

PLATTSMOUTH CITY COUNCIL

March 16, 2020

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 March 16, 2020 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Morgan Muller, Sean Minahan, Terry Kerns, Bryan Clark and Jeanie Brookhouser. Council Members Absent: Wanda Wiemer and Doug Derby. 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 March 12, 2020 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 5-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

7 CONSENT AGENDA-MARCH 2, 2020 CITY COUNCIL AGENDA ACTION ITEMS

CONSENT AGENDA

- A Consider approval of the February 17, 2020 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Church of the Holy Spirit, 520 South 18th Street for a fundraiser being held at St. John the Baptist Elementary School Gymnasium, 520 S. 18th St., Plattsmouth on April 25, 2020 at 12:00 p.m. to 12:00 a.m.
- C Consider approval of claims

UNFINISHED BUSINESS

- A Consider Application for Payment No. 1 submitted by West-E-Con Inc. for the 2019 Flood Recovery Project - Restore Secondary Electrical Service to the Wastewater Treatment Plant (PW#88688) in the amount \$45,218.16 and authorize the Mayor to execute Pay App No. 1

- B Consider approval of Change Order No.3 submitted by West-E-Con Inc. for the 2019 Flood Recovery Project - Restore Secondary Electrical Service to the Wastewater Treatment Plant (PW#88688) to increase the contract amount by (+) \$27,500.00 and authorize the Mayor to execute Change Order No.3

NEW BUSINESS

- A Receive the 2020 Tax Increment Financing Report of the Community Development Agency
- B Consider approval of the appointment of the following proposed new member to the Plattsmouth Emergency Medical Services Department: Lea Peterson, and the addition of her name to the Plattsmouth Emergency Medical Services Department Roster

Erv Portis, City Administrator stated that the consideration of the above is due to the Notice of Meeting for the March 2, 2020 meeting not being published. Motion by Muller seconded by Brookhouser to approve the Consent Agenda-March 2, 2020 City Council Agenda action items. ROLL CALL: Yes-Minahan, Kerns, Muller, Clark, Riese and Brookhouser. No-None. Absent-Wierner and Derby. Abstain-None. MOTION CARRIED.

ITEM 8-CONSENT AGENDA

Motion by Brookhouser seconded by Riese to approve the consent agenda excluding the claim to Irina Harrington in the amount of \$50,274.00:

- A Consider approval of the March 2, 2020 City Council Meeting Minutes
- B Receive City of Plattsmouth Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 3/16/20

Pay Date: 3/13/20 125214.56

Com Ctr 7394.6
EMS 12239.02
General 22308.8
Library 8011.49
Parks and Cemetery 6115.44
Police 37527.62
Senior Center 2514.62
Street 11502.61
Water and Sewer 17600.36

Various Vendor Name
AMERITAS 15228.14
COLLECTION SERVICES CENTER 208.8

DIVISION OF CHILD SUPPORT SERVICES 400.14
EYE MED VISION CARE 414.26
FRATERNAL ORDER OF POLICE 165
HARTFORD LIFE INSURANCE COMPANY 199.85
INTERNAL REVENUE SERVICE 26423.58
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
NEBRASKA DEPARTMENT OF REVENUE 3943.24
NEBRASKA STATE TREASURER 802.76
PLATTSMOUTH COMMUNITY CENTER 2915.8
PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION
AGA ASSOCIATION OF GOVNMNT ACCOUNTANTS 110
ALLEY POYNER MACCHIETTO ARCHITECTURE 9979.97
AMERITAS 1490
CHARTER BUSINESS 68.3
IDEAL PURE WATER 38.55
KONICA MINOLTA BUSINESS SOLUTIONS 442.29
MELVEN SUDBECK HOMES INC 1562.34
MICROFILM IMAGING SYSTEMS 75
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 9.25
NEBRASKA PUBLIC POWER DISTRICT 189.12
OFFICE DEPOT INC 90.39
OLMSTED & PERRY ENGINEERING 218.75
PETTY CASH CITY 24
RICHARD A COMI 150
THE COLUMBUS TELEGRAM 420.74
VERIZON WIRELESS 80.28
WASTE CONNECTIONS OF NEBRASKA INC 75.68
WESTSIDE DEVELOPMENT INC 13346.96
WINDSTREAM 241.06

Department : 02 - HUMANE/CODE ENFORCEMENT
H & H SALES INC 669.98
NEBRASKA PUBLIC POWER DISTRICT 202.61
VERIZON WIRELESS 40.01

Department : 03 - EMS
BOUND TREE MEDICAL LLC 2272.71
CUMMINS CENTRAL INC 496
EGAN SUPPLY CO 40.94
IDEAL PURE WATER 26.25
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 14.78
MATHESON TRI-GAS INC 118.2
METRO BILLING SERVICES LLP 1518
METROPOLITAN COMMUNITY COLLEGE 1404
NEBRASKA PUBLIC POWER DISTRICT 485.06
ROLLINS INC 27.5
STRYKER SALES CORPORATION 1854

VERIZON WIRELESS 166.31
WALKERS INC 16.38
WASTE CONNECTIONS OF NEBRASKA INC 22.91
WELLCARE OF NEBRASKA 193.18
WINDSTREAM 180.9
WOODHOUSE FORD SOUTH INC 2861.1

Department : 04 - POLICE

AMERITAS 1370
CASS COUNTY REGISTER OF DEEDS 40
CASS COUNTY SHERIFF 3615
DISCOVERY BENEFITS INC 25
FIRE GUARD INC 218.25
H & H SALES INC 32.95
KONICA MINOLTA BUSINESS SOLUTIONS 93.46
LINDER TIRE & AUTO INC 25
MARLIN R FERGUSON 175
REID RICHTER 31.02
VERIZON WIRELESS 160.29
WINDSTREAM 326.75

Department : 05 - STREET

BOO INC DBA BOBCAT OF OMAHA 307.01
CINTAS CORPORATION #749 130.84
EGAN SUPPLY CO 62.52
LIFEARTS INTEGRATED HEALTH CENTER PC 30
MULLENAX AUTO SUPPLY 81.37
NEBRASKA IOWA SUPPLY CO INC 1104.93
NEBRASKA PUBLIC POWER DISTRICT 5570.27
OLMSTED & PERRY ENGINEERING 301.75
OREILLY AUTOMOTIVE INC 21.47
ROSE EQUIPMENT INC 959.19
VERIZON WIRELESS 170.6
WASTE CONNECTIONS OF NEBRASKA INC 191.05
WINDSTREAM 117.57

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1325.45
CHARTER BUSINESS 65
KONICA MINOLTA BUSINESS SOLUTIONS 96.65
NEBRASKA PUBLIC POWER DISTRICT 396.67
OCLC ONLINE COMPUTER LIBRARY CENTER INC 502.71
WASTE CONNECTIONS OF NEBRASKA INC 22.9
WINDSTREAM 147.32

Department : 07 - PARKS

EGAN SUPPLY CO 239.44
LINDER TIRE & AUTO INC 50
MENARDS 251.98
MULLENAX AUTO SUPPLY 17.07

NEBRASKA PUBLIC POWER DISTRICT 274.42
THE COLUMBUS TELEGRAM 59.85
VERIZON WIRELESS 40.14
WASTE CONNECTIONS OF NEBRASKA INC 165

Department : 08 - CEMETERY
STEPHEN C WARGA 18
VERIZON WIRELESS 40.14
WASTE CONNECTIONS OF NEBRASKA INC 78.5
WINDSTREAM 139.24

Department : 10 - FIRE
CHRISTOPHER LANGLOIS 100
CUMMINS CENTRAL INC 496
FIRE GUARD INC 221.25
IDEAL PURE WATER 26.25
J & L SERVICES INC 1075
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 14.78
MULLENAX AUTO SUPPLY 665.96
NEBRASKA PUBLIC POWER DISTRICT 485.05
ROLLINS INC 27.5
WALKERS INC 16.37
WASTE CONNECTIONS OF NEBRASKA INC 22.91
WINDSTREAM 180.91

Department : 11 - SENIOR CITIZEN CTR
LINDER TIRE & AUTO INC 48
NEBRASKA PUBLIC POWER DISTRICT 717.82
THE THOMPSON COMPANY 3437.1
WALKERS INC 157.5

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 262.5
BODY BASICS INC 165.5
KONICA MINOLTA BUSINESS SOLUTIONS 94.14
LIFEARTS INTEGRATED HEALTH CENTER PC 60
NEBRASKA PUBLIC POWER DISTRICT 6460.41
OFFICE DEPOT INC 68.58
WALKERS INC 80
WASTE CONNECTIONS OF NEBRASKA INC 146.18

Department : 18 - AQUATIC
LEE AGRI MEDIA 138.98
NEBRASKA PUBLIC POWER DISTRICT 88.16

Department : 20 - WATER
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 3764
DISCOVERY BENEFITS INC 25
DUGAN BUSINESS FORMS 232.26

HAWKINS INC 3011.1
LYMAN RICHEY SAND & GRAVEL CO 822.87
MENARDS 59.93
NEBRASKA PUBLIC POWER DISTRICT 1616.67
OLMSTED & PERRY ENGINEERING 33947.38
ONE CALL CONCEPTS INC 16.7
PETTY CASH WATER DEPARTMENT 544.45
SARGENT DRILLING 4342.45
VERIZON WIRELESS 160.3
WASTE CONNECTIONS OF NEBRASKA INC 75
WINDSTREAM 184.4

Department : 24 - DRUG FORFEITURE
NEBRASKA DEPT OF MOTOR VEHICLES 6.6
VERIZON WIRELESS 44.03

Department : 30 - SEWER
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 7974
LYMAN RICHEY SAND & GRAVEL CO 2468.62
MID IOWA SOLID WASTE EQUIPMENT 77.16
MIDWEST LABORATORIES INC 518
OLMSTED & PERRY ENGINEERING 51254.1
ONE CALL CONCEPTS INC 16.7
VERIZON WIRELESS 40.01
WASTE CONNECTIONS OF NEBRASKA INC 69.73
WINDSTREAM 50.75

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

ITEM 9

Kerry Gustafson, Dana F. Cole & Co. LLC presented the City of Plattsmouth Fiscal Year October 1, 2018 through September 30, 2019 Audit via Zoom digitally and was available for questions. Motion by Riese seconded by Brookhouser to receive the Fiscal Year October 1, 2018 through September 30, 2019 Audit and authorize placing on file with the Nebraska State Auditor. ROLL CALL: Yes-Brookhouser, Riese, Clark, Muller, Kerns and Minahan. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED

ITEM 10-UNFINISHED BUSINESS

Council member Kerns stated that he would be abstaining from any discussion or action on ITEM 10 A and ITEM 10 B as he is President and Majority Shareholder of Kerns Excavating Inc. which is a conflict of interest.

ITEM 10 A

Motion by Riese seconded by Brookhouser to approve Change Order No.8 submitted by Kerns Excavating Inc. for the Highway 75 Utility Relocations Project for a (+) 1,288.00 increase in the

contract amount and a 30 day time extension and authorize the Mayor to execute Change Order No.8. ROLL CALL: Yes-Minahan, Muller, Riese, Brookhouser and Clark. No-None. Absent-Wiemer and Derby. Abstain-Kerns. MOTION CARRIED.

ITEM 10 B

Motion by Brookhouser seconded by Muller to approve Contractor’s Application for Payment No.6 (Final) submitted by Kerns Excavating Inc. for the Highway 75 Utility Relocations Project in the amount of \$46,660.13 and authorize the Mayor to execute Pay Application No. 6. ROLL CALL: Yes-Brookhouser, Muller, Riese, Minahan and Clark. No-None. Absent-Wiemer and Derby. Abstain-Kerns. MOTION CARRIED.

ITEM 11 – NEW BUSINESS

ITEM 11 A

John Trecek, Ameritas Investment Corp. reviewed the procedures for calling of bonds and replacing. This will be a savings to the city of \$111,362.97 and the bonds would have the same maturity date.

