

PLATTSMOUTH CITY COUNCIL

November 1, 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 November 1, 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 21, 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 RECOGNITION

ITEM 6 A

Mayor Lambert and Emily Bausch, City Administrator recognized Brian Wagner for 22 years of service to the city. Mr. Wagner was on the front lines dealing with some very challenging events/disasters and all of his efforts are very much appreciated.

ITEM 7-CONSENT AGENDA

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

- A Consider approval of the October 18, 2021 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 11/1/21

Pay Date: 10/22/21                      133138.6

Com Ctr 5290.35  
EMS 22963.29  
General 16928.46  
Library 8517.47

Parks and Cemetery 6822.68  
Police 43925  
Senior Center 3004.62  
Street 12704.61  
Water and Sewer 12982.12

Various

Vendor Name

AMERITAS 15673.62  
AMERITAS LIFE INSURANCE CORP 148.12  
COLLECTION SERVICES CENTER 208.8  
DELTA DENTAL PLAN 2910.45  
EYE MED VISION CARE 358.99  
FIRST STATE BANK NEBRASKA 136.16  
FRATERNAL ORDER OF POLICE 180  
GREENE COUNTY CLERK OF COURT 50  
INTERNAL REVENUE SERVICE 30155.07  
MUTUAL OF OMAHA 816.05  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39  
NEBRASKA DEPARTMENT OF REVENUE 4806.33

Department : 01 - GENERAL ADMINISTRATION

A F P CORPORATION 424.6  
BLACK HILLS ENERGY 29.86  
CHARTER BUSINESS 130  
FIRST BANKCARD 528.58  
KONICA MINOLTA PREMIER FINANCE 221.16  
OLMSTED & PERRY ENGINEERING 878.75  
OMAHA COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY 2000  
WALKERS INC 71.6  
WASTE CONNECTIONS OF NEBRASKA INC 24.33

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 16.97  
H & H SALES INC 1196.39

Department : 03 - EMS

BLACK HILLS ENERGY 2.51  
BOUND TREE MEDICAL LLC 308.78  
FIRST BANKCARD 759.5  
FORT DEARBORN LIFE INSURANCE CO 61.92  
KONICA MINOLTA PREMIER FINANCE 35.78  
MATHESON TRI-GAS INC 80.16  
METRO BILLING SERVICES LLP 1357  
REBECCA L GRAF 85  
ROLLINS INC 28  
STERICYCLE INC 93.45  
WALKERS INC 17.38

Department : 04 - POLICE  
AXON ENTERPRISE INC 73.67  
CONSOLIDATED MANAGEMENT CO 16.62  
FIRST BANKCARD 337.29  
KONICA MINOLTA PREMIER FINANCE 154.29  
WASTE CONNECTIONS OF NEBRASKA INC 431.65

Department : 05 - STREET  
ALLIED OIL & TIRE CO 129.5  
BGNE INC 545.47  
BOMGAARS SUPPLY 259.68  
BRIAN ADKINS 60.98  
CONCRETE INDUSTRIES INC 580  
DULTMEIER SALES LLC 117.2  
HONEYMAN RENT-ALL 142.98  
INDEPENDENT AUTO REPAIR 845.86  
MICHAEL TODD & COMPANY INC 1806.76  
OLMSTED & PERRY ENGINEERING 3992.5  
PRUITT OUTDOOR POWER 158.8  
VOGEL WEST INC 20.4

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 853.03  
FIRST BANKCARD 3701.45  
KONICA MINOLTA PREMIER FINANCE 154.29

Department : 07 - PARKS  
BNSF RAILROAD COMPANY 5.79  
BOMGAARS SUPPLY 403.38  
CHARTER BUSINESS 39.92  
HILLER ELECTRIC COMPANY 88  
HONEYMAN RENT-ALL 297.57  
MENARDS 165.76  
WALKERS INC 14.1  
WILBUR-ELLIS HOLDINGS II INC 179.9

Department : 08 - CEMETERY  
BOMGAARS SUPPLY 1097.44  
NEBRASKA PUBLIC POWER DISTRICT 38.22  
SAMUEL C MCCANDLESS 12000

Department : 10 - FIRE  
BLACK HILLS ENERGY 2.51  
FELD FIRE 1883.21  
FIRST BANKCARD 1185.75  
FORT DEARBORN LIFE INSURANCE CO 144.48  
KONICA MINOLTA PREMIER FINANCE 35.78

NEBRASKA IOWA SUPPLY CO INC 1509.55  
ROLLINS INC 28  
WALKERS INC 17.37

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 154.06  
HYVEE 714.11  
REINHART FOODSERVICE LLC 1937.03  
STRATUS BUILDING SOLUTION OF ARIZONA 219  
WALKERS INC 102.18

Department : 12 - DEBT SERVICE  
BOKF NATIONAL ASSOCIATION 283415

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 1195  
CHARTER BUSINESS 462.17  
DENNIS GREEN 25  
FIRST BANKCARD 27.8  
KONICA MINOLTA PREMIER FINANCE 186.7  
PERMITE CO OF NEB AND IA 150  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
WALKERS INC 84

Department : 18 - AQUATIC  
CHARTER BUSINESS 39.92

Department : 20 - WATER  
BIG RED COMMUNICATIONS 127  
BOMGAARS SUPPLY 312.14  
CORE & MAIN LP 1438.8  
DPC INDUSTRIES INC 873  
MISSISSIPPI LIME COMPANY 4532.4  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 361  
NEBRASKA PUBLIC POWER DISTRICT 5514.06  
OLMSTED & PERRY ENGINEERING 3033.75  
TRANSWOOD LOGISTICS INC 1124.86

Department : 24 - DRUG FORFEITURE  
H & H SALES INC 400  
BIG RED COMMUNICATIONS 127  
BOMGAARS SUPPLY 277.37

Department : 30 - SEWER  
NEBRASKA PUBLIC POWER DISTRICT 2271.39  
OLMSTED & PERRY ENGINEERING 214485  
OREILLY AUTOMOTIVE INC 21

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

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

Steve Perry, PE-Olmsted & Perry Consulting Engineers Inc, congratulated Brian Wagner and stated he was a tremendous asset and resource to their firm when working with the City of Plattsburgh. Mr. Perry introduced Keith Hobson and Matt Haus of Fox Engineering who gave an update on the 2019 Flood Recovery Project-New Relocated Wastewater Treatment Plant & Conveyance. 30% of the project is the Design Phase, which is plant layout and major components, and they are on schedule to wrap up by the end of the month.

##### ITEM 8 B

Steve Perry, PE-Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No. 1 for the 2021 Street Repair Project for an increase in the contract price and a time extension, both due to adding in segments of work to the project. Mr. Perry recommended approval. Motion by Riese seconded by Brookhouser to approve Change Order No. 1 for the 2021 Street Repair Project for an increase in the contract price and a time extension and authorize the Mayor to execute Change Order No. 1. ROLL CALL: Yes-Derby, Kerns, Muller, Forrest, Brookhouser, Clark, Minahan and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 C

Steve Perry, PE-Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.1 submitted by 2 The T Construction Inc. for the 2021 Street Repair Project in the amount of \$138,582.28. The payment amount reflects the 10% retainage. Mr. Perry recommended approval. Motion by Brookhouser seconded by Forrest to approve Contractor's Application for Payment No.1 submitted by 2 The T Construction Inc. for the 2021 Street Repair Project in the amount of \$138,582.28 and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Minahan, Muller, Clark, Riese, Derby, Brookhouser, Forrest and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 D

Emily Bausch, City Administrator gave a brief overview of the 2021 Sanitary Sewer CCTV, Cleaning and Root Removal Project. The invoice presented is for the first year of the three year project. The contractor did encounter a number of root inclusions and extensive/heavy cleaning. Following discussion, Motion by Brookhouser second by Derby to approve Invoice #15166 for Payment submitted by Utilities Service Group (USG) for the 2021 Sanitary Sewer CCTV, Cleaning and Root Removal Project in the amount of \$24,184.33 and authorize payment. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Council member Muller 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 Muller seconded by Minahan to approve second (2<sup>nd</sup>) reading of ORDINANCE NO. 1988 by title only. ROLL CALL: Yes-Muller, Kerns, Minahan, Derby, Forrest, Riese, Clark and Brookhouser. 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-NEW BUSINESS

ITEM 9 A

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 Brookhouser seconded by Derby to accept the Bid(s) and Award of Contract to Kerns Excavating Co. for Snow Removal/Hauling for the Public Works Department starting November 1, 2021 through May 1, 2022 in the City of Plattsmouth “AS NEEDED” and authorize the Mayor to execute the contract. ROLL CALL: Yes-Clark, Derby, Brookhouser, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 B

Motion by Brookhouser seconded by Riese to authorize the City to apply for the grant of certain American Rescue Plan Act funds (NLC ARPA Funds), which NLC ARPA Funds have been made available by the Institute of Museum and Library Services to the Nebraska Library Commission (NLC) for distribution to public libraries via a non-competitive formula grant process, and directing the Mayor to apply for the grant of NLC ARPA Funds in the amount of \$5,521 (or such greater amount as may be permitted under the grant formula) using the application portal available on the NLC website. Following discussion, ROLL CALL: Yes-Forrest, Muller, Clark, Riese, Derby, Brookhouser, Minahan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Brookhouser seconded by Clark to approve a Tri-Mutual Aid Fire Fighters Association Interlocal Agreement between the City of Plattsmouth and certain other fire protection districts located in Cass, Sarpy, Douglas, Dodge, Washington, Saunders, and Pottawattamie Counties and authorizing the Mayor to execute the Interlocal Agreement on behalf of the City. ROLL CALL: Yes-Clark, Minahan, Riese, Kerns, Muller, Derby, Brookhouser and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Riese seconded by Kerns to approve the appointment of Isaac Sivinski as a new member to the Plattsmouth Emergency Medical Services Department and the addition of his name to the Plattsmouth Emergency Medical Services Department Roster. ROLL CALL: Yes-Derby, Forrest, Brookhouser, Muller, Minahan, Kerns, Riese and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Brookhouser seconded by Riese to receive a Notice of Tort Claim from Nebraska Justice Law Firm dated October 12, 2021 and refer the same to the City's insurance company. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:13 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