

PLATTSMOUTH CITY COUNCIL

May 3, 2021

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 3, 2021 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Morgan Muller, Terry Kerns, Bryan Clark, James Forrest, Doug Derby and Jeanie Brookhouser. Council Members Absent: Steve Riese and Sean Minahan. Also present: City Administrator Ervin Portis, Assistant City Administrator Emily Bausch, 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 April 22, 2021 in the Plattsmouth Journal. Proof of publication and 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

No one spoke at Citizen Delegation.

7:03 p.m. Council Member Sean Minahan arrived

ITEM 6-MAYORAL PROCLAMATIONS

ITEM 6 A

Mayor Lambert Proclaimed May 2 to May 8, 2021 as "Drinking Water Week" in the City of Plattsmouth.

ITEM 6 B

Mayor Lambert Proclaimed May 9 to May 15, 2021 as "National Police Week" in the City of Plattsmouth.

ITEM 6 C

Mayor Lambert Proclaimed May 10 to May 15, 2021 as "Time to Talk Week" in the City of Plattsmouth.

ITEM 7-CONSENT AGENDA

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

A Consider approval of the April 19, 2021 City Council Meeting Minutes

B Consider approval of claims

Claims Register Report as of 5/3/21

Pay Date: 4/23/21 130903.08
Com Ctr 4532.9
EMS 20064.03
General 16290.11
Library 7814.46
Parks and Cemetery 7385.01
Police 42084.3
Senior Center 2702.41
Street 12844.61
Water and Sewer 17185.25

Various

Vendor Name

AMERICAN FAMILY LIFE 675.58
AMERITAS 16234.41
AMERITAS LIFE INSURANCE CORP 148.12
BLUE CROSS BLUE SHIELD 48502.73
CLARK, BRYAN 240.24
COLLECTION SERVICES CENTER 208.8
DELTA DENTAL PLAN 2910.45
FIRST STATE BANK NEBRASKA 136.16
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 28751.07
MUTUAL OF OMAHA 799.28
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39
NEBRASKA DEPARTMENT OF REVENUE 4549.75

Department : 01 - GENERAL ADMINISTRATION

CHARTER BUSINESS 130
CITY OF OMAHA PUBLIC LIBRARY 16
FIRST BANKCARD 287.41
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 30.05
KONICA MINOLTA PREMIER FINANCE 221.16
LINDER TIRE & AUTO INC 46
MELVIN SUDBECK HOMES INC 539.47
OFFICE DEPOT INC 18.48
OLMSTED & PERRY ENGINEERING 1226.64
OMAHA WORLD HERALD 352.35
RICHARD A COMI 125
WALKERS INC 71.6

WH PLATTSMOUTH LLC 36654.29

Department : 02 - HUMANE/CODE ENFORCEMENT
ACCELERATED GRAPHX LLC 85.5

Department : 03 - EMS
BLACK HILLS ENERGY 67.66
BOUND TREE MEDICAL LLC 999.26
CUMMINS CENTRAL INC 556
FIRST BANKCARD 160.84
FORT DEARBORN LIFE INSURANCE CO 58.48
IDEAL PURE WATER 26.24
KONICA MINOLTA PREMIER FINANCE 35.78
LIFEARTS INTEGRATED HEALTH CENTER PC 110
ROLLINS INC 28
STERICYCLE INC 89
WALKERS INC 17.38

Department : 04 - POLICE
ACCELERATED GRAPHX LLC 752
FIRST BANKCARD 1003.29
GSK LLC 900
H & H SALES INC 260
KONICA MINOLTA BUSINESS SOLUTIONS 9.64
KONICA MINOLTA PREMIER FINANCE 154.29
MIDLAND PRINTING AND BUSINESS FORMS INC 483.58
MOTOROLA SOLUTIONS INC 101936.95
OREILLY AUTOMOTIVE INC 168.98
POMPS TIRE SERVICE INC 520.2

Department : 05 - STREET
BOMGAARS SUPPLY 211.78
MICHAEL TODD & COMPANY INC 146.12
OFFICE DEPOT INC 103.89
OLMSTED & PERRY ENGINEERING 370
ROSE EQUIPMENT INC 939.53
UNITED SEEDS INC 131

Department : 06 - LIBRARY
A F P CORPORATION 53
BAKER & TAYLOR BOOKS 1325.56
BOMGAARS SUPPLY 13.98
BOUND TO STAY BOUND BOOKS INC 83.74
COMMERCIAL FLOORING SYSTEMS INC 16770
FIRST BANKCARD 916.22
KONICA MINOLTA PREMIER FINANCE 154.29

Department : 07 - PARKS
AGRIVISION EQUIPMENT GROUP LLC 16.52
BOMGAARS SUPPLY 228.97
CHARTER BUSINESS 40.14
J & J SMALL ENGINE SERVICE 95.8
JEREMY J MASID 700
LIFEARTS INTEGRATED HEALTH CENTER PC 160
ODEYS INC 487.95
OFFICE DEPOT INC 17.18

Department : 08 - CEMETERY
BOMGAARS SUPPLY 74.84
NEBRASKA PUBLIC POWER DISTRICT 43.52

Department : 10 - FIRE
BLACK HILLS ENERGY 67.66
CUMMINS CENTRAL INC 556
FIRST BANKCARD 515.41
FORT DEARBORN LIFE INSURANCE CO 147.92
GREAT PLAINS UNIFORMS 28.5
IDEAL PURE WATER 26.26
KONICA MINOLTA PREMIER FINANCE 35.78
MULLENAX AUTO SUPPLY 82.01
NEBRASKA STATE FIRE MARSHAL 50
ROLLINS INC 28
WALKERS INC 17.37

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 154.94
HYVEE 393.54
OFFICE DEPOT INC 89.99
REINHART FOODSERVICE LLC 1809.76
STRATUS BUILDING SOLUTION OF ARIZONA 219
WALKERS INC 99.7

Department : 12 - DEBT SERVICE
BOKF NATIONAL ASSOCIATION 38415

Department : 17 - COMMUNITY CENTER
A F P CORPORATION 722.67
AQUA CHEM INC 262.5
CHARTER BUSINESS 464.82
FIRST BANKCARD 105.87
KONICA MINOLTA PREMIER FINANCE 186.7
PLATTSMOUTH EDUCATION FOUNDATION 100
STRATUS BUILDING SOLUTION OF ARIZONA 1870
THE WALDINGER CORPORATION 1120.64
WALKERS INC 84

Department : 18 - AQUATIC
CHARTER BUSINESS 40.07
PLATTSMOUTH EDUCATION FOUNDATION 100

Department : 20 - WATER
BIG RED COMMUNICATIONS 254
BOMGAARS SUPPLY 79.44
CORE & MAIN LP 4960
FIRST BANKCARD 21.25
H & H SALES INC 32.95
HAWKINS INC 795.4
MISSISSIPPI LIME COMPANY 4503.6
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 517811
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 115
NEBRASKA MACHINERY CO 173.36
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 60
NEBRASKA PUBLIC POWER DISTRICT 6507.87
OLMSTED & PERRY ENGINEERING 277.5
RICHARD A COMI 300
TRANSWOOD LOGISTICS INC 4032.84
TYLER TECHNOLOGIES 90
UNITED SEEDS INC 131
WATER & SEWER DEPARTMENT 658.65

Department : 30 - SEWER
BIG RED COMMUNICATIONS 254
BLACK HILLS ENERGY 1164.29
BOMGAARS SUPPLY 340.26
CORE & MAIN LP 1011.53
FIRST BANKCARD 184.25
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 378589
NEBRASKA PUBLIC POWER DISTRICT 2360.78
OFFICE DEPOT INC 17.99
OLMSTED & PERRY ENGINEERING 95
PRUITT OUTDOOR POWER 55.47
TYLER TECHNOLOGIES 90

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:04 p.m. to hear and consider public comments concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant. This grant is available to local governments for economic development activities. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:05 p.m.

ITEM 8 B

Motion by Muller seconded by Minahan to adopt **RESOLUTION NO. 21-007A: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA AUTHORIZING THE CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS FOR AN ECONOMIC DEVELOPMENT PROJECT** by title only. Stephen Q. Preston, City Attorney read **RESOLUTION NO. 21-007A** in to the record by title only. ROLL CALL: Yes-Forrest, Muller, Kerns, Derby, Minahan, Clark and Brookhouser. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 C

Pursuant to publication, Mayor Lambert opened a public hearing at 7:09 p.m. to hear and consider public comments concerning an amendment to the City of Plattsmouth's Community Development Block Grant (CDBG) Economic Development Plan, Revolving Loan Fund (RLF). The RLF Program Guidelines and Re-Use Plan will be amended and the RLF will be discontinued, ceasing any business development funding activities. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:10 p.m.

ITEM 8 D

Motion by Kerns seconded by Brookhouser to adopt **RESOLUTION NO. 21-010: A RESOLUTION OF THE CITY OF PLATTSMOUTH, NEBRASKA TO TERMINATE ITS REVISED CDBG ECONOMIC DEVELOPMENT PLAN AND TO DISCONTINUE ITS ECONOMIC DEVELOPMENT REVOLVING LOAN FUND, TO BE EFFECTIVE UPON THE AWARD OF FUNDS TO THE VIREO RESOURCES CDBG PROJECT** by title only. Stephen Q. Preston, City Attorney read **RESOLUTION NO. 21-010** in to the record by title only. ROLL CALL: Yes-Brookhouser, Derby, Minahan, Forrest, Kerns, Muller and Clark. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 E

Pursuant to publication, Mayor Lambert opened a public hearing at 7:12 p.m. to hear and consider public comments concerning re-purposing Community Development Block Grant program income Housing Development re-use funds. This grant was made available to local governments for housing activities. The CDBG Housing Program Guidelines and Re-Use Plan

will be amended and the housing re-use fund will be discontinued, ceasing any CDBG housing development funding activities. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:13 p.m.

ITEM 8 F

Motion by Brookhouser seconded by Clark to adopt **RESOLUTION NO. 21-011: A RESOLUTION OF THE CITY OF PLATTSMOUTH, NEBRASKA TO TERMINATE ITS CDBG PROGRAM INCOME HOUSING DEVELOPMENT REUSE PLAN AND TO DISCONTINUE ITS CDBG PROGRAM INCOME HOUSING DEVELOPMENT REUSE FUND, TO BE EFFECTIVE UPON THE AWARD OF FUNDS TO THE VIREO RESOURCES CDBG PROJECT** by title only. Stephen Q. Preston, City Attorney read **RESOLUTION NO. 21-011** in to the record by title only. ROLL CALL: Yes-Muller, Clark, Brookhouser, Minahan, Derby, Kerns and Forrest. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 G

Motion by Brookhouser seconded by Clark to approve a Memorandum of Understanding (MOU) with respect to a special economic development activity by and between the City of Plattsmouth, the Nebraska Department of Economic Development, Vireo Systems, Inc., Vireo Resources, LLC, and Con-Cret, LLC, collectively as the benefitted businesses; with MAPA Foundation, as the Nonprofit Development Organization carrying out CDBG-assisted activity on behalf of the City of Plattsmouth subject to receipt of Notice of Award from the Nebraska Department of Economic Development; and authorize the Mayor to execute the MOU. Following discussion, ROLL CALL: Yes-Clark, Minahan, Forrest, Brookhouser, Muller, Derby and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 H

Motion by Brookhouser seconded by Kerns to approve acceptance of proposals and award of contract to Utilities Service Group (USG) for conducting sewer cleaning and inspection of approximately sixty eight thousand linear feet of sanitary sewer collection mains and manholes inside the City of Plattsmouth over a five (5) year term and authorize the Mayor to execute the contract. Emily Bausch, Assistant City Administrator/Public Works Director reviewed the process used to determine which proposal best met the City's needs/requirements. Following discussion, ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller and Forrest. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 I

Motion by Brookhouser seconded by Clark to adopt **RESOLUTION NO. 21-009: A RESOLUTION OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH CONDITIONS PURSUANT TO WHICH BUSINESSES IN THE CENTRAL BUSINESS DISTRICT MAY RECEIVE LICENSES FROM THE CITY FOR THE TEMPORARY USE OF RIGHTS-OF-WAY TO CONDUCT OUTDOOR RETAIL OPERATIONS; TO**

ESTABLISH THE CONDITIONS FOR CONDUCTING SUCH OUTDOOR RETAIL OPERATIONS; AND TO AUTHORIZE THE BUILDING INSPECTOR TO ISSUE LICENSES FOR THE CONDUCT OF OUTDOOR RETAIL OPERATIONS AND TO OTHERWISE ADMINISTER THE SUBJECT MATTER OF THIS RESOLUTION by title only. Stephen Q. Preston, City Attorney read **RESOLUTION NO. 21-009** in to the record by title only. ROLL CALL: Yes-Muller, Kerns, Brookhouser, Clark, Forrest, Minahan and Derby. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Brookhouser seconded by Forrest to adopt **RESOLUTION NO. 21-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO APPROVE THE TERMINATION AGREEMENT BETWEEN THE CITY AND ONE SCHMORE, LLC, AS DEVELOPER OF THE PLATTSMOUTH COMMERCIAL CAMPGROUND AND MARINA SUBDIVISION, WHEREBY CERTAIN AGREEMENTS RELATING TO THE DEVELOPMENT OF THE SUBDIVISION WILL BE TERMINATED AND THE PROPERTY WILL BE TRANSFERRED BACK TO THE CITY; TO AUTHORIZE AND DIRECT THE MAYOR TO EXECUTE THE TERMINATION AGREEMENT, THE OTHER AGREEMENTS ATTACHED AS EXHIBITS THERETO, AND SUCH ADDITIONAL DOCUMENTS AS MAY BE REQUIRED TO EFFECT THIS RESOLUTION; AND TO AUTHORIZE AND DIRECT CITY STAFF TAKE SUCH FURTHER ACTION AS MAY BE REQUIRED TO CLOSE THE TRANSACTIONS CONTEMPLATED BY THE TERMINATION AGREEMENT AND TO OTHERWISE EFFECT THIS RESOLUTION** by title only. Following discussion, Stephen Q. Preston, City Attorney read **RESOLUTION NO. 21-012** in to the record by title only. ROLL CALL: Yes-Minahan, Brookhouser, Forrest, Muller, Derby, Clark and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council member Kerns stated he would be abstaining from any discussion or action on this item as he has a conflict of interest. Motion by Forrest seconded by Muller to approve a Statement from Kerns Excavating Co. in the amount of \$183.20 for 28 feet of 8” SDR 35 sewer pipe and 2-8” clay to 6” plastic ferno and authorize payment. ROLL CALL: Yes-Clark, Derby, Brookhouser, Minahan, Muller and Forrest. No-None. Absent-Riese. Abstain-Kerns. MOTION CARRIED.

ITEM 9 C

Motion by Derby seconded by Forrest to approve the appointment of Bernard “Bill” Boyle to the Plattsmouth Planning Commission to fill a vacancy which term will expire January 2024. ROLL CALL: Yes-Forrest, Minahan, Clark, Derby, Brookhouser, Kerns and Muller. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Brookhouser seconded by Forrest to approve the appointment of Dexter Taft as a probationary member to the Plattsmouth Volunteer Fire Department and the addition of his name to the Plattsmouth Volunteer Fire Department Roster. ROLL CALL: Yes-Forrest, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 12

7:44 p.m. Motion by Brookhouser seconded by Kerns to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk