

# PLATTSMOUTH CITY COUNCIL

February 17, 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 February 17, 2020 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, Bryan Clark, 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 February 6, 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

Jon Haizlip, 810 Carol Ct., Plattsmouth-referenced the property owned by One Life Church at 624 Avenue A and presented 3 Exhibits. Mr. Haizlip asked the council to look in to the parking issue and consider changing the ordinance/make an amendment to the Zoning ordinance.

Shannon Lewis, 2636 Washington St., Omaha-Ms. Lewis represented the Plattsmouth Conservancy and gave the Mayor and Council an update of the planning of the Steampunk Event scheduled for June 13 and 14, 2020 in downtown Plattsmouth.

## ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

## ITEM 7-CONSENT AGENDA

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

- A Consider approval of the February 3, 2020 City Council Meeting Minutes
- B Receive City of Plattsmouth Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 2/17/20

Pay Date: 2/14/20                      129239.36

Com Ctr 7580.33  
EMS 11937.12

General 16890.19  
Library 7384.6  
Parks and Cemetery 3193.57  
Police 39599.92  
Senior Center 2366.05  
Street 18123.81  
Water and Sewer 22163.77

Various

Vendor Name

AMERITAS 17997.11  
DIVISION OF CHILD SUPPORT SERVICES 400.14  
EYE MED VISION CARE 414.26  
FRATERNAL ORDER OF POLICE 180  
HARTFORD LIFE INSURANCE COMPANY 202.85  
INTERNAL REVENUE SERVICE 28072.44  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16  
NEBRASKA DEPARTMENT OF REVENUE 4423.91  
PLATTSMOUTH COMMUNITY CENTER 2295.2  
PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 764.69  
CASS COUNTY REGISTER OF DEEDS 50  
CHARTER BUSINESS 68.3  
DANA F COLE & COMPANY LLC 9000  
DUGAN BUSINESS FORMS 268.97  
EGAN SUPPLY CO 119.42  
GOVERNMENT FINANCE OFFICERS ASSOCIATION 170  
IDEAL PURE WATER 18.85  
IRINA A HARRINGTON 75  
KONICA MINOLTA BUSINESS SOLUTIONS 293.52  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 210.22  
OFFICE DEPOT INC 54.62  
ROGER K JOHNSON 5861  
THE COLUMBUS TELEGRAM 181.54  
VERIZON WIRELESS 80.28  
WASTE CONNECTIONS OF NEBRASKA INC 68.8  
WINDSTREAM 244.3

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 254.91  
SHELL FLEET PLUS 88.94  
VERIZON WIRELESS 40.01

Department : 03 - EMS

BLACK HILLS ENERGY 154.73  
BOUND TREE MEDICAL LLC 372.82  
CHARTER BUSINESS 16.6

EGAN SUPPLY CO 96.63  
FIRE GUARD INC 708.4  
IDEAL PURE WATER 26.24  
KATHRYN SHARP 200  
KONICA MINOLTA BUSINESS SOLUTIONS 15.79  
MATHESON TRI-GAS INC 227.57  
METRO BILLING SERVICES LLP 506  
NEBRASKA PUBLIC POWER DISTRICT 466.1  
PLATTSMOUTH COMMUNITY CENTER 42.8  
REBECCA L GRAF 25  
ROLLINS INC 27.5  
SHELL FLEET PLUS 445  
VERIZON WIRELESS 166.31  
WALKERS INC 16.38  
WASTE CONNECTIONS OF NEBRASKA INC 20.82  
WINDSTREAM 182.26

Department : 04 - POLICE

ACCELERATED GRAPHX LLC 60  
CASS COUNTY REGISTER OF DEEDS 340  
CASS COUNTY SHERIFF 3615  
DIGITAL ALLY INC 290  
DISCOVERY BENEFITS INC 25  
FORD MOTOR CREDIT COMPANY 9942.95  
H & H SALES INC 2182.58  
JOHN TARGY 150.77  
KONICA MINOLTA BUSINESS SOLUTIONS 142.86  
MULLENAX AUTO SUPPLY 202.47  
SHELL FLEET PLUS 1807.12  
VERIZON WIRELESS 160.17  
WINDSTREAM 326.77

Department : 05 - STREET

ALLIED OIL & TIRE CO 75.48  
BGNE INC 182.04  
BLACK HILLS ENERGY 457.7  
CINTAS CORPORATION #749 261.68  
EGAN SUPPLY CO 260.28  
FASTENAL COMPANY 55.65  
HOTSY EQUIPMENT CO 44.63  
LINDER TIRE & AUTO INC 666.44  
LOGAN CONTRACTORS SUPPLY CO 87.8  
MARK HYDRAULIC CO INC 791.72  
MULLENAX AUTO SUPPLY 315.95  
NEBRASKA IOWA SUPPLY CO INC 2153.81  
NEBRASKA PUBLIC POWER DISTRICT 6630.18  
PAVERS INC 2423.5  
PLATTSMOUTH STATE BANK 826.25  
SAFE FAST INC 1626.7  
SCHRAM & SONS EXCAVATION CORP 992.94

SHELL FLEET PLUS 490.32  
VERIZON WIRELESS 80.28  
WASTE CONNECTIONS OF NEBRASKA INC 173.68  
WESTERN SAND & GRAVEL 6093.75  
WINDSTREAM 117.57

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 879.25  
BLACK HILLS ENERGY 246.74  
CHARTER BUSINESS 65  
DEMCO 219.15  
JERRY SLAFTER 634.5  
KONICA MINOLTA BUSINESS SOLUTIONS 92.97  
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 184  
NEBRASKA PUBLIC POWER DISTRICT 446.53  
ROBERT J SAVAGE 800  
WASTE CONNECTIONS OF NEBRASKA INC 20.82  
WINDSTREAM 141.7

Department : 07 - PARKS  
AGRIVISION EQUIPMENT GROUP LLC 219.72  
BLACK HILLS ENERGY 210.04  
MULLENAX AUTO SUPPLY 78.34  
NEBRASKA PUBLIC POWER DISTRICT 272.55  
SHELL FLEET PLUS 205.08  
TEDS MOWER SALES AND SERVICE 42.46  
VERIZON WIRELESS 40.14  
WASTE CONNECTIONS OF NEBRASKA INC 165

Department : 08 - CEMETERY  
AGRIVISION EQUIPMENT GROUP LLC 50.3  
BLACK HILLS ENERGY 162.03  
MULLENAX AUTO SUPPLY 139.61  
SAFE FAST INC 431.65  
SHELL FLEET PLUS 87.89  
VERIZON WIRELESS 40.14  
WASTE CONNECTIONS OF NEBRASKA INC 78.5  
WINDSTREAM 125.6

Department : 10 - FIRE  
BLACK HILLS ENERGY 154.73  
CHARTER BUSINESS 16.6  
FIRE GUARD INC 708.38  
IDEAL PURE WATER 26.26  
KATHRYN SHARP 200  
KONICA MINOLTA BUSINESS SOLUTIONS 15.79  
NEBRASKA PUBLIC POWER DISTRICT 466.11  
ROLLINS INC 27.5  
SANDRY FIRE SUPPLY LLC 144.25  
WALKERS INC 16.37

WASTE CONNECTIONS OF NEBRASKA INC 20.83  
WINDSTREAM 182.26

Department : 11 - SENIOR CITIZEN CTR  
BLACK HILLS ENERGY 212.92  
NEBRASKA PUBLIC POWER DISTRICT 748.14  
REINHART FOODSERVICE LLC 450.62  
SHELL FLEET PLUS 69.19  
THE THOMPSON COMPANY 3090.01

Department : 16 - ECONOMIC DEVELOPMENT  
DAVID R TALADAY 250

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 813.75  
ASHLEY TIERNEY 128.4  
BLACK HILLS ENERGY 1916.27  
EGAN SUPPLY CO 206.93  
FREDERICK K ROLLINS 150  
KONICA MINOLTA BUSINESS SOLUTIONS 127.83  
LINCOLN JOURNAL STAR 300  
MULLENAX AUTO SUPPLY 6.58  
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 40  
NEBRASKA PUBLIC POWER DISTRICT 6733.29  
OFFICE DEPOT INC 56.63  
STEPHEN C WARGA 54  
THE WALDINGER CORPORATION 1171.18  
WALKERS INC 80  
WASTE CONNECTIONS OF NEBRASKA INC 132.89

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 20.13  
NEBRASKA PUBLIC POWER DISTRICT 106.05

Department : 20 - WATER  
BLACK HILLS ENERGY 321.96  
BOO INC DBA BOBCAT OF OMAHA 955  
CHARLES S SCHREIBER 320  
CORE & MAIN LP 3617  
DANA F COLE & COMPANY LLC 3600  
DISCOVERY BENEFITS INC 25  
DPC INDUSTRIES INC 560  
FASTENAL COMPANY 5.24  
FRONTIER BAG COMPANY 468.44  
HAWKINS INC 1133.6  
HESCO BASTION INC 40792.5  
LINDER TIRE & AUTO INC 598.48  
MARK MOREHEAD CONSTRUCTION 1000  
MATHESON TRI-GAS INC 26.45  
MISSISSIPPI LIME COMPANY 4375

NEBRASKA PUBLIC POWER DISTRICT 95.38  
OLMSTED & PERRY ENGINEERING 1275  
ONE CALL CONCEPTS INC 11.34  
OREILLY AUTOMOTIVE INC 33.68  
PETTY CASH WATER DEPARTMENT 419.85  
SHELL FLEET PLUS 893.48  
TRANSWOOD LOGISTICS INC 1002.23  
VERIZON WIRELESS 210.4  
WINDSTREAM 184.4

Department : 24 - DRUG FORFEITURE  
VERIZON WIRELESS 44.03

Department : 30 - SEWER  
BLACK HILLS ENERGY 722.94  
BOO INC DBA BOBCAT OF OMAHA 2865  
DANA F COLE & COMPANY LLC 2400  
FASTENAL COMPANY 15.74  
FRONTIER BAG COMPANY 1405.3  
HESCO BASTION INC 122377.5  
LOGAN CONTRACTORS SUPPLY CO 452.73  
MIDWEST LABORATORIES INC 443  
MULLENAX AUTO SUPPLY 11.75  
OLMSTED & PERRY ENGINEERING 3047  
ONE CALL CONCEPTS INC 11.33  
SHELL FLEET PLUS 74.86  
VERIZON WIRELESS 40.14  
WASTE CONNECTIONS OF NEBRASKA INC 63.39  
WINDSTREAM 50.75

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Riese introduced an ordinance numbered and titled as follows:  
**ORDINANCE NO. 1965: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND THE TITLE OF CHAPTER 2, ARTICLE 6 AND SECTIONS 2-601 THROUGH 2-605 THEREIN RELATED TO THE PLATTSMOUTH CEMETERY BOARD; TO REPEAL CHAPTER 2, ARTICLE 6, SECTIONS 2-606 THROUGH 2-610 RELATED TO THE PLATTSMOUTH CEMETERY; TO ENACT CHAPTER 6, ARTICLE 5, SECTIONS 6-501 THROUGH 6-505 RELATED TO THE PLATTSMOUTH CEMETERY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Riese seconded by Muller to approve third and final reading of  
**ORDINANCE NO. 1965: AN ORDINANCE OF THE CITY OF PLATTSMOUTH,**

**NEBRASKA TO AMEND THE TITLE OF CHAPTER 2, ARTICLE 6 AND SECTIONS 2-601 THROUGH 2-605 THEREIN RELATED TO THE PLATTSMOUTH CEMETERY BOARD; TO REPEAL CHAPTER 2, ARTICLE 6, SECTIONS 2-606 THROUGH 2-610 RELATED TO THE PLATTSMOUTH CEMETERY; TO ENACT CHAPTER 6, ARTICLE 5, SECTIONS 6-501 THROUGH 6-505 RELATED TO THE PLATTSMOUTH CEMETERY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** by title only. ROLL CALL: Yes-Clark, Minahan, Riese, Brookhouser, Kerns, Muller, Derby and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator, Ervin Portis read ORDINANCE NO. 1965 in to the record by title only.

ITEM 8 B

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. presented the final draft of Amendment to Task Order No. 20 for the City of Plattsmouth's Water Treatment Plant 2019 Flood Recovery Project PW#88690 to revise Scope of Work and Not to Exceed Ceiling Price and reviewed it. Motion by Brookhouser seconded by Wiemer to approve the Amendment to Task Order No. 20 for the City of Plattsmouth's Water Treatment Plant 2019 Flood Recovery Project PW#88690 to revise Scope of Work and Not to Exceed Ceiling Price and authorize the Mayor to execute the Amendment. Following discussion, ROLL CALL: Yes-Wiemer, Muller, Kerns, Derby, Riese, Minahan, Clark and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Council member Kerns stated that he would be abstaining from any discussion or action on ITEM 8 C; ITEM 8 D; ITEM 9 A; and ITEM 9 B as he is President and Majority Shareholder of Kerns Excavating Co. which creates a conflict of interest.

ITEM 8 C

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.2 submitted by Kerns Excavating Co. for the 2019 Flood Recovery Project – Standby Generator Support Structures Water and Wastewater Treatment Plants (PW#88690 and #88688) in the amount of \$74,129.52. Mr. Perry stated the pay app reflects 95% of contract completion and recommended approval. The final inspection was today (2/17/2020) and the generators will be delivered tomorrow (2/18/2020). Motion by Brookhouser seconded by Wiemer to approve Contractor's Application for Payment No.2 submitted by Kerns Excavating Co. for the 2019 Flood Recovery Project – Standby Generator Support Structures Water and Wastewater Treatment Plants (PW#88690 and #88688) in the amount of \$74,129.52 and authorize the Mayor to execute Pay Application No. 2. ROLL CALL: Yes-Brookhouser, Derby, Clark, Wiemer, Riese, Muller and Minahan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 D

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.3 (Final) submitted by Kerns Excavating Co. for the 2019 Flood Recovery Project – Standby Generator Support Structures Water and Wastewater Treatment Plants (PW#88690 and #88688) in the amount of \$5,450.70. Mr. Perry stated this is the Final Retainage and recommended

approval contingent on receipt of all closeout documents. Motion by Riese seconded by Muller to approve Contractor's Application for Payment No.3 (Final) submitted by Kerns Excavating Co. for the 2019 Flood Recovery Project – Standby Generator Support Structures Water and Wastewater Treatment Plants (PW#88690 and #88688) in the amount of \$5,450.70 and authorize the Mayor to execute Pay Application No. 3 contingent on receipt of all closeout documents. ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Motion by Brookhouser seconded by Derby to approve Invoice No. 15559 submitted by Kerns Excavating Company in the amount of \$595.00 for Snow Hauling and authorize payment. ROLL CALL: Yes-Minahan, Clark, Muller, Derby, Riese, Brookhouser and Wiemer. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

##### ITEM 9 B

Motion by Wiemer seconded by Riese to approve Invoice No. 15564 submitted by Kerns Excavating Company in the amount of \$700.00 for loading and hauling 300 tons of sand from recycle site to Wastewater Treatment Plant and authorize payment. ROLL CALL: Yes-Riese, Minahan, Derby, Brookhouser, Wiemer, Clark and Muller. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

##### ITEM 9 C

Neil Frodermann, Public Works Director was available to answer questions regarding his request for the purchase of two International snowplow trucks from Cornhusker International Trucks, Inc., 4502 S. 110<sup>th</sup> Street, Omaha, on State of Nebraska, City of Omaha Bid Contract (Number – 081716-NVS), at a purchase price of \$253,00 total, less a down payment of \$80,000.00, lease-purchased for four years with annual amortization of \$46,847.02 for a total cost of \$187,388.08. Following discussion, Motion by Brookhouser seconded by Clark to approve the purchase of two International snowplow trucks from Cornhusker International Trucks, Inc., 4502 S. 110<sup>th</sup> Street, Omaha, on State of Nebraska, City of Omaha Bid Contract (Number – 081716-NVS), at a total purchase price of \$253,000. After a down payment of \$80,000.00, the lease-purchase payment for four years with annual amortization of \$46,847.02; and authorize the Mayor to execute the purchase and loan agreements. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 9 D

Motion by Muller seconded by Minahan to approve Elizabeth Glup as City of Plattsmouth Recreation Director. ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert introduced Elizabeth Glup and thanked her for her service.



Chief Mike Wilson-Plattsmouth Volunteer Fire Department gave the Mayor and Council an update on activity at the department. There was a fire call on Saturday, February 15, 2020 - 2 houses went up in a matter of minutes. There was a 4 minute response time. All occupants were out safely. This was the 7<sup>th</sup> structure fire this year. The air pack testing was complete.

ITEM 12

Mayor Lambert indicated the need for the Council to go in to Closed Session to protect the public interest with regard to (1) legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement; and (2) real estate negotiations.

7:56 p.m. Motion by Brookhouser seconded by Clark to convene to Closed Session to protect the public interest with regard to (1) legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement; and (2) real estate negotiations. ROLL CALL: Yes-Muller, Clark, Wiemer, Brookhouser, Riese, Derby, Kerns and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to (1) legal contractual and negotiation matters related to the Plattsmouth Rural Fire Board Interlocal Agreement; and (2) real estate negotiations.

8:51 p.m. Motion by Riese seconded by Wiemer to reconvene in to regular session. ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 13

8:52 p.m. Motion by Brookhouser seconded by Clark to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk