

PLATTSMOUTH CITY COUNCIL

May 18, 2015

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 May 18, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan and Doug Derby. Council Members Absent: John Porter and Wanda Wiemer. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Roger Johnson.

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:

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

- A Consider approval of the May 4, 2015 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 5/18/2015

Vendor Name Amount

Pay Date: 5/15/15

Com Ctr 8805.2

EMS 8453.61

General 15912.78

Library 6886.93

Park and Cemetery 4535.3

Police 33109.17
Senior 2122.61
Street 10357.81
Water and Sewer 12750.54

102933.95

Vendor Name

AMERITAS LIFE INSURANCE CORP (pension) 13625.58
COLLECTION SERVICES CENTER 186
EYE MED VISION CARE 307.33
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 25116.88
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 4593.55
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10054.28
PETTY CASH TRWP 300
PLATTSMOUTH COMMUNITY CENTER 42.8
PLATTSMOUTH STATE BANK 568.07
UNITED STATES LIFE INSURANCE CO 195.6

Department : 01 - GENERAL ADMINISTRATION

CASS COUNTY REGISTER OF DEEDS 62
CASS COUNTY TREASURER 6697.5
DISCOVERY BENEFITS INC 26.25
HEARTLAND TECHNOLOGY SOLUTIONS 1351.25
HIGGINS HARDWARE 8.99
IRINA A HARRINGTON 75
JONES NATIONAL BANK & TRUST 3625.11
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 145.97
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS 100
NEBRASKA PUBLIC POWER DISTRICT 230.19
SHELL FLEET PLUS 33.58
THE COLUMBUS TELEGRAM 390.81
VERIZON WIRELESS 83.17
WASTE CONNECTIONS OF NEBRASKA INC 1793.64
WINDSTREAM 258.95

Department : 02 - HUMANE/CODE ENFORCEMENT

JEFF HENRY CHEVROLET 13848
NEBRASKA PUBLIC POWER DISTRICT 118.76
VERIZON WIRELESS 40.01

Department : 03 - EMS

DISCOVERY BENEFITS INC 5.25
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 3.38

KONICA MINOLTA PREMIER FINANCE 34.98
MATHESON TRI-GAS INC 328.75
METRO BILLING SERVICES 665
MULLENAX AUTO SUPPLY 77.55
NEBRASKA PUBLIC POWER DISTRICT 403.2
PREMIER HEALTH CARE SERVICES INC 2500
SHELL FLEET PLUS 231.52
VERIZON WIRELESS 254.14
WASTE CONNECTIONS OF NEBRASKA INC 15.91
WINDSTREAM 161.38

Department : 04 - POLICE

CASS COUNTY REGISTER OF DEEDS 20
DISCOVERY BENEFITS INC 15.75
JACK'S UNIFORMS & EQUIPMENT 261.43
KONICA MINOLTA BUSINESS SOLUTIONS 75.52
KONICA MINOLTA PREMIER FINANCE 197.6
LANCE R BURNETT 70.78
REID RICHTER 16.2
SHELL FLEET PLUS 1616.8
STEVE RATHMAN 112.36
THE COLUMBUS TELEGRAM 279
VERIZON WIRELESS 171.75
WINDSTREAM 301.96

Department : 05 - STREET

B SHARP TOWING 50
CINTAS CORPORATION #749 319.4
CONWAY OIL COMPANY 1850.31
DISCOVERY BENEFITS INC 10.5
DULTMEIER SALES LLC 2.1
FASTENAL COMPANY 4.15
HOSE & HANDLING INC 140.44
JOE MCDERMOTT ASSOCIATES 302.79
MR LANDSCAPE NURSERY 977.09
MULLENAX AUTO SUPPLY 139.54
NEBRASKA PUBLIC POWER DISTRICT 7762.28
PLATTSMOUTH STATE BANK 70157.5
PROFESSION WASTE WATER SERVICES 75
QUALITY SIGNS 525
SHELL FLEET PLUS 361.93
THE COLUMBUS TELEGRAM 104
TITAN MACHINERY 1502.22
UNITED SEEDS INC 180
VERIZON WIRELESS 166.34
WASTE CONNECTIONS OF NEBRASKA INC 127.91
WINDSTREAM 108.42

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 430.68
CASS COUNTY TREASURER 1116.25
CENTER POINT LARGE PRINT 258.84
DEMCO 248.13
HIGGINS HARDWARE 2.89
HIGHSMITH LLC 84.69
JERLEEN CORPORATION 174.61
JOSEY THOMAS AARON 499.99
KONICA MINOLTA BUSINESS SOLUTIONS 117.35
KONICA MINOLTA PREMIER FINANCE 197.6
NEBRASKA PUBLIC POWER DISTRICT 374.08
OCLC INC 109.6
QUALITY BOOKS INC 82.67
WASTE CONNECTIONS OF NEBRASKA INC 15.9

Department : 07 - PARK & REC

AGRIVISION 308.07
FASTENAL COMPANY 9.79
HIGGINS HARDWARE 5.99
LINDER TIRE & AUTO INC 12
LONNIE ILES 425
NEBRASKA PUBLIC POWER DISTRICT 249.56
OREILLY AUTOMOTIVE INC 2.25
SHELL FLEET PLUS 131.79
VERIZON WIRELESS 31.49
VOGEL WEST INC 146.57
WASTE CONNECTIONS OF NEBRASKA INC 119.28
WILES BROS INC 2147.5

Department : 08 - CEMETERY

BLACK HILLS ENERGY 30.63
DISCOVERY BENEFITS INC 5.25
SHELL FLEET PLUS 56.48
VERIZON WIRELESS 31.49
WINDSTREAM 91.41

Department : 10 - FIRE

FOUR STAR LAUNDRY AND LINEN SUPPLY INC 3.4
KONICA MINOLTA PREMIER FINANCE 34.98
NEBRASKA PUBLIC POWER DISTRICT 403.2
WASTE CONNECTIONS OF NEBRASKA INC 15.9
WINDSTREAM 161.38

Department : 11 - SENIOR CITIZEN CTR

FOUR STAR LAUNDRY AND LINEN SUPPLY INC 158.34
NEBRASKA PUBLIC POWER DISTRICT 628.38
OFE OIL INC 85.65

STEUBES THRIFTWAY 555.31
THE THOMPSON COMPANY 4586.04

Department : 12 - DEBT SERVICE
PLATTSMOUTH STATE BANK 580900.91

Department : 17 - COMMUNITY CENTER
4IMPRINT INC 103.65
AV MARKETPLACE INC 999
BARONI ENTERPRISES 109.58
BODY BASICS INC 1580
COCA COLA REFRESHMENTS USA INC 171.12
COMPUTERS TO GO 145
DEBRA S FLAHERTY 359
ELIZABETH VAN WASSENHOVEN 45.84
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 1257.75
KONICA MINOLTA BUSINESS SOLUTIONS 233.62
KONICA MINOLTA PREMIER FINANCE 278.83
NEBRASKA PUBLIC POWER DISTRICT 5655.41
THE COLUMBUS TELEGRAM 410
THE THOMPSON COMPANY 298.58
VERIZON WIRELESS 51.68
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC
AQUA CHEM INC 2035.99
ELIFEGUARD INC 652.02
FASTENAL COMPANY 21.1
MEESKE ACE HARDWARE 238.2
MULLENAX AUTO SUPPLY 73.59
NATIONAL TICKET COMPANY 524.9
NEBRASKA PUBLIC POWER DISTRICT 139.16
STEPHEN C WARGA 81
WASTE CONNECTIONS OF NEBRASKA INC 115

Department : 20 - WATER
AMERICAN UNDERGROUND SUPPLY LLC 196.43
CASS COUNTY TREASURER 2009.25
DISCOVERY BENEFITS INC 10.5
DPC INDUSTRIES INC 352.5
FASTENAL COMPANY 87.06
HD SUPPLY WATERWORKS LTD 825
MISSISSIPPI LIME COMPANY 3901.5
MULLENAX AUTO SUPPLY 86.78
MUNICIPAL AUTOMATION & CONTROL 170
MUNICIPAL PIPE SERVICES INC 5000
MUNICIPAL SUPPLY INC 6868.58
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 344.51

NEBRASKA PUBLIC POWER DISTRICT 27.43
ONE CALL CONCEPTS INC 38.52
PATTON EQUIPMENT NE 595
PETTY CASH WATER DEPARTMENT 467.19
SHELL FLEET PLUS 439.45
THE COLUMBUS TELEGRAM 186.83
TRANSWOOD LOGISTICS INC 848.84
VERIZON WIRELESS 94.47
WINDSTREAM 108.47

Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 54.2

Department : 30 - SEWER
CASS COUNTY TREASURER 1339.5
MIDWEST LABORATORIES INC 981
MULLENAX AUTO SUPPLY 338.25
OFE OIL INC 30
ONE CALL CONCEPTS INC 38.53
SHELL FLEET PLUS 288.22
VERIZON WIRELESS 51.68
WASTE CONNECTIONS OF NEBRASKA INC 46.56
WINDSTREAM 108.18

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
PLATTSMOUTH STATE BANK 181673.75

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1893: AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY IN BLOCK 2 TOWNSEND'S ADDITION TO THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ADJACENT PROPERTY OWNERS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Kerns to approve third and final reading of ORDINANCE NO. 1893 by title only. ROLL CALL: Yes-Brookhouser, Dugan, Derby, Tilson, Kerns and Riese. No-None. Absent-Porter and Wiemer. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1893 in to the record by title only.

ITEM 8 B

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1895: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ESTABLISHING AS AN HISTORIC LANDMARK CITY HALL, 136 N. 5TH STREET, PLATTSMOUTH, NEBRASKA, LEGALLY DESCRIBED AS LOTS 1 THROUGH 3, BLOCK 28, ORIGINAL TOWN OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Brookhouser to approve second reading of ORDINANCE NO. 1895 by title only. ROLL CALL: Yes-Derby, Brookhouser, Kerns, Riese and Tilson. No-Dugan. Absent-Porter and Wiemer. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1895 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Ervin Portis, City Administrator reviewed the Memorandum of Understanding by and between the City of Plattsmouth and the Plattsmouth Housing Authority for the completion of an environmental review pursuant to the National Environmental Policy Act of 1969 (NEPA). Following discussion, Motion by Brookhouser, seconded by Kerns to approve a Memorandum of Understanding (MOU) by and between the City of Plattsmouth and the Plattsmouth Housing Authority for the completion of an environmental review pursuant to the National Environmental Policy Act of 1969 (NEPA); and authorize the Mayor to execute the MOU. ROLL CALL: Yes-Tilson, Derby, Kerns, Dugan, Brookhouser and Riese. No-None. Absent-Porter and Wiemer. Abstain-None. MOTION CARRIED.

7:08 p.m. Council Member Wiemer arrived.

ITEM 9 B

Motion by Kerns, seconded by Derby to approve an Agreement by and between the City of Plattsmouth and Southeast Nebraska Development District (SEND) for the conduct and completion of the environmental review necessary for Plattsmouth Housing Authority compliance with NEPA to secure FY 14 federal funds on a cost incurred basis not to exceed \$3,500.00; and authorize the Mayor to execute the Agreement. ROLL CALL: Yes-Dugan, Brookhouser, Riese, Kerns, Wiemer, Derby and Tilson. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Riese, seconded by Wiemer to approve the reappointment of George Eledge to the Plattsmouth Housing Authority for a 5 year term. ROLL CALL: Yes-Wiemer, Tilson, Derby,

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

ITEM 9 D

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

ITEM 9 E

Motion by Riese, seconded by Derby to receive with considerable regret, the resignation of Marcus W. Nichols from the Plattsmouth Planning Commission, effective June 1, 2015. ROLL CALL: Yes-Kerns, Tilson, Wiemer, Riese, Brookhouser, Dugan and Derby. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 9 F

Ervin Portis, City Administrator recommended that real estate negotiations on one other property be added to the items to discuss in closed session.

Mayor Lambert indicated to need for the council to go in to Closed Session to protect the public interest with regard to: (1) the receipt of legal advice related to the environmental conditions at Rhylander Park; (2) to discuss real estate negotiations related to the river front property obtained as part of the settlement of the lawsuit Castaway Pointe LLC v Plattsmouth; and (3) real estate negotiations on one other property.

7:18 p.m. Motion by Riese, seconded by Wiemer to convene in closed session to protect the public interest with regard to: (1) the receipt of legal advice related to the environmental conditions at Rhylander Park; (2) to discuss real estate negotiations related to the river front property obtained as part of the settlement of the lawsuit Castaway Pointe LLC v Plattsmouth; and (3) real estate negotiations on one other property. ROLL CALL: Yes-Derby, Dugan, Tilson, Kerns, Wiemer, Riese and Brookhouser. No-None. Absent-Porter. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to: (1) the receipt of legal advice related to the environmental conditions at Rhylander Park; (2) to discuss real estate negotiations related to the river front property obtained as part of the settlement of the lawsuit Castaway Pointe LLC v Plattsmouth; and (3) real estate negotiations on one other property.

7:42 p.m. Motion by Kerns, seconded by Tilson to reconvene in regular session. ROLL CALL: Yes-Brookhouser, Wiemer, Riese, Derby, Tilson, Dugan and Kerns. No-None. Absent-Porter. Abstain-None. MOTION CARRIED.

ITEM 12

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

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk