

PLATTSMOUTH CITY COUNCIL

August 19, 2019

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:05 o'clock p.m. on August 19, 2019 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Wanda Wiemer, Steve Riese, Morgan Muller, Sean Minahan, Terry Kerns, Cheryl Grimshaw, Doug Derby and Jeanie Brookhouser. 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 August 8, 2019 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

Don Gappa, 310 2nd Avenue-Thanked the Mayor, City Council, City Administrator and City Staff for a great job. Plattsmouth is a great place to live.

Shannon Lewis, Plattsmouth Conservancy-Gave an update on the planning of the Steamship Landing Exposition to be held on June 13-14, 2020 in downtown Plattsmouth.

John Goodman, 1413 Tammy Lane-Voiced parking/safety concerns on Tammy Lane around the curve. Requested a "No Parking" sign on the curve. Was directed to give his contact information to Capt. Crick and the City Administrator will be in contact with him.

Mayor Lambert recognized and presented the "Pride of Plattsmouth" commendations to the Plattsmouth Volunteer Fire Department, Emergency Medical Services Department and Police Department for assistance to the City of Plattsmouth and its citizens during the onset of the 2019 Missouri River Flood and for continued commitment to keeping all of us safe in our daily lives.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

Motion by Brookhouser seconded by Grimshaw to approve the consent agenda with an updated claims listing:

- A Consider approval of the August 5, 2019 City Council Special Meeting Minutes
- B Consider setting the next regular City Council meeting for Tuesday, September 3, 2019 due to the Labor Day Holiday
- C Receive the Treasurer's Monthly Budget Report through the end of June 2019
- D Consider approval of claims

Claims Register Report as of 8/19/19

Pay Date: 8/16/19 118665.3
 Com Ctr 12950.33
 EMS 11404.94
 General 16160.13
 Library 7780.24
 Parks and Cemetery 6416.75
 Police 37798.44
 Senior Center 2189.23
 Street 8655.29
 Water and Sewer 15309.95

Various

Vendor Name

AMERITAS 14908.61
 EYE MED VISION CARE 402.23
 FRATERNAL ORDER OF POLICE 180
 INTERNAL REVENUE SERVICE 25152.48
 NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
 NEBRASKA DEPARTMENT OF REVENUE 3658.22
 PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 66.19
 IDEAL PURE WATER 26.35
 IRINA A HARRINGTON 75
 KATHRYN SHARP 125
 KONICA MINOLTA BUSINESS SOLUTIONS 70.76
 MICROFILM IMAGING SYSTEMS 75
 MIDWEST SOUND & LIGHTING INC 2342.5
 MULLENAX AUTO SUPPLY 36.7
 NEBRASKA PUBLIC POWER DISTRICT 593.37
 OFFICE DEPOT INC 145.55
 RICHARD A COMI 1300
 THE COLUMBUS TELEGRAM 1301.68
 VERIZON WIRELESS 82.78
 WASTE CONNECTIONS OF NEBRASKA INC 68.8
 WINDSTREAM 253.93

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA PUBLIC POWER DISTRICT 97.23
VERIZON WIRELESS 40.01

Department : 03 - EMS
BLACK HILLS ENERGY 15.67
CHARTER BUSINESS 8.45
IDEAL PURE WATER 27
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 12.23
METRO BILLING SERVICES LLP 1474
MULLENAX AUTO SUPPLY 144.88
NEBRASKA PUBLIC POWER DISTRICT 277.48
TODD K HINTZE 9.73
VERIZON WIRELESS 168.07
WALKERS INC 32.76
WASTE CONNECTIONS OF NEBRASKA INC 20.82
WINDSTREAM 182.36

Department : 04 - POLICE
ACCELERATED GRAPHX LLC 40
ARROWHEAD SCIENTIFIC INC 375.45
BELLEVUE POLICE DEPARTMENT 250
CASS COUNTY REGISTER OF DEEDS 50
DISCOVERY BENEFITS INC 25
GREAT PLAINS UNIFORMS 283.5
H & H SALES INC 572.82
JACKS UNIFORMS & EQUIPMENT 115.89
KONICA MINOLTA BUSINESS SOLUTIONS 58.18
L SCOT UPTAIN 1075
MICHAEL W MCINTIRE 200
MULLENAX AUTO SUPPLY 10.99
POLICE OFFICERS ASSOCIATION OF NE 180
VERIZON WIRELESS 161.42
WINDSTREAM 332.88

Department : 05 - STREET
AARON JAMES MEYER 17261.94
BLACK HILLS ENERGY 43.15
BOO INC DBA BOBCAT OF OMAHA 393.51
CINTAS CORPORATION #749 367.77
FIRE GUARD INC 412.85
MULLENAX AUTO SUPPLY 269.99
NEBRASKA IOWA SUPPLY CO INC 3311.39
NEBRASKA PUBLIC POWER DISTRICT 5668.97
PLATTSMOUTH STATE BANK 21416.25
ROSE EQUIPMENT INC 731.07

SCHRAM & SONS EXCAVATION CORP 904.97
UNITED SEEDS INC 210
VERIZON WIRELESS 82.78
WASTE CONNECTIONS OF NEBRASKA INC 173.68
WINDSTREAM 95.24

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1282.36
BLACK HILLS ENERGY 20.58
BOUND TO STAY BOUND BOOKS INC 17.01
CHARTER BUSINESS 65
EBSCO INDUSTRIES INC 800
EGAN SUPPLY CO 138.51
HILLER ELECTRIC COMPANY 120
KONICA MINOLTA BUSINESS SOLUTIONS 69.52
NEBRASKA PUBLIC POWER DISTRICT 645.97
OCLC ONLINE COMPUTER LIBRARY CENTER INC 167.57
UNIVERSAL MEDIA CORP 159
WASTE CONNECTIONS OF NEBRASKA INC 20.83

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 301.4
BLACK HILLS ENERGY 20.58
LINDER TIRE & AUTO INC 170
MULLENAX AUTO SUPPLY 75.06
NEBRASKA PUBLIC POWER DISTRICT 270.85
OREILLY AUTOMOTIVE INC 8.99
PRUITT OUTDOOR POWER 152.45
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 442.6

Department : 08 - CEMETERY

BLACK HILLS ENERGY 20.58
LINDER TIRE & AUTO INC 97
MULLENAX AUTO SUPPLY 51.97
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 232

Department : 10 - FIRE

BLACK HILLS ENERGY 15.67
CHARTER BUSINESS 8.46
IDEAL PURE WATER 27
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 12.24
MULLENAX AUTO SUPPLY 97.9
NEBRASKA PUBLIC POWER DISTRICT 277.47
TODD K HINTZE 9.72
WALKERS INC 32.74

WASTE CONNECTIONS OF NEBRASKA INC 20.82
WINDSTREAM 182.35

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 5.39
NEBRASKA PUBLIC POWER DISTRICT 636
REINHART FOODSERVICE LLC 844.53

Department : 17 - COMMUNITY CENTER
BLACK HILLS ENERGY 48.5
BODY BASICS INC 138.03
CONTROL LOGIC INC 240
FIRE GUARD INC 874.85
KONICA MINOLTA BUSINESS SOLUTIONS 45.18
LINCOLN JOURNAL STAR 150
NEBRASKA PUBLIC POWER DISTRICT 5724
NICK RAYER 50
STEPHEN C WARGA 90
VERIZON WIRELESS 41.39
WALKERS INC 80
WASTE CONNECTIONS OF NEBRASKA INC 132.89

Department : 18 - AQUATIC
BLACK HILLS ENERGY 225.85
NEBRASKA PUBLIC POWER DISTRICT 2593.68
WASTE CONNECTIONS OF NEBRASKA INC 120

