

PLATTSMOUTH CITY COUNCIL

April 6, 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 April 6, 2020 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert-On Site and Council Members: Wanda Wiemer-Virtual via ZOOM, Steve Riese-On Site, Morgan Muller-Telephonic, Sean Minahan-On Site, Terry Kerns-On Site, Bryan Clark-On Site, Doug Derby-Telephonic and Jeanie Brookhouser-On Site. Council Members Absent: None. Also present: City Administrator Ervin Portis-On Site, City Clerk Sandra J. Meyer-On Site and City Attorney Stephen Q. Preston-Virtual via ZOOM. A recording of the ZOOM Meeting was made.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on March 26, 2020 and April 2, 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-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

Motion by Brookhouser seconded by Clark to approve the consent agenda as presented:

- A Consider approval of the March 16, 2020 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 4/6/20

Pay Date: 3/27/20 121279.23

Com Ctr 5653.32

EMS 16517.81

General 16231.44

Library 7685.5

Parks and Cemetery 6808.8

Police 37124.89

Senior Center 2482.6

Street 11922.62

Water and Sewer 16852.25

Various

Vendor Name

AMERICAN FAMILY LIFE 651.95
AMERITAS 15117.85
AMERITAS LIFE INSURANCE CORP 148.12
BLUE CROSS BLUE SHIELD 51165.88
COLLECTION SERVICES CENTER 208.8
DELTA DENTAL PLAN 2887.22
DIVISION OF CHILD SUPPORT SERVICES 400.14
DOUGLAS COUNTY COURT NE 104.26
FRATERNAL ORDER OF POLICE 165
INTERNAL REVENUE SERVICE 25551.75
MUTUAL OF OMAHA 779.37
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
NEBRASKA DEPARTMENT OF REVENUE 3895.08
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10741.89
PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION

ACTION FLAG CO 49.73
BLACK HILLS ENERGY 603.84
CHARTER BUSINESS 198.3
EGAN SUPPLY CO 251.31
FIRST BANKCARD 918.97
IRINA A HARRINGTON 155
JEROME REINHOLT 203.56
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 148.7
KONICA MINOLTA PREMIER FINANCE 221.16
LEAGUE OF NEB MUNICIPALITIES 1105
MICHAEL VAUGHN 204.7
MICROFILM IMAGING SYSTEMS 75
MID PLAINS HOSPITALITY GROUP INC 899.55
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 9.25
OFFICE DEPOT INC 154.91
OLMSTED & PERRY ENGINEERING 820.03
OXEN TECHNOLOGY 3250
PETTY CASH CITY 200
PITNEY BOWES INC 515.61
SCHNEIDER AGENCY INC 57591.4
THE PITNEY BOWES BANK INC 1005
TYLER TECHNOLOGIES 19419
WELCH LAW FIRM LLC 6000

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 21.97

Department : 03 - EMS
ACTION FLAG CO 17.24
BLACK HILLS ENERGY 105.21
BOUND TREE MEDICAL LLC 1818.58
CHARTER BUSINESS 16.6
FIRST BANKCARD 501.05
KONICA MINOLTA PREMIER FINANCE 35.78
LIFEARTS INTEGRATED HEALTH CENTER PC 160
MATHESON TRI-GAS INC 85.57
OXEN TECHNOLOGY 1320
ROLLINS INC 27.5
STERICYCLE INC 518.84
WALKERS INC 16.38
WOODHOUSE FORD SOUTH INC 3499.13

Department : 04 - POLICE
ARROWHEAD SCIENTIFIC INC 506.21
CASS COUNTY SHERIFF 3615
FIRST BANKCARD 422.71
GREAT PLAINS UNIFORMS 290
H & H SALES INC 251.1
KONICA MINOLTA BUSINESS SOLUTIONS 12.98
KONICA MINOLTA PREMIER FINANCE 154.29
MORROW AND ASSOCIATES 75
THOMAS LEE KLINKACEK 225

Department : 05 - STREET
AGRIVISION EQUIPMENT GROUP LLC 22.95
BLACK HILLS ENERGY 342.74
BOMGAARS SUPPLY 903.66
MITCHELL 1 1046.4
NEBRASKA DEPT OF TRANSPORTATION 5825.4
OREILLY AUTOMOTIVE INC 98.4
OXEN TECHNOLOGY 880
PAVERS INC 2415
READY MIX CONCRETE CO 139.68
SAFETY-KLEEN CORPORATION 311.21
SID TOOL CO INC 172.94

Department : 06 - LIBRARY
APOLLO REFRIGERATION & HEATING SYSTEMS 194.75
BAKER & TAYLOR BOOKS 1397.2
BIBLIOTHECA INC 628.12
BLACK HILLS ENERGY 171.27
DEMCO 186.88
EGAN SUPPLY CO 263.11
FIRST BANKCARD 2046.86
KIRSTEN WOOD 36.53

KONICA MINOLTA PREMIER FINANCE 154.29
LIBRARY IDEAS LLC 502.92
LIFEARTS INTEGRATED HEALTH CENTER PC 30
MITCHELL 1 1046.41
MITY LITE INC 1608.39
OCLC ONLINE COMPUTER LIBRARY CENTER INC 167.57
OKEEFE ELEVATOR CO INC 202.62
OXEN TECHNOLOGY 2640
TYLER TECHNOLOGIES 3236.5
WINDSTREAM 142.87
YOLANDA JASSO 16.11

Department : 07 - PARKS
ACTION FLAG CO 117.98
BLACK HILLS ENERGY 161.89
BOMGAARS SUPPLY 430.31
CHARTER BUSINESS 39.3
EGAN SUPPLY CO 98.16
LIFEARTS INTEGRATED HEALTH CENTER PC 80
MENARDS 123.26
NEBRASKA TURF PRODUCTS 468.75

Department : 08 - CEMETERY
ACTION FLAG CO 34.48
BLACK HILLS ENERGY 118.11
BOMGAARS SUPPLY 114.98
FIRST BANKCARD 135.53
JUSTIN A MARSH 800.08
NEBRASKA IOWA SUPPLY CO INC 506.65
NEBRASKA PUBLIC POWER DISTRICT 54.39
OFFICE DEPOT INC 69.29
QUALITY SIGNS 1151.85
WINDSTREAM 139.26

Department : 10 - FIRE
ACTION FLAG CO 17.23
BLACK HILLS ENERGY 105.21
CHARTER BUSINESS 16.6
FELD FIRE 363.2
FORT DEARBORN LIFE INSURANCE CO 220.16
KONICA MINOLTA PREMIER FINANCE 35.78
OXEN TECHNOLOGY 2640
ROLLINS INC 27.5
WALKERS INC 16.37

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 151.69
CHARTER BUSINESS 147.61

H & H SALES INC 119.95
HYVEE 104.84
OXEN TECHNOLOGY 880
REINHART FOODSERVICE LLC 495.01
STRATUS BUILDING SOLUTION OF ARIZONA 219
THE THOMPSON COMPANY 3357.76
UNITED STATES POSTAL SERVICE 110
WALKERS INC 116.2

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

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 1076.5
BLACK HILLS ENERGY 1365.24
BOMGAARS SUPPLY 37.73
CHARTER BUSINESS 442.82
EDIE HYDE 100
EGAN SUPPLY CO 263.32
FIRST BANKCARD 361.73
HEATHER HENRICHS 34
JONELLE BURTON 88.5
KONICA MINOLTA PREMIER FINANCE 186.7
LIFEARTS INTEGRATED HEALTH CENTER PC 30
LINCOLN JOURNAL STAR 400
MOREHEAD PLUMBING 149.5
OKEEFE ELEVATOR CO INC 202.62
OXEN TECHNOLOGY 1760
SHANNON MACKNIGHT 42.8
STRATUS BUILDING SOLUTION OF ARIZONA 1870
WALKERS INC 120

Department : 18 - AQUATIC
BLACK HILLS ENERGY 20.13
CHARTER BUSINESS 38.94
CORE & MAIN LP 1133.59
STEPHEN C WARGA 72

Department : 20 - WATER
AQUA CHEM INC 25
ASP ENTERPRISES INC 174.08
BLACK HILLS ENERGY 274.75
BOMGAARS SUPPLY 267.41
BOO INC DBA BOBCAT OF OMAHA 887.25
CAHOY PUMP SERVICE INC 13337
CORE & MAIN LP 459.14
FIRST BANKCARD 604.38
HACH COMPANY 1188.23

LOGAN CONTRACTORS SUPPLY CO 531
MISSISSIPPI LIME COMPANY 4460.75
MUNICIPAL AUTOMATION & CONTROL 1194.6
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 1399.26
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 598
NEBRASKA PUBLIC POWER DISTRICT 6544.81
NEBRASKA RURAL WATER 375
OLMSTED & PERRY ENGINEERING 26275.73
PHONETICS INC 420
READY MIX CONCRETE CO 209.53
RGS REPAIR INC 261.09
SCHNEIDER AGENCY INC 10403.8
TRANSWOOD LOGISTICS INC 1013.63
TYLER TECHNOLOGIES 5915.7
UNITED STATES POSTAL SERVICE 120
WELCH LAW FIRM LLC 2000

Department : 30 - SEWER
BLACK HILLS ENERGY 540.37
BOMGAARS SUPPLY 222.82
BOO INC DBA BOBCAT OF OMAHA 2661.75
CORE & MAIN LP 55.66
FIRST BANKCARD 418.24
LOGAN CONTRACTORS SUPPLY CO 1593
NEBRASKA PUBLIC POWER DISTRICT 1499.77
NEBRASKA RURAL WATER 375
OLMSTED & PERRY ENGINEERING 2295
READY MIX CONCRETE CO 628.58
SCHNEIDER AGENCY INC 10403.8
TYLER TECHNOLOGIES 3973.8
UNITED STATES POSTAL SERVICE 120
WELCH LAW FIRM LLC 2000
WINDSTREAM 50.75

Department : 40 - PLATTSMOUTH KENO
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 100
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 500

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Steve Perry, Olmsted & Perry Consulting Engineers Inc., joining the meeting virtually via ZOOM Meetings, reviewed Contractor's Application for Payment No.1 submitted by Building

Crafts Inc.. for the 2019 Flood Recovery Waste Water Treatment Plant Repair Project(PW#88688) in the of amount of \$390,490.80. The correct amount to be considered is \$393,490.80 and it reflects 18% complete and Mr. Perry recommended approval. Motion by Brookhouser seconded by Riese to approve Contractor's Application for Payment No.1 submitted by Building Crafts Inc.. for the 2019 Flood Recovery Waste Water Treatment Plant Repair Project(PW#88688) in the of amount of \$393,490.80 and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Derby, Muller, Kerns, Riese, Minahan, Wiemer, Clark and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 B

Steve Perry, Olmsted & Perry Consulting Engineers Inc., joining the meeting virtually via ZOOM Meetings, reviewed Change Order No.4 submitted by West-E-Con Inc. for the 2019 Flood Recovery Project -Restore Secondary Electrical Service To the Wastewater Treatment Plant (PW#88688) for a contract time extension. The contractor is waiting on the delivery of master control centers and is asking for an extension and expects completion by June 1, 2020. Motion by Riese seconded by Brookhouser to approve Change Order No.4 submitted by West-E-Con Inc. for the 2019 Flood Recovery Project -Restore Secondary Electrical Service To the Wastewater Treatment Plant (PW#88688) for a contract time extension and authorize the Mayor to execute Change Order No.4 ROLL CALL: Yes-Wiemer, Brookhouser, Riese, Derby, Muller, Clark, Minahan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 C

Council member Kerns stated that he would be abstaining from any discussion or action on this item as his company, Kerns Excavating, is a potential bidder which causes a conflict of interest.

Steve Perry, Olmsted & Perry Consulting Engineers Inc., joining the meeting virtually via ZOOM Meetings, reviewed the request authorizing the solicitation of bids for the Highway 75 Utility Relocations 8th Ave North Project (NDOR Project No. 75-2(1072) CN 21209 - Murray to Plattsmouth). This is the next Phase of the US Highway 75 Utility Relocations. Phase 3 could roll in to this contract with a change order. Motion by Brookhouser seconded by Riese to authorize the the solicitation of bids for the Highway 75 Utility Relocations 8th Ave North Project (NDOR Project No. 75-2(1072) CN 21209 - Murray to Plattsmouth). ROLL CALL: Yes-Muller, Derby, Brookhouser, Clark, Minahan, Wiemer and Riese. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 7 D

Steve Perry, Olmsted & Perry Consulting Engineers Inc., joining the meeting virtually via ZOOM Meetings, reviewed the infrastructure of Meadow Heights Estates Replat 3 and the terms of the Conditional Acceptance. The Conditional Acceptance of Public Improvements Agreement by and between the City of Plattsmouth , a Nebraska municipal corporation and Melvin Sudbeck Homes, Inc., a Nebraska corporation includes a 5 year extended warranty and an Irrevocable Standby Letter of Credit in the amount of \$20,000.00. Motion by Brookhouser seconded by

Wiemer to approve the acceptance of the public infrastructure of Meadow Heights Estates Replat 3 subject to the terms of the Conditional Acceptance of public improvements agreement by and between the City of Plattsmouth and Melvin Sudbeck Homes, Inc; and authorize the Mayor to execute the Agreement on receipt of the Letter of Credit in a form approved by the City Attorney. ROLL CALL: Yes-Brookhouser, Clark, Minahan, Riese, Wiemer, Muller, Kerns and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Erv Portis, City Administrator informed council that the EMS Department has a fleet of 3 Ambulances and 2 of the units went down and had to be taken out of service this past weekend. Shane Lohmeier, EMS Director has researched the emergency purchase of a new ambulance versus a used/demo unit. The purchase of a new ambulance will increase the dependability and provider/patient safety of our fleet and lower the maintenance expenses on equipment. The 2 out-of-service units will be assessed-one would be repaired and one would be deemed surplus and sold. Motion by Brookhouser seconded by Kerns to approve the emergency lease/purchase of a Demers MXP170 Ambulance from Danko Emergency Equipment Co. located in Snyder, Nebraska at a purchase price of \$200,464.00. Erv Portis stated that the Chairman of the Plattsmouth Rural Fire Board was made aware of the situation. ROLL CALL: Yes-Riese, Muller, Derby, Brookhouser, Clark, Minahan, Wiemer and Kerns.. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Council member Kerns introduced a resolution numbered and titled as follows: **RESOLUTION NO. 20-005: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, AUTHORIZING THE WAIVER OF CERTAIN PROVISIONS OF THE LOTTERY OPERATOR AGREEMENT BETWEEN THE CITY AND CASS COUNTY KENO IN RESPONSE TO EMERGENCY CONDITIONS RELATED TO COVID-19.** The City Administrator and the City Attorney felt it reasonable to acknowledge the current situation and work with the Keno Operator. Motion by Kerns seconded by Brookhouser to adopt RESOLUTION NO. 20-005 by title only. Erv Portis, City Administrator read RESOLUTION NO. 20-005 in to the record by title only. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Erv Portis, City Administrator gave a brief summary of the background leading up to the Option to Purchase Agreement by and between the City of Plattsmouth and Schott Properties, LLC. Motion by Brookhouser seconded by Riese to approve an Option to Purchase Agreement by and between the City of Plattsmouth and Schott Properties, LLC for property as described on Exhibit A of the Option Agreement; and authorize the Mayor to execute the Agreement. ROLL CALL: Yes-Muller, Kerns, Brookhouser, Wiemer,

Riese, Derby, Clark and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Steve Rathman, Chief of Police, stated the increase for police services is due to the downtown entertainment district, special operations conducted in the city parks and grant enforcement. The creation of the position of Part-Time Police Officer would supplement full-time staff and meet the demands on the department. The Part-Time Police Officer would be required to have a valid law enforcement certificate/diploma. Motion by Brookhouser seconded by Wiemer to approve the creation of a Part-time Police Officer position. ROLL CALL: Yes-Wiemer, Muller, Riese, Minahan, Kerns, Derby, Brookhouser and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Riese seconded by Brookhouser to receive a claim of property damage due to sewage back up in the basement at 1116 Scott Street submitted by Marci Mixan and refer to insurance (EMC Insurance Companies). ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 11

8:06 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