

PLATTSMOUTH CITY COUNCIL

December 2, 2019

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 December 2, 2019 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Wanda Wiemer, Morgan Muller, Sean Minahan, Terry Kerns, Cheryl Grimshaw, Doug Derby and Jeanie Brookhouser. Council Members Absent: Steve Riese. 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 November 21, 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 5-CITIZEN DELEGATION

Jamie Kinkaid, 223 N. 5th St-presented documents in response to two individuals who spoke against her appointment to the Board of Adjustment at the last City Council meeting. Ms. Kinkaid felt her legal background would offer expertise to the board and informed the Mayor and Council she is still interested in being appointed.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA

Motion by Grimshaw seconded by Brookhouser to approve the consent agenda with additional claims:

- A Consider approval of the November 18, 2019 City Council Special Meeting Minutes
- B Consider a Special Designated License Application submitted by Hullabaloo Inc., 905 Allied Road, Bellevue NE 68123 for Lucas Minor Band Country Show at The Beyond Bar Event Center/Beyond BBQ/Pickers Paradise, 1003 Chicago Ave., Plattsmouth on Saturday, December 28, 2019 from 6:00 p.m. to 12:00 a.m.
- C Consider a Special Designated License Application submitted by Hullabaloo Inc., 905 Allied Road, Bellevue NE 68123 for New Years Eve Karaoke at The Beyond

Bar Event Center/Beyond BBQ/Pickers Paradise, 1003 Chicago Ave.,
Plattsmouth on Tuesday, December 31, 2019 from 6:00 p.m. to 12:00 a.m.

D Consider approval of claims

Claims Register Report as of 12/2/19

Pay Date: 11/22/19 120179.7
Com Ctr 7853.11
EMS 12642.44
General 15750.19
Library 7782.98
Parks and Cemetery 3883.57
Police 40968.48
Senior Center 2329.45
Street 11915.79
Water and Sewer 17053.69

Various

Vendor Name

AMERICAN FAMILY LIFE 651.95
AMERITAS 16720.81
AMERITAS LIFE INSURANCE CORP 148.12
BLUE CROSS BLUE SHIELD 53263.79
DELTA DENTAL PLAN 2902.8
DIVISION OF CHILD SUPPORT SERVICES 400.14
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 26111.33
MUTUAL OF OMAHA 766.44
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
NEBRASKA DEPARTMENT OF REVENUE 3945.63
PLATTSMOUTH STATE BANK 156.16

Department : 01 - GENERAL ADMINISTRATION

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 182.82
CHARLES S SCHREIBER 326.43
CHARTER BUSINESS 130
FIRE GUARD INC 139.38
FIRST BANKCARD 772.01
KONICA MINOLTA BUSINESS SOLUTIONS 28.56
KONICA MINOLTA PREMIER FINANCE 221.16
LINCOLN JOURNAL STAR 58.97
OFFICE DEPOT INC 21.53
OLMSTED & PERRY 232.50
PITNEY BOWES INC 1696.86
SCHNEIDER AGENCY INC 6
SOFTCHOICE CORPORATION 34.49
THE PITNEY BOWES BANK INC 1005

WASTE CONNECTIONS OF NEBRASKA INC 16388.3
WELCH LAW FIRM LLC 6000

Department : 02 - HUMANE/CODE ENFORCEMENT
BOMGAARS SUPPLY 43.64
J P COOKE COMPANY 102.95

Department : 03 - EMS
ACCELERATED GRAPHX LLC 599.85
BOUND TREE MEDICAL LLC 676.26
FIRST BANKCARD 854.55
FORT DEARBORN LIFE INSURANCE CO 68.8
KONICA MINOLTA PREMIER FINANCE 35.78
SARAH WILSON 40.34
STERICYCLE INC 259.42
STRYKER SALES CORPORATION 1347.67
WALKERS INC 16.38
WASTE CONNECTIONS OF NEBRASKA INC 20.82
WILLIAM HENG 300
WPS GOVERNMENT HEALTH ADMINISTRATORS 217.97

Department : 04 - POLICE
ACCELERATED GRAPHX LLC 1777.5
BOMGAARS SUPPLY 11.97
H & H SALES INC 364
KONICA MINOLTA BUSINESS SOLUTIONS 6.27
KONICA MINOLTA PREMIER FINANCE 154.29
MARLIN R FERGUSON 175
RYAN CRICK 33.91

Department : 05 - STREET
ALLIED OIL & TIRE CO 550
BOMGAARS SUPPLY 302.35
FIRST BANKCARD 280
LIFEARTS INTEGRATED HEALTH CENTER PC 80
MURPHY TRACTOR AND EQUIPMENT 415.39

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1387.41
DONNA L TROUT 150
FIRST BANKCARD 1881.28
KONICA MINOLTA PREMIER FINANCE 154.29
WASTE CONNECTIONS OF NEBRASKA INC 20.82

Department : 07 - PARKS
BOMGAARS SUPPLY 97.04
CHARTER BUSINESS 37.21
OFFICE DEPOT INC 5.87

Department : 08 - CEMETERY
BOMGAARS SUPPLY 38.09
NEBRASKA PUBLIC POWER DISTRICT 50.07
OFFICE DEPOT INC 18.6

Department : 10 - FIRE
FORT DEARBORN LIFE INSURANCE CO 158.24
KONICA MINOLTA PREMIER FINANCE 35.78
NEBRASKA STATE FIRE MARSHAL 50
WALKERS INC 16.37
WASTE CONNECTIONS OF NEBRASKA INC 20.83

Department : 11 - SENIOR CITIZEN CTR
BOMGAARS SUPPLY 3.38
CHARTER BUSINESS 142.85
FIRE GUARD INC 439.36
HYVEE 97.42
REINHART FOODSERVICE LLC 640.73
STRATUS BUILDING SOLUTION OF ARIZONA 219
WALKERS INC 116.2

Department : 12 - DEBT SERVICE
BOKF NATIONAL ASSOCIATION 1000
PLATTSMOUTH STATE BANK 107492.5

Department : 16 - ECONOMIC DEVELOPMENT
OLMSTED & PERRY 701.25

Department : 17 - COMMUNITY CENTER
AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 91.41
AQUA CHEM INC 742.5
BODY BASICS INC 1580
BOMGAARS SUPPLY 25.98
CHARTER BUSINESS 428.56
DAN PROKUPEK 529.65
EGAN SUPPLY CO 234.46
FIRST BANKCARD 232.56
HILLER ELECTRIC COMPANY 988.87
KONICA MINOLTA PREMIER FINANCE 186.7
LIFEARTS INTEGRATED HEALTH CENTER PC 30
STRATUS BUILDING SOLUTION OF ARIZONA 1870
THE WALDINGER CORPORATION 1726.96
WALKERS INC 40

Department : 18 - AQUATIC
AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 91.41
CHARTER BUSINESS 36.91

Department : 20 - WATER
AA WHEEL & TRUCK SUPPLY 114.18
CHARLES S SCHREIBER 762.45
FIRE GUARD INC 54.45
FIRST BANKCARD 124.2
HACH COMPANY 134.76
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 26698.83
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 230
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 168
NEBRASKA PUBLIC POWER DISTRICT 6281.50
NEIL FRODERMANN 300.57
OFFICE DEPOT INC 124.93
OLMSTED & PERRY 1699.68
READY MIX CONCRETE CO 1403.87
RGS REPAIR INC 1868.41
SOFTCHOICE CORPORATION 154.49
TYLER TECHNOLOGIES 90
WATER & SEWER DEPARTMENT 170.19
WELCH LAW FIRM LLC 2000

Department : 30 - SEWER
BOMGAARS SUPPLY 412.14
MENARDS 234.77
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 137873.52
NEBRASKA PUBLIC POWER DISTRICT 1416.51
OFFICE DEPOT INC 50.47
OLMSTED & PERRY 33934.32
RGS REPAIR INC 1868.4
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2000

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Task Order No. 19 for the City of Plattsmouth's 2019 Flood Recovery Project - Wastewater Treatment Plant Repair (PW#88688) for Construction Phase Services and a Not to Exceed Ceiling Price. Task Order No. 19 reflects the construction engineering services associated with the construction phase of the proposed temporary improvements with a fixed fee of \$131,350.00. Mr. Perry stated that Jeff Frye will be on site for the duration of the project to oversee and recommended approval. Motion by Brookhouser seconded by Muller to approve Task Order No. 19 for the City of Plattsmouth's 2019 Flood Recovery Project - Wastewater Treatment Plant Repair (PW#88688)

for Construction Phase Services and a Not to Exceed Ceiling Price. ROLL CALL: Yes-Brookhouser, Grimshaw, Minahan, Wiemer, Derby, Kerns and Muller. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 B

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Task Order No. 20 Scope of Work for the City of Plattsmouth's Water Treatment Facility 2019 Flood Recovery Project PW#88690 and a Not to Exceed Ceiling Price. Task Order No. 20 reflects the Scope of Services associated with the FEMA Section 428 Cost Estimates-Alternative Procedures Pilot Program (costs are to take the plant to pre-flood condition and also the true cost to be compliant to current standards) for the City's water treatment facility that was damaged as a result of the March 2019 flood event. Mr. Perry recommended approval. Motion by Grimshaw seconded by Derby to approve Task Order No. 20 Scope of Work for the City of Plattsmouth's Water Treatment Facility 2019 Flood Recovery Project PW#88690 and a Not to Exceed Ceiling Price. ROLL CALL: Yes-Muller, Wiemer, Kerns, Minahan, Brookhouser, Grimshaw and Derby. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 C

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Pay Request No. 5 submitted by Omaha Electric Service Inc. in the amount of \$3,375.00 which reflects payout up to 90%. Mr. Perry stated they are in the process of closing out and recommended approval. Motion by Kerns seconded by Wiemer to approve Contractor's Application for Payment No. 5 (Final) submitted by Omaha Electric Service Inc. 2019 Flood Recovery Project – Restore Electrical Service to the Water Treatment Plant (PW#88690) in the amount of \$ 3,375.00. ROLL CALL: Yes-Wiemer, Brookhouser, Muller, Derby, Minahan, Grimshaw and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 D

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Pay Request No. 6 (Final Retainage) submitted by Omaha Electric Service Inc. in the amount of \$25,947.12. Mr. Perry stated they are getting close-out documents and recommended approval contingent on receipt of close-out documents. Motion by Brookhouser seconded by Grimshaw to approve Contractor's Application for Payment No. 5 (Final) submitted by Omaha Electric Service Inc. 2019 Flood Recovery Project – Restore Electrical Service to the Water Treatment Plant (PW#88690) in the amount of \$25,947.12 contingent on receipt of close-out documents. ROLL CALL: Yes-Kerns, Grimshaw, Derby, Brookhouser, Wiemer, Muller and Minahan. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 E

Motion by Grimshaw seconded by Derby to move the Mayor's recommendation of the appointment of Jamie Kinkaid to the Plattsmouth Board of Adjustment for a three (3) year term

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

Mayor Lambert recommended the appointment of Jamie Kinkaid to the Plattsmouth Board of Adjustment for a three (3) year term. Motion by Grimshaw seconded by Kerns to approve the appointment of Jamie Kinkaid to the Plattsmouth Board of Adjustment for a three (3) year term. ROLL CALL: Yes-Grimshaw, Muller, Kerns, Minahan and Derby. No-Brookhouser and Wiemer. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Motion by Brookhouser seconded by Derby to approve the reappointment of Paul Lucas, Jackie Morehead, Jerry Reinhold and Mike Vaughn to the City of Plattsmouth Board of Adjustment for a three (3) year term. Following discussion, ROLL CALL: Yes-Brookhouser, Derby, Grimshaw, Kerns, Minahan, Muller and Wiemer. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 B

Motion by Grimshaw seconded by Kerns to adopt RESOLUTION NO. 19-015: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO AMEND AND RESTATE THE SECTION OF THE PLATTSMOUTH CEMETERY BYLAWS TITLED “LOT CARE”** by title only. Mayor Lambert thanked the members of the Cemetery Ad Hoc Committee for all of their work. Erv Portis, City Administrator read RESOLUTION NO. 19-015 in to the record by title only. ROLL CALL: Yes-Minahan, Grimshaw, Brookhouser, Wiemer, Muller, Kerns and Derby. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

Council member Kerns stated that he would be abstaining from any discussion or action on ITEM 9 C AND ITEM 9 D, as he is President and Majority Shareholder of Kerns Excavating Company which creates a conflict of interest.

ITEM 9 C

Motion by Brookhosuer seconded by Grimshaw to approve Invoice No. 15429 submitted by Kerns Excavating Company in the amount of \$1,250.00 for Water Treatment Plant lime delivery on 10/28/2019 and authorize payment. ROLL CALL: Yes-Brookhouser, Wiemer, Minahan, Derby, Muller and Grimshaw. No-None. Absent-Riese. Abstain-Kerns. MOTION CARRIED.

ITEM 9 D

Motion by Grimshaw seconded by Derby to approve Invoice No. 15442 submitted by Kerns Excavating Company in the amount of \$285.00 for Emergency Repair Work-Ave.

A from 13th to 14th on 11/04/2019 and authorize payment. ROLL CALL: Yes-Grimshaw, Muller, Minahan, Derby, Wiemer and Brookhouser. No-None. Absent-Riese. Abstain-Kerns. MOTION CARRIED.

ITEM 9 E

Erv Portis, City Administrator informed the Mayor and Council that this is the 1st Annual Report. It is a new requirement adopted by the Legislature this year. Motion by Kerns seconded by Wiemer to receive the Annual Report on Collection and Use of Occupation Taxes. ROLL CALL: Yes-Wiemer, Muller, Minahan, Kerns, Grimshaw, Derby and Brookhouser. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

Mike Wilson, Chief of the Plattsmouth Volunteer Fire Department stated he was very proud of the First Responders (Fire, Police and EMS) for an amazing job on a house fire. Response time from when the call went out to removal of the occupant of the house was 8 minutes. The next step in the SCBA bidding process is review of the bids-bid award and contract should be on the December 16, 2019 Council agenda. The Fire demonstration at Christmas on Main was a success – about 70 people attended.

ITEM 12

7:40 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