Council member Riese introduced a resolution numbered and titled as follows:

RESOLUTION NO. 20-003

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on April 20, 2020, after which date interest on the bonds will cease:

Various Purpose Bonds, Series 2012, dated April 2, 2012, in the total principal amount of \$2,155,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$155,000	December 1, 2020	728092 FF9
160,000	December 1, 2021	728092 FG7
160,000	December 1, 2022	728092 FH5
165,000	December 1, 2023	728092 FJ1
170,000	December 1, 2024	728092 FK8
175,000	December 1, 2025	728092 FL6
180,000	December 1, 2026	728092 FM4
185,000	December 1, 2027	728092 FN2
805,000*	December 1, 2031	728092 FP7

*Term Bonds

Section 2. These bonds are to be paid at the office of the Treasurer of the City of Plattsmouth, Nebraska as paying agent and registrar for the bonds.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the City Treasurer is hereby instructed to take appropriate action to mail notice to registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this _____ day of _____, 2020.

ATTEST:

By /s/Mayor

/s/City Clerk

Motion by Riese seconded by Kerns to adopt RESOLUTION NO. 20-003. Erv Portis, City Administrator read RESOLUTION NO. 20-003 in to the record. ROLL CALL: Yes-Brookhouser, Clark, Kerns, Minahan, Muller and Riese. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED.

ITEM 11 B

Council member Riese introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1968: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020, OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWO MILLION ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$2,180,000) FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM Motion by Riese seconded by Brookhouser that the statutory rule requiring reading an ordinance on three different days be suspended and that ORDINANCE NO. 1968 be adopted on first reading by title only. ROLL CALL: Yes-Muller, Riese, Minahan, Kerns, Clark and Brookhouser. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1968 in to the record by title only. Motion by Brookhouser seconded by Muller to approve final passage of ORDINANCE NO. 1968 by title only. ROLL CALL: Yes-Riese, Muller, Minahan, Kerns, Clark and Brookhouser. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1968 in to the record by title only.

ITEM 11 C

Erv Portis, City Administrator reviewed the MDX proposal for the City to commit, subject to certain conditions, a \$700,000.00 forgivable loan of the City's LB840 funds.

Council member Muller introduced a resolution numbered and titled as follows: **RESOLUTION NO. 20-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO AUTHORIZE A CONDITIONAL LOAN COMMITMENT WHEREBY THE CITY WOULD COMMIT, SUBJECT TO CERTAIN CONDITIONS, TO PROVIDE A \$700,000.00 FORGIVABLE LOAN OF THE CITY'S LB840 FUNDS TO MDX INVESTMENTS, L.L.C. FOR PURPOSES OF THE REDEVELOPMENT OF THE FORMER PLATTSMOUTH HIGH SCHOOL BUILDING**

LOCATED AT 814 MAIN STREET, AND TO AUTHORIZE THE MAYOR TO SIGN A CONDITIONAL LOAN COMMITMENT ON THE TERMS SET FORTH IN THIS RESOLUTION. Motion by Muller seconded by Brookhouser to adopt RESOLUTION NO. 20-004 by title only. Erv Portis, City Administrator read RESOLUTION NO. 20-004 in to the record by title only. ROLL CALL: Yes-Clark, Minahan, Brookhouser, Riese, Muller and Kerns. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED.

ITEM 11 D

Motion by Brookhouser seconded by Riese to approve the reappointment of Dave Steinkruger, Brian Harvey, Russ Kathol and Charles Jones to the Economic Development Application Review Committee for three (3) year terms. ROLL CALL: Yes-Kerns, Muller, Riese, Clark, Brookhouser and Minahan. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED.

ITEM 11 E

Motion by Brookhouser seconded by Riese to approve the reappointment of George Eledge to the Plattsmouth Housing Authority for a five (5) year term with his current term expiring 05/01/2020. Following discussion, ROLL CALL: Yes-Brookhouser, Clark, Kerns, Minahan, Muller and Riese. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED.

ITEM 11 F

Motion by Kerns seconded by Brookhouser to approve the appointment of Bernard (Bill) Boyle-three (3) year term; and Cindy Fuller-two (2) year term to the Cemetery Advisory Board. ROLL CALL: Yes-Brookhouser, Clark, Kerns, Minahan, Muller and Riese. No-None. Absent-Wiemer and Derby. Abstain-None. MOTION CARRIED.

ITEM 14

7:51 p.m. Motion by Brookhouser seconded by Riese to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk