

## PLATTSMOUTH CITY COUNCIL

June 5, 2017

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 5, 2017 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Jeanie Brookhouser, Cheryl Grimshaw, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry Kerns. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer and City Attorney Larry Welch Jr.

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 informed the Mayor and Council that a new business will be coming to town. The business will be located at 502 Main Street and is call the "Museum of Shadows". It is relocating from Elmwood Nebraska and should be open by the 15<sup>th</sup> of June.

7:04 p.m. Council Member Terry Kerns arrived.

Drew Bronson and Cynthia Bronson-Bronson Family Fireworks inquired as to the Fireworks Application process.

Larry Welch Jr., City Attorney advised the Mayor and Council that to protect the public interest, a legal opinion should be given in closed session and suggested they consider convening to a closed session to do so. Mayor Lambert stated the need for the council to go in to Closed Session to protect the public interest was to receive a legal opinion with regard to Applications for Fireworks Licenses.

7:20 p.m. Motion by Riese seconded by Dugan to convene to Closed Session to protect the public interest to receive a legal opinion with regard to Applications for Fireworks Licenses. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest to receive a legal opinion with regard to Applications for Fireworks Licenses.

7:28 p.m. Motion by Riese seconded by Grimshaw to reconvene in to regular session. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Grimshaw, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

#### ITEM 7 CONSENT AGENDA

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

- A Consider approval of the May 15, 2017 City Council Meeting Minutes
- B Rectify the administrative approval of a Special Designated Liquor License application submitted by the Knights of Columbus for a fund raiser at the Church of the Holy Spirit Gym, 520 S. 18<sup>th</sup> Street, Plattsmouth, NE on June 17, 2017 from 12:30 p.m. to 11:30 p.m.
- C Consider approval of claims

Claims Register Report as of 6/5/17

Dept Name / Vendor Name Amount

Pay Date: 5/26/17 112980.91  
Com Ctr 9165.83  
EMS 9555.93  
General 14013.92  
Library 7593.52  
Parks and Cemetery 5052.3  
Police 35579.76  
Senior 2369.82  
Street 12175.85  
Water and Sewer 17473.98

Various

Vendor Name

AMERICAN FAMILY LIFE 752.62  
AMERITAS 14064.46  
AMERITAS LIFE INSURANCE CORP 155.02  
BLUE CROSS BLUE SHIELD 62636.58  
DELTA DENTAL PLAN 2643.7  
FRATERNAL ORDER OF POLICE 180  
HARTFORD LIFE INSURANCE COMPANY 261.15  
INTERNAL REVENUE SERVICE 27553.16  
MUTUAL OF OMAHA 812.44

NEBRASKA DEPARTMENT OF REVENUE 3735.14  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 9863.99  
PETTY CASH CITY 300  
PLATTSMOUTH STATE BANK 814.67

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 189.96  
BOMGAARS SUPPLY 24.97  
CASS COUNTY TREASURER 8088  
CHARTER BUSINESS 177.7  
DISCOVERY BENEFITS INC 5.25  
FASTENAL COMPANY 88.84  
FIRST BANKCARD 560.68  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 13.83  
KATHRYN SHARP 125  
KONICA MINOLTA BUSINESS SOLUTIONS 17.55  
KONICA MINOLTA PREMIER FINANCE 221.16  
LEAGUE OF NEB MUNICIPALITIES 378  
MELVEN SUDBECK HOMES INC 1850.55  
MENARDS 43.29  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT 100  
OFFICE DEPOT INC 83.76  
OLMSTED & PERRY ENGINEERING 565.4  
OMAHA WORLD HERALD 96.2  
SCHMADER ELECTRIC CO INC 580  
SHELL FLEET PLUS 40.67  
VERIZON WIRELESS 83.31  
WASTE CONNECTIONS OF NEBRASKA INC 10449.46  
WELCH LAW FIRM LLC 6000  
WESTSIDE DEVELOPMENT INC AND JONES NATIONAL BANK 68623.69  
WH PLATTSMOUTH LLC 26306.75

Department : 02 - HUMANE/CODE ENFORCEMENT

FIRST BANKCARD 179.99  
SHELL FLEET PLUS 78.97  
VERIZON WIRELESS 40.01

Department : 03 - EMS

ALEGENT CREIGHTON HEALTH 70  
BLACK HILLS ENERGY 32.25  
BOUND TREE MEDICAL LLC 1957.31  
CHARTER BUSINESS 7.89  
DISCOVERY BENEFITS INC 5.25  
FIRST BANKCARD 70.79  
FORT DEARBORN LIFE INSURANCE CO 96.32  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 5.63  
IDEAL PURE WATER 32.23

KONICA MINOLTA PREMIER FINANCE 35.78  
LINDER TIRE & AUTO INC 30  
SHELL FLEET PLUS 441.22  
STERICYCLE INC 193.05  
VERIZON WIRELESS 224.27  
WALKERS INC 27.74  
WASTE CONNECTIONS OF NEBRASKA INC 18

Department : 04 - POLICE

BOMGAARS SUPPLY 174.99  
BRIDGESTONE AMERICAS INC 694.42  
CONSOLIDATED MANAGEMENT CO 76.08  
DISCOVERY BENEFITS INC 42  
FIRST BANKCARD 228.86  
JACKS UNIFORMS & EQUIPMENT 61.84  
JEFF HENRY CHEVROLET 296.55  
KAHLER CONSTRUCTION 455  
KONICA MINOLTA BUSINESS SOLUTIONS 15.49  
KONICA MINOLTA PREMIER FINANCE 154.29  
MJN INC 300  
PLATTCO REAL ESTATE & INS INC 80  
SHELL FLEET PLUS 1577.44  
VERIZON WIRELESS 171.85

Department : 05 - STREET

AARON JAMES MEYER 32436.7  
ALEGENT CREIGHTON HEALTH 70  
BARCO 204.97  
BLACK HILLS ENERGY 102  
BOMGAARS SUPPLY 517.32  
DISCOVERY BENEFITS INC 10.5  
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 229.99  
LYMAN RICHEY CORPORATION 1039.53  
MARTIN MARIETTA AGGREGATES 1672.28  
OFFICE DEPOT INC 88.96  
PROFESSION WASTE WATER SERVICES 85.5  
SHELL FLEET PLUS 560.48  
VERIZON WIRELESS 166.62  
WASTE CONNECTIONS OF NEBRASKA INC 144.15

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1368.72  
BLACK HILLS ENERGY 39.43  
BOMGAARS SUPPLY 32.26  
CASS COUNTY TREASURER 1348  
CENTER POINT LARGE PRINT 222.9  
CHARTER BUSINESS 26  
DEBRA L HALL 25

ELM USA INC 128.75  
FIRST BANKCARD 610.53  
GEORGE R LANGABEER III 1100  
KIRSTEN WOOD 75.97  
KONICA MINOLTA PREMIER FINANCE 154.29  
MIDAMERICA BOOKS 269.94  
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 505  
NEBRASKA FURNITURE MART 1845  
OKEEFE ELEVATOR CO INC 431.11  
WASTE CONNECTIONS OF NEBRASKA INC 17.99  
WINDSTREAM 115.28

Department : 07 - PARKS

ALEGENT CREIGHTON HEALTH 140  
BLACK HILLS ENERGY 33.23  
BOMGAARS SUPPLY 340.65  
CHARTER BUSINESS 36.21  
DEBRA S FLAHERTY 105  
ECHO GROUP INC 40.8  
FIRST BANKCARD 40  
MENARDS 47.12  
OFFICE DEPOT INC 8.53  
SHELL FLEET PLUS 198.03  
VERIZON WIRELESS 31.51  
WASTE CONNECTIONS OF NEBRASKA INC 134.95

Department : 08 - CEMETERY

DISCOVERY BENEFITS INC 5.25  
NEBRASKA IOWA SUPPLY CO INC 854.34  
NEBRASKA PUBLIC POWER DISTRICT 35.48  
PRUITT OUTDOOR POWER 35.13  
SHELL FLEET PLUS 84.87  
VERIZON WIRELESS 31.51  
WINDSTREAM 110

Department : 10 - FIRE

BLACK HILLS ENERGY 32.25  
CASS COUNTY EMERGENCY MANAGEMENT AGENCY 35  
CHARTER BUSINESS 7.9  
FIRST BANKCARD 1005.96  
FORT DEARBORN LIFE INSURANCE CO 158.24  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 5.64  
IDEAL PURE WATER 32.23  
KONICA MINOLTA PREMIER FINANCE 35.78  
MULLENAX AUTO SUPPLY 4.49  
OFE OIL INC 1334  
WALKERS INC 27.76  
WASTE CONNECTIONS OF NEBRASKA INC 17.99

Department : 11 - SENIOR CITIZEN CTR  
ALEGENT CREIGHTON HEALTH 35  
BLACK HILLS ENERGY 89.25  
OFFICE DEPOT INC 64.77  
STRATUS BUILDING SOLUTION OF ARIZONA 219  
THE COLUMBUS TELEGRAM 58.5

Department : 12 - DEBT SERVICE  
PLATTSMOUTH STATE BANK 13471.25

Department : 16 - ECONOMIC DEVELOPMENT  
LIMBO LLC 1553.75  
OLMSTED & PERRY ENGINEERING 5873.96  
PLATTSMOUTH STATE BANK 42154.17

Department : 17 - COMMUNITY CENTER  
BLACK HILLS ENERGY 803.21  
BODY BASICS INC 1580  
EGAN SUPPLY CO 160.04  
FIRST BANKCARD 217.71  
JUDDS BROTHERS CONSTRUCTION 1016.01  
KONICA MINOLTA PREMIER FINANCE 186.7  
KRIZ DAVIS CO 160  
KS STATEBANK 1048  
LYMAN RICHEY CORPORATION 323.41  
OLMSTED & PERRY ENGINEERING 4265.35  
PLATTSMOUTH CHAMBER OF COMMERCE 100  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
THIELE GEOTECH INC 3300  
VERIZON WIRELESS 51.8  
WALKERS INC 86.4  
WASTE CONNECTIONS OF NEBRASKA INC 124.78

Department : 18 - AQUATIC  
AQUA CHEM INC 1216.75  
BLACK HILLS ENERGY 626.7  
BOMGAARS SUPPLY 95.33  
CHARTER BUSINESS 36.21  
EGAN SUPPLY CO 1025.09  
FERGUSON ENTERPRISES 252.93  
FIRST BANKCARD 246.26  
LIFEGUARD STORE INC 192.5  
NATIONAL TICKET COMPANY 524.9  
OFFICE DEPOT INC 48.1

Department : 19 - ECONOMIC DEV - DTR PHASE 2  
LYNN F REHMEIER 30000

Department : 20 - WATER

AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 2542  
BARCO 204.97  
BLACK HILLS ENERGY 89.01  
BOMGAARS SUPPLY 188.97  
CASS COUNTY TREASURER 2426.4  
DISCOVERY BENEFITS INC 15.75  
DPC INDUSTRIES INC 1747.65  
ECHO GROUP INC 166.75  
FOR HIRE LLC 150  
HD SUPPLY WATERWORKS LTD 720.44  
MISSISSIPPI LIME COMPANY 3876.55  
NALCO COMPANY LLC 583.77  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 516.7  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 109366.33  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 108  
NEBRASKA PUBLIC POWER DISTRICT 7121.64  
OLMSTED & PERRY ENGINEERING 2515.4  
SENSUS METERING SYSTEMS 857.98  
SHELL FLEET PLUS 268.56  
TRANSWOOD LOGISTICS INC 827.98  
TYLER TECHNOLOGIES 540  
UNITED STATES POSTAL SERVICE 225  
VERIZON WIRELESS 94.53  
WATER & SEWER DEPARTMENT 54.82  
WELCH LAW FIRM LLC 2000

Department : 24 - DRUG FORFEITURE

VERIZON WIRELESS 54.77

Department : 30 - SEWER

AMERICAN UNDERGROUND SUPPLY LLC 390.06  
BLACK HILLS ENERGY 603.34  
BOMGAARS SUPPLY 366.86  
CASS COUNTY TREASURER 1617.6  
DULTMEIER SALES LLC 188.35  
ECHO GROUP INC 45.53  
FASTENAL COMPANY 17.46  
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 33.98  
MENARDS 7.68  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 100344.03  
NEBRASKA PUBLIC POWER DISTRICT 2400.18  
OFFICE DEPOT INC 25.1  
OLMSTED & PERRY ENGINEERING 1880  
SENSUS METERING SYSTEMS 857.97  
SHELL FLEET PLUS 467.75  
TYLER TECHNOLOGIES 540

Following discussion, Brookhouser amended her motion: Approve the consent agenda with the exclusion of the Kerns Excavating Company claim in the amount of \$2,107.25. Wiemer seconded the amended motion. ROLL CALL: Yes-Dugan, Brookhouser, Derby, Porter, Grimshaw, Kerns, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

Motion by Grimshaw seconded by Brookhouser to approve receipt of the Nebraska State Historical Society Fiscal Year 2017 Certified Local Government Grant Award in the amount of \$13,200 for a total project cost of \$25,840 and authorize the Mayor to execute the grant agreement. ROLL CALL: Yes-Wiemer, Kerns, Riese, Brookhouser, Derby, Porter, Grimshaw and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he is the President and majority shareholder of Kerns Excavating Company. Steve Perry PE, Olmsted & Perry Consulting Engineers reviewed the progress on the NE Highway 66 Water Main Relocation Project and stated that this pay application reflects 50% of the work completed. Mr. Perry recommended approval of payment of contractor's application for Payment No. 1 in the amount of \$53,994.06. Motion by Grimshaw seconded by Riese to approve contractor's Application for Payment No. 1 submitted by Kerns Excavating Co. Inc. for the NE Highway 66 Water Main Relocation Project in the amount of \$53,994.06 and authorize the Mayor to execute Pay Application No.1. ROLL CALL: Yes-Dugan, Grimshaw, Riese, Wiemer, Derby, Brookhouser and Porter. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Motion by Riese seconded by Wiemer to approve the City of Plattsmouth Nebraska Procurement Procedures and Code of Conduct in the procurement of professional services, construction services and materials needed for Community Development Block Grant Programs (CDBG) in adherence to Code of Federal Regulation 24 C.F.R. Section 85.36, or current state statutes, as requested by the Nebraska Department of Economic Development. Following Discussion, ROLL CALL: Yes-Porter, Derby, Kerns, Wiemer, Brookhouser, Dugan, Grimshaw and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.



ITEM 9 B

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he has a conflict of interest. Motion by Wiemer seconded by Dugan to approve payment of Invoice No. 13980 submitted by Kerns Excavating Company in the amount of \$2,107.25 for sewer repair at 614 5<sup>th</sup> Avenue. ROLL CALL: Yes-Riese, Grimshaw, Dugan, Brookhouser, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 C

Motion by Kerns seconded by Dugan to approve 2017 Application for Fireworks License submitted by Bellino Fireworks Inc.: fireworks being sold at 2405 Oak Hill Road, Plattsburgh starting at 12:01 a.m. on June 25, 2017 and ending at 11:59 p.m. on July 4, 2017 and authorize the Clerk to issue a 2017 Fireworks License. ROLL CALL: Yes-Kerns, Riese, Derby, Porter, Brookhouser, Wiemer, Dugan and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Porter seconded by Riese to approve 2017 Application for Fireworks License submitted by John Masters: fireworks being sold at 1318 South 15<sup>th</sup> Street, Plattsburgh starting at 12:01 a.m. on June 25, 2017 and ending at 11:59 p.m. on July 4, 2017 and authorize the Clerk to issue a 2017 Fireworks License. ROLL CALL: Yes-Dugan, Porter, Grimshaw, Derby, Kerns, Brookhouser, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Brookhouser seconded by Grimshaw to approve 2017 Application for Fireworks License submitted by Wild Willy's Fireworks, LLC: fireworks being sold at 16315 Westside Drive, Lot 5, Plattsburgh starting at 12:01 a.m. on June 25, 2017 and ending at 11:59 p.m. on July 4, 2017 and authorize the Clerk to issue a 2017 Fireworks License. ROLL CALL: Yes-Grimshaw, Wiemer, Kerns, Dugan, Porter, Derby, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Grimshaw seconded by Wiemer to approve 2017 Application for Fireworks License submitted by Mike Ware/Hometown Fireworks: fireworks being sold at 902 Chicago Ave., Plattsburgh starting at 12:01 a.m. on June 25, 2017 and ending at 11:59 p.m. on July 4, 2017 and authorize the Clerk to issue a 2017 Fireworks License. ROLL CALL: Yes-Derby, Dugan, Grimshaw, Kerns, Porter, Brookhouser, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Brookhouser seconded by Wiemer to approve 2017 Application for Fireworks License submitted by Ka-Boomer's Ent., Inc.: fireworks being sold at 302 Fulton Avenue, Plattsmouth starting at 12:01 a.m. on June 25, 2017 and ending at 11:59 p.m. on July 4, 2017 and authorize the Clerk to issue a 2017 Fireworks License. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:57 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk