

PLATTSMOUTH CITY COUNCIL

June 7, 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 June 7, 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, Jeanie Brookhouser, Steve Riese and Sean Minahan. Council Members Absent: None. Also present: City Administrator Ervin Portis, Assistant City Administrator Emily Bausch, City Attorney Stephen Q. Preston and City Clerk Sandra J. Meyer.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on May 27, 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.

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. Following discussion regarding a claim listed under Police to Taylor Gilbreath in the amount of \$27,753.00, Brookhouser amended her motion as follows: Approve the consent agenda with the removal of the claim under Police to Taylor Gilbreath in the amount of \$27,753.00. Amended motion was seconded by Derby.

A Consider approval of the May 17, 2021 City Council Meeting Minutes

B Consider approval of claims

Claims Register Report as of 6/7/21

Pay Date: 5/24/21 128387.96

Com Ctr 5246.48
EMS 20833.04
General 16298.53

Library 7843.08
Parks and Cemetery 8376.87
Police 40483.34
Senior Center 2832.96
Street 12344.61
Water and Sewer 14129.05

Pay Date: 6/4/21 146337.04

Com Ctr 7367.03
EMS 23411.66
General 22353.22
Library 7912.41
Parks and Cemetery 9163.87
Police 46080.51
Senior Center 2554.64
Street 12424.61
Water and Sewer 15069.09

Various
Vendor Name
AMERICAN FAMILY LIFE 675.58
AMERITAS 32633.35
AMERITAS LIFE INSURANCE CORP 148.12
BLUE CROSS BLUE SHIELD 48502.73
COLLECTION SERVICES CENTER 417.6
DELTA DENTAL PLAN 3060.25
FIRST STATE BANK NEBRASKA 272.32
FRATERNAL ORDER OF POLICE 360
HARTFORD LIFE INSURANCE COMPANY 228.45
INTERNAL REVENUE SERVICE 61296.38
MUTUAL OF OMAHA 799.28
NEBRASKA CHILD SUPPORT PAYMENT CENTER 230.78
NEBRASKA DEPARTMENT OF REVENUE 9526.4
PLATTSMOUTH COMMUNITY CENTER 2563.76

Department : 01 - GENERAL ADMINISTRATION
A F P CORPORATION 3624.76
BAIRD HOLM LLP 112.5
CHARTER BUSINESS 183.89
EGAN SUPPLY CO 31.93
F S I AGENCY LLC 89093
FIRST BANKCARD 77.5
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 100.8
KONICA MINOLTA PREMIER FINANCE 221.16
LEE ENTERPRISES 342.06

MICROFILM IMAGING SYSTEMS 75
OFFICE DEPOT INC 277.79
OXEN TECHNOLOGY 150
PITNEY BOWES INC 628.62
WALKERS INC 71.6
WASTE CONNECTIONS OF NEBRASKA INC 16602.03

Department : 02 - HUMANE/CODE ENFORCEMENT
BOMGAARS SUPPLY 61.92
FIRST BANKCARD 84.25
SHELL FLEET PLUS 82.63

Department : 03 - EMS
BLACK HILLS ENERGY 58.87
BOUND TREE MEDICAL LLC 1451.04
EGAN SUPPLY CO 121.83
FIRST BANKCARD 21.39
FORT DEARBORN LIFE INSURANCE CO 41.28
KONICA MINOLTA PREMIER FINANCE 35.78
MATHESON TRI-GAS INC 97.83
REBECCA L GRAF 5
SHELL FLEET PLUS 621.36
STERICYCLE INC 89
STRYKER SALES CORPORATION 31378.48
WALKERS INC 34.76
WASTE CONNECTIONS OF NEBRASKA INC 25.2

Department : 04 - POLICE
FIRST BANKCARD 862.03
GSK LLC 200
H & H SALES INC 72.95
J P COOKE COMPANY 51.95
KONICA MINOLTA BUSINESS SOLUTIONS 13.78
KONICA MINOLTA PREMIER FINANCE 154.29
MULLENAX AUTO SUPPLY 246.52
NEBRASKA FURNITURE MART 1128.99
OFFICE DEPOT INC 129.17
PLATTCO REAL ESTATE & INS INC 80
SHELL FLEET PLUS 1718.98

Department : 05 - STREET
AGRIVISION EQUIPMENT GROUP LLC 451.03
ALLIED OIL & TIRE CO 1036.8
BOMGAARS SUPPLY 170.71
EGAN SUPPLY CO 146.3
JOE MCDERMOTT ASSOCIATES 1233.88
LOGAN CONTRACTORS SUPPLY CO 271.87
MATHESON TRI-GAS INC 24.67

MULLENAX AUTO SUPPLY 1318.3
NEBRASKA IOWA SUPPLY CO INC 3401.75
OFFICE DEPOT INC 24.85
OLD DOMINION BRUSH 810
SAFETY-KLEEN CORPORATION 320.43
SHELL FLEET PLUS 538.16
VOGEL TRAFFIC SERVICES 4920
WASTE CONNECTIONS OF NEBRASKA INC 210.15

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1097.81
EGAN SUPPLY CO 65.86
FIRST BANKCARD 1478.52
HILLER ELECTRIC COMPANY 5060
JEFFREY W JARKO 586
KONICA MINOLTA PREMIER FINANCE 154.29
OCLC ONLINE COMPUTER LIBRARY CENTER INC 167.57
STEPHEN C WARGA 18
THE PENWORTHY CO 94.53
WASTE CONNECTIONS OF NEBRASKA INC 25.19
WINDSTREAM 146.92

Department : 07 - PARKS

BOMGAARS SUPPLY 107.75
CHARTER BUSINESS 40.07
EGAN SUPPLY CO 224.96
FRANKIE WINTERS 10
HILLER ELECTRIC COMPANY 788.71
INDEPENDENT AUTO REPAIR 454.4
LIFEARTS INTEGRATED HEALTH CENTER PC 80
SHAW HARDWARE STORE 132.06
SHELL FLEET PLUS 338.7
WALKERS INC 13.36
WASTE CONNECTIONS OF NEBRASKA INC 179.85

Department : 08 - CEMETERY

AGRIVISION EQUIPMENT GROUP LLC 63.78
BOMGAARS SUPPLY 66.6
J & J SMALL ENGINE SERVICE 17.94
NEBRASKA PUBLIC POWER DISTRICT 39.12
SAMUEL C MCCANDLESS 1075
SHELL FLEET PLUS 117.27
WASTE CONNECTIONS OF NEBRASKA INC 85.56
WINDSTREAM 151.38

Department : 10 - FIRE

BLACK HILLS ENERGY 58.86
FIRE CATT LLC 3177.05

FORT DEARBORN LIFE INSURANCE CO 147.92
KONICA MINOLTA PREMIER FINANCE 35.78
NEBRASKA STATE FIRE MARSHAL 100
SAM A DMAVRO 195
WALKERS INC 34.74
WASTE CONNECTIONS OF NEBRASKA INC 25.2

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 154.11
HYVEE 382.52
OFFICE DEPOT INC 24.7
REINHART FOODSERVICE LLC 2893.85
SHELL FLEET PLUS 93.24
STRATUS BUILDING SOLUTION OF ARIZONA 219
WALKERS INC 118.5

Department : 12 - DEBT SERVICE
FIRST STATE BANK NEBRASKA 1185.19

Department : 17 - COMMUNITY CENTER
A F P CORPORATION 2896.89
AQUA CHEM INC 1077.37
CHARTER BUSINESS 462.32
FIFTH THIRD BANK 70.04
KELLY MACRANDER 32.1
KONICA MINOLTA PREMIER FINANCE 186.7
LEE ENTERPRISES 125
STRATUS BUILDING SOLUTION OF ARIZONA 1870
TOMMY STEADMAN 42.8
WALKERS INC 126
WASTE CONNECTIONS OF NEBRASKA INC 160.8

Department : 18 - AQUATIC
AAA SEWER & DRAIN CLEANING CO 225
ACCELERATED GRAPHX LLC 435
AQUA CHEM INC 114.75
BLACK HILLS ENERGY 161.34
BOMGAARS SUPPLY 121.63
CHARTER BUSINESS 40.07
CHESTERMAN CO 521.93
ECHO GROUP INC 150.55
FERGUSON ENTERPRISES 270.23
FIRST BANKCARD 556.38
MULLENAX AUTO SUPPLY 33
OFFICE DEPOT INC 57.4
REINHART FOODSERVICE LLC 1326.54
STEPHEN C WARGA 36
STETSON BUILDING PRODUCTS INC 1338.18

WASTE CONNECTIONS OF NEBRASKA INC 184.51

Department : 20 - WATER

BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 78.97
CORE & MAIN LP 8199.51
DPC INDUSTRIES INC 611.15
ELECTRIC PUMP INC 1273.9
FIRST BANKCARD 73.99
H & H SALES INC 413.86
HD SUPPLY FACILITIES MAINTENANCE LTD 231.05
MISSISSIPPI LIME COMPANY 4500
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 30811.39
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 210.75
NEBRASKA PUBLIC POWER DISTRICT 5364.56
OLMSTED & PERRY ENGINEERING 6519.75
ONE CALL CONCEPTS INC 37.88
PETTY CASH WATER DEPARTMENT 370.84
RICHARD A COMI 2450
SHELL FLEET PLUS 593.75
TRANSWOOD LOGISTICS INC 1030.63
WILBUR-ELLIS HOLDINGS II INC 74.5

Department : 30 - SEWER

AGRIVISION EQUIPMENT GROUP LLC 59.04
BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 188.49
FIRST BANKCARD 165
GENERAL FIRE & SAFETY 890
H & H SALES INC 381.99
HD SUPPLY FACILITIES MAINTENANCE LTD 696.56
IMPACT MANUFACTURING 443.95
MULLENAX AUTO SUPPLY 167.55
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 155858.53
NEBRASKA PUBLIC POWER DISTRICT 2067.08
OFFICE DEPOT INC 6.83
ONE CALL CONCEPTS INC 37.87
RAILROAD MANAGEMENT COMPANY III LLC 284.85
READY MIX CONCRETE CO 1024.69
SHELL FLEET PLUS 86.21
WASTE CONNECTIONS OF NEBRASKA INC 76.7
WILBUR-ELLIS HOLDINGS II INC 74.49
WINDSTREAM 51.77

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Ron Bowman introduced himself. Shane Jensen, speaking on behalf of the Plattsmouth Boat Club, 16580 Dock Road, presented the Mayor and council with a copy of an Interlocal Governmental Agreement by and between the County of Cass, Nebraska and the City of Plattsmouth, a Municipal Corporation of the State of Nebraska and a copy of Nebraska Revised Statutes §16-610 and referenced both. Mr. Jensen also made reference to Inverse Condemnation. The County Valuation went from \$10,000.00 for 2020 to \$66,000.00 for 2021. The Boat Club has interests and investment in the property and feel this has gone on long enough and we need to move forward-is fixing the road still open for discussion. Council inquired as to their interest in the tract of land south of the Marina and north of the creek (@16 acres) which the City recently re-acquired from One Schmore LLC. Mayor Lambert suggested the Boat Club put together a committee to represent the entire club.

7:19 p.m. Motion by Forrest seconded by Brookhouser to go in to Closed Session to protect the public interest with regard to receiving legal advice and real estate negotiations. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert stated the reason for the council to convene in Closed Session is to protect the public interest with regard to receiving legal advice and real estate negotiations.

7:38 p.m. Motion by Forrest seconded by Riese to reconvene in to regular session. ROLL CALL: Yes-Derby, Kerns, Muller, Forrest, Brookhouser, Clark, Minahan and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mr. Jensen, on behalf of the Plattsmouth Boat Club, had questions: placement of a boat ramp; water connection fees; and a timeline. It was felt that the questions would be best addressed when meeting with the City.

Mayor Lambert indicated his intention is to have a committee in place, if the council so authorized, and to meet with the Plattsmouth Boat Club committee by the end of the month

Motion by Riese seconded by Brookhouser to authorize the Mayor to appoint a committee to negotiate real estate transactions with the Plattsmouth Boat Club. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Brookhouser seconded by Minahan to authorize the Treasurer to Reimburse the Plattsmouth Rural Fire Protection District \$30,204.27 for its 25.5% share of the \$118,448.10 FEMA Disaster 4521 Funds awarded to the City of Plattsmouth, with payment to be after the

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

Motion by Kerns seconded by Derby to approve ITEM 9 B; ITEM 9 C; ITEM 9 D; ITEM 9 E; AND ITEM 9 F as presented on the agenda:

ITEM 9 B

Consider approval of a 2021 Application for Fireworks License submitted by Outlet Fireworks- John Masters: fireworks being sold at 1318 South 15th Street, Plattsmouth starting at 12:01 a.m. on June 24, 2021 and ending at 11:59 p.m. on July 5, 2021

ITEM 9 C

Consider approval of a 2021 Application for Fireworks License submitted by Bellino Fireworks, Inc.: fireworks being sold at 2405 Oak Hill Road, Plattsmouth starting at 12:01 a.m. on June 24, 2021 and ending at 11:59 p.m. on July 5, 2021.

ITEM 9 D

Consider approval of a 2021 Application for Fireworks License submitted by Wild Willy's Fireworks, LLC: fireworks being sold at 16320 Westside Dr., Plattsmouth starting at 12:01 a.m. on June 24, 2021 and ending at 11:59 p.m. on July 5, 2021.

ITEM 9 E

Consider approval of a 2021 Application for Fireworks License submitted by Ka-Boomer's Ent., Inc.: fireworks being sold at 211 South 23rd Street, Plattsmouth starting at 12:01 a.m. on June 24, 2021 and ending at 11:59 p.m. on July 5, 2021.

ITEM 9 F

Consider approval of a 2021 Application for Fireworks License submitted by Bellino Fireworks, Inc.: fireworks being sold at 16418 Westside Dr, Plattsmouth starting at 12:01 a.m. on June 24, 2021 and ending at 11:59 p.m. on July 5, 2021.

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

ITEM 9 G

Motion by Forrest seconded by Brookhouser to approve the appointment of Arrin Wheatley to the Plattsmouth Airport Authority to fill a vacancy with a term that expires December 2026. ROLL CALL: Yes-Derby, Muller, Kerns, Minahan, Clark, Riese, Forrest and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 H

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 Muller seconded by Clark to approve Invoice No. 16362 submitted by Kerns Excavating Company in the amount of \$2,195.00 for water main work at 203 Main Street and authorize payment. ROLL CALL: Yes-Clark, Derby, Brookhouser, Forrest, Riese, Muller and Minahan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 12

7:59 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