Department : 20 - WATER
BAUER BUILT TIRE INC 9815
BLACK HILLS ENERGY 43.27
BOMGAARS SUPPLY 238.97
CASS COUNTY RURAL WATER DISTRICT NO 1 54307.2
CORE & MAIN LP 547.75
DISCOVERY BENEFITS INC 25
DPC INDUSTRIES INC 260
JUSTIN A MARSH 154.1
NEBRASKA PUBLIC POWER DISTRICT 98.39
OMAHA DOOR & WINDOW COMPANY 285.96
ONE CALL CONCEPTS INC 100.21
PETTY CASH WATER DEPARTMENT 390.19
QUALITY SIGNS 1160
THE COLUMBUS TELEGRAM 178.62
VERIZON WIRELESS 65.41
WASTE CONNECTIONS OF NEBRASKA INC 260
WINDSTREAM 176.72

Department : 24 - DRUG FORFEITURE
H & H SALES INC 1200

VERIZON WIRELESS 44.21

Department : 30 - SEWER
MIDWEST LABORATORIES INC 193
OFFICE DEPOT INC 4.44
OLMSTED & PERRY ENGINEERING 34875
OREILLY AUTOMOTIVE INC 98.95
PRUITT OUTDOOR POWER 302.82
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 63.39
WINDSTREAM 51.38

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Steve Perry, PE, Olmsted & Perry Consulting Engineer Inc. reviewed Contractor's Application for Payment No.1 submitted by Omaha Electric Service Inc. 2019 Flood Recovery Project Restore Main Electrical to the Water Treatment Plant (PW#88690) in the amount of \$78,525.00, which is a progress payment and recommended approval of payment. Motion by Kerns seconded by Derby to approve Contractor's Application for Payment No.1 submitted by Omaha Electric Service Inc. 2019 Flood Recovery Project Restore Main Electrical to the Water Treatment Plant (PW#88690) in the amount of \$78,525.00 and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Wiemer, Muller, Kerns, Derby, Brookhouser, Grimshaw, Minahan and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 7 B

Erv Portis, City Administrator reviewed Amendment No. 1 to Task Order No. 6 on the City of Plattsmouth's Wastewater Treatment Plant 2019 Flood Recovery Project PW#88688 – Phase 1-Engineering services associated with the preparation of estimates of total project costs to restore the City's Wastewater Treatment Plant, its collection and discharge systems to its pre-flood condition; Phase 2-Engineering services to identify treatment options, prepare cost estimates to replace the existing wastewater works that was damaged by the 2019 flood event; and the Ceiling Price (Not To Exceed) increased to \$126,870.00. Steve Perry, PE, Olmsted & Perry Consulting Engineer Inc. was available to answer any questions. Following discussion, Motion by Muller seconded by Wiemer to approve Amendment No. 1 To Task Order No. 6 on the City of Plattsmouth's Wastewater Treatment Plant 2019 Flood Recovery Project PW#88688 – to revise Scope of Work Phase 1 and Phase 2; and the Not to Exceed Ceiling Price. ROLL CALL: Yes-Grimshaw, Minahan, Brookhouser, Wiemer, Riese, Muller, Kerns and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Erv Portis, City Administrator stated this is a CDBG Housing Rehabilitation loan for a property located at 2212 Andies Street. USDA has a loan on the property, which the owner has defaulted on, and they are in the superior position. With what is due USDA there would be no proceeds from the sale. Motion by Kerns seconded by Grimshaw to adopt RESOLUTION NO. 19-006: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO CONSENT TO THE PROPOSED SALE OF REAL PROPERTY LOCATED AT 2212 ANDIES STREET, PLATTSMOUTH, NEBRASKA; TO WAIVE ANY CLAIM OF THE CITY TO THE PROCEEDS FROM SUCH SALE; TO AUTHORIZE THE RELEASE OF THE CITY'S LIEN ON SUCH PROPERTY; AND TO AUTHORIZE THE MAYOR TO EXECUTE A DEED OF RECONVEYANCE AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO EFFECT THE FOREGOING** by title only. Erv Portis, City Administrator read RESOLUTION NO. 19-006 in to the record by title only. ROLL CALL: Yes-Brookhouser, Derby, Grimshaw, Kerns, Minahan, Muller, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Steve Preston, City Attorney stated this is the first step to vacate a portion of the Right of Way with two conditions: 1-Agree to close secondary access; and 2-Grant the City a Utility Easement. Motion by Brookhouser seconded by Wiemer to adopt RESOLUTION NO. 19-007: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA EXPRESSING AN INTENT TO VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY OF 4TH AVENUE TO LOT 4, HIGHLAND ADDITION, A SUBDIVISION IN PLATTSMOUTH, CASS COUNTY, NEBRASKA** by title only. Erv Portis, City Administrator read RESOLUTION NO. 19-007 in to the record by title only. ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Grimshaw, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Steve Preston, City Attorney introduced the ordinance and explained that it was drafted in response to LB184.

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1960: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ENACT CHAPTER 5, ARTICLE 6, SECTIONS 6-501 THROUGH 6-508 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 RELATED TO SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Riese seconded by Grimshaw to approve first reading of ORDINANCE NO. 1960: **AN ORDINANCE OF THE CITY OF**

PLATTSMOUTH, NEBRASKA TO ENACT CHAPTER 5, ARTICLE 6, SECTIONS 6-501 THROUGH 6-508 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 RELATED TO SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE by title only. Following discussion, ROLL CALL: Yes-Derby, Grimshaw, Riese, Muller, Wiemer, Brookhouser, Kerns and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator, Ervin Portis read ORDINANCE NO. 1960 in to the record by title only.

ITEM 8 D

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 Brookhouser seconded by Grimshaw to approve Invoice #15255 submitted by Kerns Excavating Company in the amount of \$15,791.00 for Emergency Repair Work June 30 – July 31, 2019: Corner of Oakmont & Chicago Ave-\$540.00; Oakmont & Chicago Ave re-lay line-\$620.00; 522 Oakmont leak-\$360.00; 1301 2nd Ave leak-\$237.50; 515 S. 6th St-\$806.00; 2nd Ave & 9th St-\$730.00; 22nd St & Ave C leak-\$380.25; 522 Oakmont Dr-\$684.50; 714 S. 10th St. leak-\$1234.80; N. 4th & Ave C leak-\$570.00; 630 Oakmont Dr-\$532.50; N. 4th St & Ave C-\$806.00; 630 Oakmont Dr. leak-\$1094.00; 519 15th Ave investigate leak-\$567.00; 1301 2nd Ave-\$567.00; N. 4th & Ave C-\$900.00; N. 4th north of Ave. C replace pipe-\$472.50; S. 13th between 1st & 2nd in alley-\$283.50; 22nd St. & Ave C leak-\$1044.00; 1602 Ave D leak-\$1193.00; 22nd & Ave C leak replaced 10ft. pipe-\$501.00; 2218 Ave. C leak-\$451.70; 11th & Main St. leak-\$433.00; and leak on 2” main on 6th Street near Tilson’s-\$782.75 and authorize payment. Following discussion regarding the water line repairs due to the 80+ year old small pipe, ROLL CALL: Yes-Riese, Brookhouser, Derby, Muller, Minahan, Grimshaw and Wiemer. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 E

Motion by Brookhouser seconded by Grimshaw to receive a claim of property damage due to sewage back up in the basement at 826 Lincoln Avenue submitted by Josh and Melissa Turner and refer to insurance (EMC Insurance Companies). ROLL CALL: Yes-Kerns, Minahan, Wiemer, Grimshaw, Riese, Muller, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Grimshaw seconded by Wiemer to approve the appointment of the following proposed new volunteer members to the Plattsmouth Emergency Medical Services Department and the addition of the proposed new members to the Plattsmouth Emergency Medical Services Roster: Tristan Welborn and Jacob Thompson. ROLL CALL: Yes-Brookhouser, Derby, Grimshaw, Kerns, Wiemer, Riese, Muller and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mike Wilson, Chief of the Plattsmouth Volunteer Fire Department complimented on the Audio System recently installed in the council chambers. Chief Wilson stated the working relationship with Shane Lohmeier, EMS Director has been great and reminded the mayor and council of the upcoming Harvest Festival and Fire Prevention. An equipment update was also given.

ITEM 11

8:18 p.m. Motion by Grimshaw seconded by Brookhouser to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk