

PLATTSMOUTH CITY COUNCIL

October 18, 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 October 18, 2021 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Sean Minahan, Morgan Muller, Steve Riese, Terry Kerns, Bryan Clark, James Forrest, Doug Derby and Jeanie Brookhouser. Council Members Absent: None. Also present: 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 October 7, 2021 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

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATION

ITEM 6 A

Mayor Lambert proclaimed October 18, 2021 "Manufacturing Day 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 October 4, 2021 City Council Meeting Minutes
- B Receive Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 10/18/21

Pay Date: 10/8/21 136561.81

Com Ctr 5249.35
EMS 24953.24
General 17501.46
Library 8393.7

Parks and Cemetery 7806.9
Police 44390.89
Senior Center 3034.19
Street 12784.61
Water and Sewer 12447.47

Various

Vendor Name

AMERITAS 16082.68
COLLECTION SERVICES CENTER 208.8
FIRST STATE BANK NEBRASKA 136.16
FRATERNAL ORDER OF POLICE 180
GREENE COUNTY CLERK OF COURT 50
INTERNAL REVENUE SERVICE 30996.11
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39
NEBRASKA DEPARTMENT OF REVENUE 4948.15
NEBRASKA UNEMPLOYMENT COMP FUND 470.72
PLATTSMOUTH COMMUNITY CENTER 2138.7

Department : 01 - GENERAL ADMINISTRATION

A F P CORPORATION 8067.46
BAIRD HOLM LLP 1297.5
BROADCAST MUSIC INC 184
CASS COUNTY REGISTER OF DEEDS 10
CHARLES S SCHREIBER 487.61
CHARTER BUSINESS 53.89
DAN KOEHLER 25
F S I AGENCY LLC 84308
IDEAL PURE WATER 37.6
IRINA A HARRINGTON 75
KATHRYN SHARP 125
LEAGUE OF NEB MUNICIPALITIES 1442
MICROFILM IMAGING SYSTEMS 1039
NEBRASKA PUBLIC POWER DISTRICT 527.05
NEXT GENERATION PROPERTIES OF NEBRASKA LLC 21566.41
OFFICE DEPOT INC 53.27
OXEN TECHNOLOGY 150
SHELL FLEET PLUS 600.92
STEPHEN Q PRESTON 4800
STERICYCLE SHRED IT 115.07
VERIZON WIRELESS 82.04
WASTE CONNECTIONS OF NEBRASKA INC 268.25
WINDSTREAM 203.36

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 50.95
SHELL FLEET PLUS 48.53
VERIZON WIRELESS 40.01

Department : 03 - EMS

BOUND TREE MEDICAL LLC 2008.77
CHARTER BUSINESS 18.2
IDEAL PURE WATER 35.61
IMAGE TREND 712.5
MATHESON TRI-GAS INC 180.22
NEBRASKA PUBLIC POWER DISTRICT 324.68
PREMIER HEALTH CARE SERVICES INC 2500
SHELL FLEET PLUS 1130.32
VERIZON WIRELESS 167.75
WASTE CONNECTIONS OF NEBRASKA INC 25.2
WINDSTREAM 183.2

Department : 04 - POLICE

DETECTACHEM INC 80.15
H & H SALES INC 346.65
JACKS UNIFORMS & EQUIPMENT 302.3
L SCOT UPTAIN 100
NEBRASKA ASSOC OF PROPERTY & EVIDENCE 30
SHELL FLEET PLUS 2069.81
VERIZON WIRELESS 315.76
WINDSTREAM 336.44

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 94.78
AMERICAN AUTO GLASS 275
BLACK HILLS ENERGY 63.78
BOO INC DBA BOBCAT OF OMAHA 81
CINTAS CORPORATION #749 224.48
CORNHUSKER INTERNATIONAL TRUCKS INC 826.3
H & H SALES INC 978.76
INDEPENDENT AUTO REPAIR 376.95
LOGAN CONTRACTORS SUPPLY CO 1195.32
MENARDS 118.93
MULLENAX AUTO SUPPLY 175.25
NEBRASKA PUBLIC POWER DISTRICT 5400.41
SHELL FLEET PLUS 615.56
VERIZON WIRELESS 123.06
WASTE CONNECTIONS OF NEBRASKA INC 210.15
WINDSTREAM 127.99

Department : 06 - LIBRARY

A UNITED AUTOMATIC DOORS & GLASS INC 176.25
BAKER & TAYLOR BOOKS 1156.64
BLACK HILLS ENERGY 29.86
CHARTER BUSINESS 65
NEBRASKA PUBLIC POWER DISTRICT 418.61

OCLC ONLINE COMPUTER LIBRARY CENTER INC 170.93
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 209.28
WASTE CONNECTIONS OF NEBRASKA INC 25.19
WINDSTREAM 146.88

Department : 07 - PARKS
BLACK HILLS ENERGY 29.86
J & J SMALL ENGINE SERVICE 153.9
MULLENAX AUTO SUPPLY 25.98
NEBRASKA PUBLIC POWER DISTRICT 242.19
OREILLY AUTOMOTIVE INC 23.03
SHELL FLEET PLUS 432.98
WALKERS INC 14.1
WASTE CONNECTIONS OF NEBRASKA INC 179.85

Department : 08 - CEMETERY
BLACK HILLS ENERGY 29.86
MULLENAX AUTO SUPPLY 13.38
SHELL FLEET PLUS 78.12
VERIZON WIRELESS 82.04
WASTE CONNECTIONS OF NEBRASKA INC 86.7
WINDSTREAM 137.65

Department : 10 - FIRE
CHARTER BUSINESS 18.2
IDEAL PURE WATER 35.64
NEBRASKA PUBLIC POWER DISTRICT 324.67
WASTE CONNECTIONS OF NEBRASKA INC 25.2
WINDSTREAM 183.21

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 34.58
NEBRASKA PUBLIC POWER DISTRICT 757.15
REINHART FOODSERVICE LLC 1674.92
SHELL FLEET PLUS 48.39
THOMAS S BARNHART 425

Department : 17 - COMMUNITY CENTER
BLACK HILLS ENERGY 311.21
BROADCAST MUSIC INC 92
HILLER ELECTRIC COMPANY 764.35
NEBRASKA PUBLIC POWER DISTRICT 6814.36
THE WALDINGER CORPORATION 5555.84
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 209.28
WALKERS INC 84
WASTE CONNECTIONS OF NEBRASKA INC 170.8

Department : 18 - AQUATIC
BLACK HILLS ENERGY 29.86
BROADCAST MUSIC INC 92
NEBRASKA PUBLIC POWER DISTRICT 107.74

Department : 20 - WATER
ACCELERATED GRAPHX LLC 200
BLACK HILLS ENERGY 62.77
D & D LASER INC 68.95
DPC INDUSTRIES INC 60
MISSISSIPPI LIME COMPANY 4600.8
MULLENAX AUTO SUPPLY 12.64
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 108
NEBRASKA PUBLIC POWER DISTRICT 79.67
OLMSTED & PERRY ENGINEERING 2985
ONE CALL CONCEPTS INC 81.12
OREILLY AUTOMOTIVE INC 50.32
PETTY CASH WATER DEPARTMENT 447.91
READY MIX CONCRETE CO 1357.35
RPZ INC 95
SARGENT DRILLING 600
SHELL FLEET PLUS 692.94
STEPHEN Q PRESTON 1600
TRANSWOOD LOGISTICS INC 1132.98
VERIZON WIRELESS 122.05
WATER & SEWER DEPARTMENT 342.49
WINDSTREAM 190.87

Department : 24 - DRUG FORFEITURE
H & H SALES INC 400
VERIZON WIRELESS 41.04

Department : 30 - SEWER
BLACK HILLS ENERGY 770.02
D & D LASER INC 68.95
MIDWEST LABORATORIES INC 405
NEBRASKA PUBLIC POWER DISTRICT 47.37
OLMSTED & PERRY ENGINEERING 88000
ONE CALL CONCEPTS INC 81.12
OREILLY AUTOMOTIVE INC 9.98
SHELL FLEET PLUS 77.52
STEPHEN Q PRESTON 1600
VERIZON WIRELESS 81.03
WASTE CONNECTIONS OF NEBRASKA INC 131.68
WINDSTREAM 52.01

Department : 40 - PLATTSMOUTH KENO
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 14825

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

ITEM 8-UNFINISHED BUSINESS

There was no Unfinished Business for council to consider.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Brookhouser seconded by Forrest to approve the purchase of one (1) 2022 Ford Police Utility Vehicle from Anderson Auto Group of Lincoln, NE at a total price of \$34,098.00 per unit (State Contract #15418). Followings Discussion, ROLL CALL: Yes-Forrest, Riese, Brookhouser, Derby, Muller, Minahan, Kerns and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1988: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO REPEAL SECTION 4-440 OF ARTICLE IV, CHAPTER 4 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCE 2011 WHICH SECTION PROVIDES FOR THE SUNSETTING OF THE MUNICIPAL CODE PROVISIONS WHICH PERMIT AND REGULATE THE USE OF UTILITY TYPE VEHICLES ON CITY STREETS; TO REPEAL SECTION 4-447 OF ARTICLE IV, CHAPTER 4 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCE 2011 WHICH SECTION PROVIDES FOR THE SUNSETTING OF THE MUNICIPAL CODE PROVISIONS WHICH PERMIT AND REGULATE THE USE OF GOLF CAR VEHICLES ON CITY STREETS; 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 adopt Ordinance No. 1988 on first reading by title only. Following discussion, ROLL CALL: Yes-Brookhouser, Clark, Minahan, Riese, Forrest, Kerns, Derby and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read Ordinance No. 1988 in to the record by title only.

ITEM 9 C

Motion by Brookhouser seconded by Derby to approve an Event Permit Application submitted by Plattsmouth Chamber of Commerce for a Networking Event on November 10, 2021 at the Plattsmouth Community Center, 308 S. 18th Street, Plattsmouth, NE from 5:00 p.m. to 9:00 p.m. ROLL CALL: Yes-Muller, Forrest, Derby, Kerns, Minahan, Clark, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Riese seconded by Minahan to give a favorable recommendation to the Nebraska Liquor Control Commission regarding a Special Designated License Local Recommendation Form submitted by the Plattsmouth Chamber of Commerce for a Networking Event to be held on November 10, 2021 at the Plattsmouth Community Center, 308 S. 18th Street, Plattsmouth, NE from 5:00 p.m. to 10:00 p.m. (event ends at 9:00 p.m.-1 hour for clean-up). ROLL CALL: Yes-Clark, Kerns, Muller, Forrest, Riese, Derby, Minahan and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Mayor Lambert indicated the need for the council to convene in closed session for the purpose of protecting the public interest while the City Council receives legal advice concerning the case captioned In re Matter of the Stanley and Alice Zych Revocable Trust dated July 17, 2019, Cass County County Court Case No. PR 21-107.

7:23 p.m. Motion by Brookhouser seconded by Forrest to convene in closed session for the purpose of protecting the public interest while the City Council receives legal advice concerning the case captioned In re Matter of the Stanley and Alice Zych Revocable Trust dated July 17, 2019, Cass County County Court Case No. PR 21-107. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated the closed session is for the purpose of protecting the public interest while the City Council receives legal advice concerning the case captioned In re Matter of the Stanley and Alice Zych Revocable Trust dated July 17, 2019, Cass County County Court Case No. PR 21-107.

7:55 p.m. Motion by Muller seconded by Brookhouser to reconvene in open session. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Brookhouser seconded by Riese to engage Baird Holm, LLP, to provide specialized legal services to the City on an as needed hourly basis in connection with the case captioned In re Matter of the Stanley and Alice Zych Revocable Trust dated July 17, 2019, Cass County County Court Case No. PR 21-107 and authorize the Mayor to execute an engagement letter for the same. ROLL CALL: Yes-Kerns, Clark, Derby, Brookhouser, Forrest, Riese, Muller and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Riese seconded by Derby to authorize and direct legal counsel to enter an appearance on behalf of, and represent the City and its departments in, the case captioned In re Matter of the Stanley and Alice Zych Revocable Trust dated July 17, 2019, Cass County County Court Case

No. PR 21-107. ROLL CALL: Yes-Derby, Minahan, Forrest, Clark, Kerns, Brookhouser, Riese and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:06 p.m. Motion by Brookhouser seconded by Forrest to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk