOMGAARS SUPPLY 231.75
DPC INDUSTRIES INC 528.75
FERGUSON ENTERPRISES 55.67
First Bankcard – Mtg, Training , Bldg Repair 616.09
HD SUPPLY WATERWORKS LTD 1785.25
HIGGINS HARDWARE 12.56
JEFF HENRY CHEVROLET 37.3
KNIGHT TRUCKING LLC 667.2
MARTIN MARIETTA AGGREGATES 383.25
MISSISSIPPI LIME COMPANY 3360
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 156
NEBRASKA PUBLIC POWER DISTRICT 7953.91
Papillion Sanitation – Trash Pick up 117.66
PAYFLEX 6.25
PLATTSMOUTH READY MIX INC 161.54
PRO SHIRT SHOP 100
SARGENT DRILLING 900
USA BLUEBOOK 127.04
UTILITIES SECTION 35
UTILITY EQUIPMENT COMPANY 100.13
VERIZON WIRELESS 94.56
Water Dept Petty Cash 419.93

Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 54.04

Department : 30 - SEWER
A & M GREEN POWER 94.28
BLACK HILLS ENERGY 954.77
BOMGAARS SUPPLY 277.5
NEBRASKA PUBLIC POWER DISTRICT 2388.7
PAPILLION SANITATION 42.64
PAYLESS OFFICE PRODUCTS 36.11
PRO SHIRT SHOP 150
RAILROAD MANAGEMENT COMPANY III LLC 583.5
RASMUSSEN MECHANICAL SERVICE CORP 487.63
THE FRAZIER COMPANY 562
VERIZON WIRELESS 31.52

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Kerns introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1872: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Michael Lennen, Plattsmouth Recreation Director was present to answer any questions.

Motion by Kerns, seconded by Wiemer to approve third (3rd) and final reading of **ORDINANCE NO. 1872: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. **MOTION CARRIED.** City Attorney Roger Johnson read Ordinance No. 1872 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Dave Taladay, SouthEast Nebraska Development District Executive Director gave a brief back ground of the Nebraska Department of Economic Development 2014 Proposed Action Plan. It was recommended that the language “the same business for the same activity” be removed and support for the continuation of the program was discussed. Clarifying the intent and use of monies was also discussed. Following continued discussion, Motion by Tilson, seconded by Brookhouser to authorize the Mayor to send a letter on behalf of the Mayor and City Council of the City of Plattsmouth, Nebraska articulating the City Council’s recommendations. ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. **MOTION CARRIED.**

ITEM 9 B

Council Member Riese introduced an Ordinance numbered and titled as follows: **ORDINANCE NO. 1873: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 7, ARTICLE 1, SECTION 7-115 ENTITLED “LIEN”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese, seconded by Wiemer to approve first (1st) reading of **ORDINANCE NO. 1873: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE**

PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, BY AMENDING CHAPTER 7, ARTICLE 1, SECTION 7-115 ENTITLED “LIEN”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. Council discussed the current policy compared to the proposed policy. Placing liens on property for unpaid water bills versus using a collection agency were also discussed. ROLL CALL: Yes-Kerns, Brookhouser, Riese, Dugan, Wiemer, Derby and Porter. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read Ordinance No. 1873 in to the record by title only.

ITEM 9 C

Motion by Dugan, seconded by Derby to approve the request to purchase two additional cameras for the video monitoring system from Audio Visual Solutions (AVS) of Bellevue at a cost not to exceed \$650.00 at the Plattsmouth Community Center. Following discussion, ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Porter, seconded by Kerns to approve the appointment of Ben Rimel as a new member to the Plattsmouth Volunteer Fire Department. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Dugan, seconded by Tilson to approve the Plattsmouth Volunteer Fire Department roster as presented. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council member Kerns stated that he would be abstaining from any discussion or action regarding this item as he is the President and a major shareholder of Kerns Excavating Company.

Motion by Porter, seconded by Brookhouser to approve payment of Invoice No. 12271 submitted by Kerns Excavating Company in the amount of \$800.00 for 80 ft. of directional drilling for Water Service at South 8th Street. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Brookhouser and Tilson. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 G

Council Member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 14-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE EMERGENCY CLOSURE OF THE STATE HIGHWAY SYSTEM FOR THE PURPOSE OF SAFETY FOR THE TRAVELING**

PUBLIC SUBJECT TO THE REQUIREMENTS OF THE NEBRASKA REV. STATUTE §39-1359

Motion by Riese, seconded by Tilson to adopt RESOLUTION NO. 14-001:

RESOLUTION NO. 14-001

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE EMERGENCY CLOSURE OF THE STATE HIGHWAY SYSTEM FOR THE PURPOSE OF SAFETY FOR THE TRAVELING PUBLIC 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; from 4th Street west one half block, all located within the corporate limits of the City of Plattsmouth.

WHEREAS, the City must notify the Nebraska Department of Roads of an emergency 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, the City of Plattsmouth has requested the emergency closure of US Highway 34, also known as Main Street, from 4th Street west one half block until January 21, 2014.

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 4th Street west one half block until January 21, 2014 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 6th day of January 2014.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Roger Johnson read RESOLUTION NO. 14-001 in to the record by title only. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:37 p.m. Motion by Porter, seconded by Kerns to adjourn. MOTION CARRIED on a voice vote.

/s/Michael C. Bowman, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk