

PLATTSMOUTH CITY COUNCIL

June 6, 2016

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 6, 2016 at Plattsmouth Public Library in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry D. Tilson. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Stephen Q. Preston.

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:

City Administrator Ervin Portis stated that before the council considers Item 7 B, there will be three additional Fireworks License applications at the next council meeting for their consideration. The deadline is administratively set at this time and the council needs to consider amending the Fireworks Ordinance setting an application submittal deadline plus requirement of a site plan and documentation showing that the property owner of the site has given consent.

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

- A Consider approval of the May 16, 2016 City Council Meeting Minutes
- B Consider approval of the 2016 Applications for Fireworks License. All fees and documentation have been received (State Fire Marshall Fireworks Permit, State of Nebraska Sales Tax Certificate and Proof of Insurance) and Fire Chief approval:

1 John Masters-1318 South 15<sup>th</sup> Street

- 2 Hometown Fireworks LLC-902 Chicago Avenue
- 3 Wild Willy's Fireworks-16315 Westside Drive
- 4 Ka-Boomer's Ent. Inc.-302 Fulton Ave.

C Consider approval of claims

Claims Register Report as of 6/6/16

Dept Name / Vendor Name Amount

Pay Date: 5/27/16

Com Ctr 8444.04

EMS 9526.65

General 13711.97

Library 7266.32

Parks and Cemetery 5042.56

Police 35778.86

Senior 2319.95

Street 11748.28

Water and Sewer 14354.44

108193.07

Various

AMERICAN FAMILY LIFE 629.12

AMERITAS 13941.79

AMERITAS LIFE INSURANCE CORP 155.02

BLUE CROSS BLUE SHIELD 65332.79

CENTRAL UNITED LIFE INSURANCE 265.44

COLLECTION SERVICES CENTER 280.8

DELTA DENTAL PLAN 2773.4

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 26444.52

MUTUAL OF OMAHA 827.22

NEBRASKA DEPARTMENT OF REVENUE 3562.09

PLATTSMOUTH STATE BANK 720.01

Department : 01 - GENERAL ADMINISTRATION

ALLEY POYNER MACCHIETTO ARCHITECTURE 1499.66

BLACK HILLS ENERGY 54.38

DANA F COLE & COMPANY LLC 10245.65

FIRST BANKCARD 5104.32

HEARTLAND TECHNOLOGY SOLUTIONS 499

KATHRYN SHARP 125

KONICA MINOLTA BUSINESS SOLUTIONS 12.79

MICROFILM IMAGING SYSTEMS 75

NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS 100

NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 9.25

OLMSTED & PERRY ENGINEERING 1601.57  
PAYLESS OFFICE PRODUCTS 65.96  
SCHNEIDER AGENCY INC 8  
THE COLUMBUS TELEGRAM 295.89  
WASTE CONNECTIONS OF NEBRASKA INC 54.39  
WELCH LAW FIRM LLC 6000

Department : 02 - HUMANE/CODE ENFORCEMENT

ALEGENT CREIGHTON HEALTH 70  
BOMGAARS SUPPLY 103.44  
DEBRA S FLAHERTY 187  
FIRST BANKCARD 79.98  
JEFF HENRY CHEVROLET 569.54  
MID AMERICA PEST CONTROL INC 100

Department : 03 - EMS

ALEGENT CREIGHTON HEALTH 70  
BLACK HILLS ENERGY 18.63  
FIRST WIRELESS 135  
FORT DEARBORN LIFE INSURANCE CO 96.32  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 19.58  
JEREMY BAILIFF 140.77  
WALKERS INC 13.87  
WASTE CONNECTIONS OF NEBRASKA INC 17.14

Department : 04 - POLICE

CONSOLIDATED MANAGEMENT CO 165.06  
DEBRA S FLAHERTY 383  
FIRST BANKCARD 87.09  
JACKS UNIFORMS & EQUIPMENT 152.99  
JEFF HENRY CHEVROLET 97.5  
KONICA MINOLTA BUSINESS SOLUTIONS 8.71  
LINDER TIRE & AUTO INC 13.98  
OFFICE DEPOT INC 149.95  
TITLECORE LLC 100  
TODD HAMMOND 350.87

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 45.9  
ASPHALT & CONCRETE MATERIALS FLINN PAVING INC 733.71  
BLACK HILLS ENERGY 46.7  
BOMGAARS SUPPLY 382.66  
ECHO GROUP INC 401.04  
MARK HYDRAULIC CO INC 92.62  
MR LANDSCAPE NURSERY 888  
OLMSTED & PERRY ENGINEERING 405.49  
PERMITE CO OF NEB AND IA 1347  
TITAN MACHINERY 13790.21

UNITED SEEDS INC 90  
WASTE CONNECTIONS OF NEBRASKA INC 137.29

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 1354.51  
BLACK HILLS ENERGY 25.32  
CENTER POINT LARGE PRINT 286.63  
CHARTER BUSINESS 19.5  
FIRST BANKCARD 1039.41  
RESEARCH TECHNOLOGY INTERNATIONAL 173.75  
UNIVERSAL MEDIA CORP 200.5  
WASTE CONNECTIONS OF NEBRASKA INC 17.13  
WINDSTREAM 73.03

Department : 07 - PARKS  
ALEGENT CREIGHTON HEALTH 210  
BLACK HILLS ENERGY 26.41  
BOMGAARS SUPPLY 55.45  
CHARTER BUSINESS 33.95  
THE COLUMBUS TELEGRAM 5.47  
WASTE CONNECTIONS OF NEBRASKA INC 128.52

Department : 08 - CEMETERY  
BOMGAARS SUPPLY 20.98  
FOR HIRE LLC 100  
NEBRASKA IOWA SUPPLY CO INC 930.22  
NEBRASKA PUBLIC POWER DISTRICT 27.57  
WINDSTREAM 109.03

Department : 10 - FIRE  
BLACK HILLS ENERGY 18.62  
FELD FIRE 600  
FIRST BANKCARD 52  
FORT DEARBORN LIFE INSURANCE CO 151.36  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 19.6  
GODFATHERS 87.98  
HEIMAN INC 2827.68  
MULLENAX AUTO SUPPLY 111.04  
OFE OIL INC 1275.8  
SOUTHEAST CROSSINGS LLC 872  
STEUBES THRIFTWAY 21.13  
WALKERS INC 13.88  
WASTE CONNECTIONS OF NEBRASKA INC 17.14

Department : 11 - SENIOR CITIZEN CTR  
BIG RED LOCKSMITH INC 87.5  
BLACK HILLS ENERGY 83.46  
FIRST BANKCARD 82.44

MENARDS 21.76  
STRATUS BUILDING SOLUTION OF ARIZONA 219  
WALKERS INC 113.7

Department : 12 - DEBT SERVICE  
PLATTSMOUTH STATE BANK 13786.25

Department : 16 - ECONOMIC DEVELOPMENT  
OLMSTED & PERRY ENGINEERING 658.75  
REBEL INTERACTIVE INC 2500

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 274.6  
BLACK HILLS ENERGY 751.17  
BOMGAARS SUPPLY 14.98  
CHESTERMAN CO 189.12  
ECHO GROUP INC 59.72  
FIRST BANKCARD 318.75  
HYVEE 50  
KS STATEBANK 1048  
MECHANICAL SALES INC 3640  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
WALKERS INC 86.4  
WASTE CONNECTIONS OF NEBRASKA INC 118.84

Department : 18 - AQUATIC  
AQUA CHEM INC 1969.55  
BLACK HILLS ENERGY 567.05  
BOMGAARS SUPPLY 96.4  
CHARTER BUSINESS 33.95  
CHESTERMAN CO 1615.58  
IMPACT MANUFACTURING 83.77  
JERRY SLAFTER 180  
NATIONAL TICKET COMPANY 524.9  
OLMSTED & PERRY ENGINEERING 581.25  
WASTE CONNECTIONS OF NEBRASKA INC 118

Department : 20 - WATER  
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 2188  
AMERICAN UNDERGROUND SUPPLY LLC 115.91  
BLACK HILLS ENERGY 48.56  
BOMGAARS SUPPLY 458.97  
CUMMINS CENTRAL POWER LLC 402.45  
DANA F COLE & COMPANY LLC 4080  
DPC INDUSTRIES INC 2090.18  
FIRST BANKCARD 161.45  
HACH COMPANY 181.79  
HAWKINS INC 88.89

HD SUPPLY WATERWORKS LTD 750  
LYMAN RICHEY CORPORATION 841.44  
MOTION INDUSTRIES INC 174.05  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 110300.82  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 198  
NEBRASKA PUBLIC POWER DISTRICT 5525.99  
OLMSTED & PERRY ENGINEERING 6173.33  
ONE CALL CONCEPTS INC 42.22  
PETTY CASH WATER DEPARTMENT 371.53  
RHYLANDER WELDING & MFG INC 1712  
THE COLUMBUS TELEGRAM 36.19  
TYLER TECHNOLOGIES 540  
WATER & SEWER DEPARTMENT 118.39  
WELCH LAW FIRM LLC 2000

Department : 24 - DRUG FORFEITURE  
JEFF HENRY CHEVROLET 400  
SOFTCHOICE CORPORATION 989

Department : 30 - SEWER  
BLACK HILLS ENERGY 422.88  
BOMGAARS SUPPLY 202.98  
DANA F COLE & COMPANY LLC 2720  
FORTERRA CONCRETE PRODUCTS INC 70  
INDEPENDENT AUTO REPAIR 28.84  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 118173.17  
NEBRASKA PUBLIC POWER DISTRICT 2358.03  
ONE CALL CONCEPTS INC 42.23  
RAILROAD MANAGEMENT COMPANY III LLC 176.86  
TYLER TECHNOLOGIES 540  
WASTE CONNECTIONS OF NEBRASKA INC 50.17  
WELCH LAW FIRM LLC 2000  
WINDSTREAM 49.66

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT  
OLMSTED & PERRY ENGINEERING 509.5

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

## ITEM 8-UNFINISHED BUSINESS

### ITEM 8 A

Motion by Riese, seconded by Wiemer to approve a franchise agreement by and between the City of Plattsmouth and Unite Private Networks, a Delaware Limited Liability Company, and authorize the Mayor to execute the agreement. Following discussion, ROLL CALL: Yes-

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

#### ITEM 8 B

Steve Perry P.E., Olmsted and Perry Consulting Engineers Inc. stated that Change Order No. 1 submitted by Oldcastle Materials Midwest Co. for the CDBG Street and Water Improvements – Phase 2 Project Contract No. 1, in the amount of (-) \$19,500.00 is in response adjusting the CDBG budget for this portion of the Project (not overlaying 7<sup>th</sup> Street-5<sup>th</sup> Avenue to 6<sup>th</sup> Avenue). Motion by Brookhouser, seconded by Riese to approve Change Order No. 1 submitted by Oldcastle Materials Midwest Co. for the CDBG Street and Water Improvements – Phase 2 Project Contract No. 1, in the amount of (-) \$19,500.00 for a total project cost of \$120,500.90 and authorize the Mayor to execute Change Order No. 1. ROLL CALL: Yes-Derby, Riese, Brookhouser, Porter, Wiemer, Kerns and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 8 C

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he has a conflict of interest. Steve Perry P.E., Olmsted and Perry Consulting Engineers Inc. stated that Change Order No. 1 submitted by Kerns Excavating Co. Inc. for the CDBG Street and Water Improvements – Phase 2 Project Contract No.2, in the amount of (-) \$59,412.00 for a total project cost of \$324,541.50 is in response adjusting the CDBG budget for this portion of the Project. Motion by Riese, seconded by Dugan to approve Change Order No. 1 submitted by Kerns Excavating Co. Inc. for the CDBG Street and Water Improvements – Phase 2 Project Contract No.2, in the amount of (-) \$59,412.00 for a total project cost of \$324,541.50 and authorize the Mayor to execute Change Order No.1. Following discussion, ROLL CALL: Yes-Riese, Dugan, Brookhouser, Derby Wiemer and Porter. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.

#### ITEM 9-NEW BUSINESS

##### ITEM 9 A

Motion by Kerns, seconded by Dugan to approve the appointment of the following proposed new volunteer member to the Plattsburgh Emergency Medical Services Department: Jared Saiz. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Brookhouser, Kerns and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

##### ITEM 9 B

Motion by Brookhouser, seconded by Dugan to approve the Plattsburgh Emergency Medical Services Department Roster. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 C

City Administrator Ervin Portis asked that the council take no action on this item at this time so that further review of the applicant information could be done. Consider approval of the appointment of the following proposed new members to the Plattsmouth Volunteer Fire Department: Dalton Rouse, Jeff McCoy and Brian Reissig. NO ACTION TAKEN.

ITEM 9 D

Consider approval of the Plattsmouth Volunteer Fire Department Roster (49 members). NO ACTION TAKEN.

ITEM 9 E

Motion by Riese, seconded by Brookhouser to receive correspondence delivered to the City Clerk from the Miller Lathrop Law Firm regarding 2212 Andies Street. ROLL CALL: Yes-Brookhouser, Dugan, Derby, Porter, Wiemer, Riese and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED

ITEM 12

Mayor Lambert indicated the need for the council to go in to Closed Session to protect the public interest to receive legal advice and real estate negotiations.

7:22 p.m. Motion by Riese, seconded by Wiemer to convene to closed session to protect the public interest to receive legal advice and real estate negotiations. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to receiving legal advice and real estate negotiations.

7:47 p.m. Motion by Kerns, seconded by Riese to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 13

7:48 p.m. Motion by Porter, seconded by Derby to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk