

PLATTSMOUTH CITY COUNCIL

April 16, 2018

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 April 16, 2018 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Cheryl Grimshaw, Steve Riese, Sean Minahan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer and City Attorney Stephen Q. Preston.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on April 5, 2018 in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. The Open Meetings Act is posted on the bulletin board in the City Council chambers. A copy of the agenda and all documents to be discussed is available to the public. All proceedings hereafter shown were taken while the convened meeting was open to the public. We will follow the agenda that was made available to the public. Please silence cell phones.

ITEM 4-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

Sandra Meyer, City Clerk stated that the alternate date listed on Item B was incorrect. It was confirmed that the correct alternate date should be June 23, 2018. Motion by Wiemer seconded by Derby to approve the Consent Agenda with the correction to Item B: Alternate date of June 23, 2018 and the additional claims.

- A Consider approval of the April 2, 2018 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Knights of Columbus for a Golf Tournament Awards Dinner being held at St. John the Baptist School and Parish Center, 518 South 18<sup>th</sup> Street on June 16, 2018 from 3:00 p.m. to 11:00 p.m. with an alternate date of May 23, 2018
- C Consider approval of claims

Pay Date: 4/13/18      114387.88

Com Ctr 9327.05  
EMS 10960.44

General 15551.41  
Library 7504.99  
Parks and Cemetery 3483.36  
Police 39848.84  
Senior 2416.44  
Street 12710.08  
Water and Sewer 12585.27

Various - Vendor Name  
AMERITAS 15783.2  
EYE MED VISION CARE 397.08  
FRATERNAL ORDER OF POLICE 180  
HARTFORD LIFE INSURANCE COMPANY 235.15  
INTERNAL REVENUE SERVICE 24869.11  
NEBRASKA DEPARTMENT OF REVENUE 3652.12  
PLATTSMOUTH COMMUNITY CENTER 2402.2  
PLATTSMOUTH STATE BANK 222.32  
VERIZON 1021.24

Department : 01 - GENERAL ADMINISTRATION  
IDEAL PURE WATER 55.35  
IRINA A HARRINGTON 75  
KATHRYN SHARP 125  
KONICA MINOLTA BUSINESS SOLUTIONS 428.89  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 248.21  
OXEN TECHNOLOGY 3088.8  
SANDRA MEYER 111.59  
SCHNEIDER AGENCY INC 57350  
SPECTRUM 130  
THE COLUMBUS TELEGRAM 342.24  
TODD K HINTZE 12  
WASTE CONNECTIONS OF NEBRASKA INC 60.86  
WINDSTREAM 253.51

Department : 02 - HUMANE/CODE ENFORCEMENT  
NEBRASKA PUBLIC POWER DISTRICT 191.75

Department : 03 - EMS  
BOUND TREE MEDICAL LLC 1880.91  
CHARTER BUSINESS 7.88  
CUMMINS CENTRAL INC 170.18  
JEFF HENRY CHEVROLET 638.92  
KATHRYN SHARP 200  
KONICA MINOLTA BUSINESS SOLUTIONS 8.58  
MATHESON TRI-GAS INC 508.51  
MIKE WOOD 186.34  
NEBRASKA PUBLIC POWER DISTRICT 384

PERMITE CO OF NEB AND IA 80  
PREMIER HEALTH CARE SERVICES INC 2500  
TODD K HINTZE 9.07  
WALKERS INC 15.38  
WASTE CONNECTIONS OF NEBRASKA INC 19.18

Department : 04 - POLICE  
CASS COUNTY REGISTER OF DEEDS 270  
CASS COUNTY SHERIFF 7018  
JEFF HENRY CHEVROLET 236.12  
KONICA MINOLTA BUSINESS SOLUTIONS 63.46  
MATTHEW E WATSON 35  
SOFTCHOICE CORPORATION 32.03  
SOUTHEAST COMMUNITY COLLEGE 122.33  
WINDSTREAM 327.83

Department : 05 - STREET  
AA WHEEL & TRUCK SUPPLY 25.02  
AGRIVISION EQUIPMENT GROUP LLC 205.62  
BARONI ENTERPRISES 43.39  
CINTAS CORPORATION #749 288.08  
EGAN SUPPLY CO 64.95  
HAMILTON EQUIPMENT COMPANY 78.09  
LYMAN RICHEY CORPORATION 1150.78  
MARK HYDRAULIC CO INC 228.05  
MICHAEL TODD & COMPANY INC 112.8  
MULLENAX AUTO SUPPLY 452.66  
NEBRASKA PUBLIC POWER DISTRICT 5626.58  
NEBRASKA SALT & GRAIN CO 1715.85  
OMAHA SLINGS INC 98.03  
PAVERS INC 1903.9  
PRUITT OUTDOOR POWER 133.39  
ROSE EQUIPMENT INC 92.07  
TERRY LINDSEY 271.95  
WASTE CONNECTIONS OF NEBRASKA INC 153.71  
WINDSTREAM 94.16

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 1091.38  
KONICA MINOLTA BUSINESS SOLUTIONS 85.07  
NEBRASKA PUBLIC POWER DISTRICT 421  
OCLC ONLINE COMPUTER LIBRARY CENTER INC 136.34  
OXEN TECHNOLOGY 514.8  
WASTE CONNECTIONS OF NEBRASKA INC 19.17  
WINDSTREAM 148.42

Department : 07 - PARKS  
ECHO GROUP INC 128.46

EGAN SUPPLY CO 284.02  
LYMAN RICHEY CORPORATION 179.38  
MENARDS 85.98  
MULLENAX AUTO SUPPLY 136.28  
NEBRASKA PUBLIC POWER DISTRICT 218.63  
WASTE CONNECTIONS OF NEBRASKA INC 148.44

Department : 08 - CEMETERY  
BLACK HILLS ENERGY 83.21  
MULLENAX AUTO SUPPLY 17.41  
WINDSTREAM 117.7

Department : 10 - FIRE  
CHARTER BUSINESS 7.88  
CUMMINS CENTRAL INC 170.18  
KATHRYN SHARP 200  
KONICA MINOLTA BUSINESS SOLUTIONS 8.58  
NEBRASKA PUBLIC POWER DISTRICT 384  
TODD K HINTZE 9.06  
WALKERS INC 15.37  
WASTE CONNECTIONS OF NEBRASKA INC 19.18

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 140.61  
NEBRASKA PUBLIC POWER DISTRICT 727.09  
OFE OIL INC 293.3  
OFFICE DEPOT INC 46.67  
STEPHEN C WARGA 99  
STEUBES THRIFTWAY 184.88  
THE THOMPSON COMPANY 4285.47  
WALKERS INC 106.65

Department : 12 - DEBT SERVICE  
BOKF NATIONAL ASSOCIATION 43102.5

Department : 16 - ECONOMIC DEVELOPMENT  
CASS COUNTY NEBRASKA ECONOMIC DEV 3750

Department : 17 - COMMUNITY CENTER  
AARON JAMES MEYER 6356.25  
ACCELERATED GRAPHX LLC 185  
CHARTER BUSINESS 421.83  
CHESTERMAN CO 264.12  
EGAN SUPPLY CO 507.6  
KONICA MINOLTA BUSINESS SOLUTIONS 213.46  
MICHELLE GONDERINGER 56  
NEBRASKA AIR FILTER INC 269.84  
NEBRASKA PUBLIC POWER DISTRICT 6543.85

OFFICE DEPOT INC 16.22  
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 147.86  
STEPHEN C WARGA 60  
THE THOMPSON COMPANY 103.94  
VORTEX REHAB MARKETING LLC 35  
WALKERS INC 31.8  
WASTE CONNECTIONS OF NEBRASKA INC 132.89

Department : 18 - AQUATIC  
ANCHOR INDUSTRIES INC 4086  
COUNCIL BLUFFS WINSUPPLY INC 174.25  
NEBRASKA PUBLIC POWER DISTRICT 86.2

Department : 20 - WATER  
CORE & MAIN LP 1016  
DPC INDUSTRIES INC 256  
HACH COMPANY 374.65  
MISSISSIPPI LIME COMPANY 4006.4  
NEBRASKA PUBLIC POWER DISTRICT 87.23  
ONE CALL CONCEPTS INC 25.65  
OXEN TECHNOLOGY 926.64  
PETTY CASH WATER DEPARTMENT 369.8  
SCHNEIDER AGENCY INC 9650  
STEPHEN C WARGA 36  
TRANSWOOD LOGISTICS INC 863.8  
VESSCO INC 138.05  
WATER & SEWER DEPARTMENT 478.64  
WINDSTREAM 172.15

Department : 24 - DRUG FORFEITURE  
JEFF HENRY CHEVROLET 400

Department : 30 - SEWER  
EGAN SUPPLY CO 29.67  
HD SUPPLY FACILITIES MAINTENANCE LTD 144.7  
MILLER MECHANICAL SPECIALTIES INC 16928.01  
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 14.75  
ONE CALL CONCEPTS INC 25.65  
OXEN TECHNOLOGY 617.76  
SCHNEIDER AGENCY INC 9690  
WASTE CONNECTIONS OF NEBRASKA INC 56.1  
WINDSTREAM 50.06

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT  
ONE SCHMORE 6294.4  
ONE SCHMORE 63173.43

Department : 40 - PLATTSMOUTH KENO  
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 13884

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

#### ITEM 7-UNFINISHED BUSINESS

##### ITEM 7 A

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1934: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 11, ARTICLE 3, SECTION 3-11 TO REVISE THE DEFINITION OF “COMMUNICATIONS TOWER”; TO AMEND CHAPTER 11, ARTICLE 3, SECTION 3-11 TO ADD A DEFINITION OF “WIRELESS COMMUNICATIONS FACILITY”; TO AMEND CHAPTER 11, ARTICLE 4, TABLE 4.1 TO ADD THE WIRELESS COMMUNICATIONS FACILITY USE TYPE; TO ENACT CHAPTER 11, ARTICLE 13 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, RELATED TO “WIRELESS COMMUNICATIONS FACILITIES”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Erv Portis, City Administrator pointed out that under Section 13-5 (page 9) the only fees would be for a Special Use Permit and a Building Permit.

Motion by Riese seconded by Brookhouser to approve third (3<sup>rd</sup>) and final reading of ORDINANCE NO. 1934 by title only. ROLL CALL: Yes-Derby, Minahan, Grimshaw, Kerns, Wiemer, Riese, Brookhouser and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1934 in to the record by title only.

##### ITEM 7 B

Council member Porter introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1935: AN ORDINANCE TO AMEND SECTION 5-3(B) OF THE AUGUST 2006 LAND DEVELOPMENT ORDINANCE, FOR THE CITY OF PLATTSMOUTH, NEBRASKA RELATED TO THE CORRIDORS TO WHICH THE CIVIC CORRIDOR DESIGN OVERLAY DISTRICT APPLIES; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Porter second by Wiemer to approve second (2<sup>nd</sup>) reading of ORDINANCE NO. 1935 by title only. ROLL CALL: Yes-Porter, Kerns, Riese, Minahan, Brookhouser, Wiemer, Grimshaw and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator Erv Portis read ORDINANCE NO. 1935 in to the record by title only.

## ITEM 8 – NEW BUSINESS

### ITEM 8 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:14 p.m. to hear and receive public comment regarding a request to obligate Community Development Block Grant (CDBG) 14-DTR-101 funds as a conditional loan pursuant to the terms of a Loan Agreement for the property legally described as the East ½ of Lot 3, Block 33, Plattsmouth Original Town, City of Plattsmouth, Cass County, with an address of 317 Main Street. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:16 p.m.

### ITEM 8 B

Erv Portis, City Administrator stated that the payment of indebtedness on the principal amount is \$25,076-on page one (1) of the Deed of Trust paragraph a. it states Eighteen Thousand, Two Hundred Eight One and 00/100 and that is incorrect. Motion by Porter seconded by Wiemer to approve the obligation of Community Development Block Grant (CDBG 14-DTR-101) funds as a conditional loan pursuant to the terms of a Loan Agreement for the property legally described as the East ½ of Lot 3, Block 33, Plattsmouth Original Town, City of Plattsmouth, Cass County, Nebraska, with an address of 317 Main Street with the correction on Page One (1) paragraph (a.) of the Deed Trust: correct amount for the payment of indebtedness on the principal amount is \$25,076.00 and authorize the Mayor to execute the Loan Agreement. ROLL CALL: Yes-Riese, Grimshaw, Minahan, Brookhouser, Wiemer, Kerns, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED

### ITEM 8 C

Motion by Riese seconded by Grimshaw to authorize the solicitation of bids for approximately 18,845 square feet of Concrete Patch Repair in various locations throughout the City of Plattsmouth. Following discussion on funding-this is a budgeted item, ROLL CALL: Yes-Kerns, Brookhouser, Wiemer, Derby, Riese, Porter, Grimshaw and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### ITEM 8 D

Erv Portis, City Administrator stated that the North Fork Utah Fire Department made a counter offer of \$31,000.00. Portis also stated that this was not a budgeted item but the savings on the maintenance on the current unit would substantially off-set the purchase price. Motion by Porter seconded by Riese to approve the purchase of a used ambulance from the North Fork Utah Fire Department at a purchase price of not more than \$31,000.00. Following further discussion-the price of this unit new would be in the area of \$240,000.00, ROLL CALL: Yes-Minahan, Porter, Derby, Grimshaw, Kerns, Wiemer, Riese and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Brookhouser seconded by Wiemer to approve the reappointment of Ron Haskett to the Plattsouth Housing Authority as a Resident Commissioner for a five (5) year term starting 05/2018. ROLL CALL: Yes-Wiemer, Brookhouser, Porter, Riese, Derby, Minahan, Kerns and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Derby seconded by Kerns to approve the appointment of Rob Church to the Plattsouth Airport Authority to fill a vacancy. ROLL CALL: Yes-Brookhouser, Wiemer, Minahan, Kerns, Porter, Grimshaw, Derby and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 G

Mayor Lambert indicated the need for the council to go into Closed Session to protect the public interest with respect to real estate negotiations and legal advice on the same. 7:32 p.m. Motion by Kerns seconded by Brookhouser to convene to Closed Session to protect the public interest with respect to real estate negotiations and legal advice on the same. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Minahan, 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 with respect to real estate negotiations and legal advice on the same.

8:02 p.m. Motion by Porter seconded by Grimshaw to reconvene in open session. ROLL CALL: Yes-Derby, Wiemer, Minahan, Riese, Grimshaw, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11

8:12 p.m. Motion by Porter seconded by Kerns to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk