

PLATTSMOUTH CITY COUNCIL

December 20, 2021

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:12 o'clock p.m. on December 20, 2021 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Sean Minahan, Morgan Muller, Terry Kerns, Bryan Clark, James Forrest, Doug Derby, Steve Riese 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 December 9, 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

There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA

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

- A Consider approval of the December 6, 2021 City Council Meeting Minutes
- B Receive Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 12/20/21

Pay Date: 12/17/21                      141014.47

Com Ctr 5662.7  
EMS 24232.82  
General 16964.46  
Library 11491.59  
Parks and Cemetery 6004.6  
Police 44521.82

Senior Center 3120.08  
Street 12756.8  
Water and Sewer 16259.6

Various  
Vendor Name  
AMERITAS 15774.85  
COLLECTION SERVICES CENTER 208.8  
COUNTY COURT OF LANCASTER COUNTY NE 25.6  
EYE MED VISION CARE 418.28  
FIRST STATE BANK NEBRASKA 50  
FRATERNAL ORDER OF POLICE 195  
GREENE COUNTY CLERK OF COURT 4.25  
INTERNAL REVENUE SERVICE 31973.64  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39  
NEBRASKA DEPARTMENT OF REVENUE 5129.11

Department : 01 - GENERAL ADMINISTRATION  
ALL COPY PRODUCTS INC 268.96  
BELLEVUE PRINTING COMPANY 500.17  
BLACK HILLS ENERGY 840.42  
CHARTER BUSINESS 53.89  
IDEAL PURE WATER 10.85  
IRINA A HARRINGTON 75  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 185.91  
OXEN TECHNOLOGY 150  
PLATTSMOUTH COMMUNITY SCHOOL 5935  
SOUTHEAST AREA CLERKS 10  
STEPHEN Q PRESTON 4800  
THE PITNEY BOWES BANK INC 1510  
VERIZON WIRELESS 82.04  
WASTE CONNECTIONS OF NEBRASKA INC 5116.63  
WINDSTREAM 243.83

Department : 02 - HUMANE/CODE ENFORCEMENT  
NEBRASKA PUBLIC POWER DISTRICT 123.86  
SHELL FLEET PLUS 51.52  
VERIZON WIRELESS 40.01

Department : 03 - EMS  
ALADTEC INC 2816  
ALL COPY PRODUCTS INC 10.84  
BLACK HILLS ENERGY 135.88  
BOUND TREE MEDICAL LLC 5241.67  
CHARTER BUSINESS 18.2  
GREAT PLAINS UNIFORMS 833  
IDEAL PURE WATER 25.5

MATHESON TRI-GAS INC 267.5  
METRO BILLING SERVICES LLP 1012  
NEBRASKA PUBLIC POWER DISTRICT 249.74  
SHELL FLEET PLUS 1056.86  
STRYKER SALES CORPORATION 32736.98  
VERIZON WIRELESS 167.75  
WASTE CONNECTIONS OF NEBRASKA INC 25.2  
WINDSTREAM 180.62

Department : 04 - POLICE

ALL COPY PRODUCTS INC 66.11  
AXON ENTERPRISE INC 73.67  
CASS COUNTY REGISTER OF DEEDS 30  
DIGITAL ALLY INC 30  
H & H SALES INC 30.06  
LIFEARTS INTEGRATED HEALTH CENTER PC 80  
MULLENAX AUTO SUPPLY 522.13  
OFFICE DEPOT INC 13.3  
RUSS OR KIM KATHOL 216  
SHELL FLEET PLUS 2169.29  
VERIZON WIRELESS 281.1  
WEX HEALTH INC 75  
WINDSTREAM 335.84

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 121.16  
BLACK HILLS ENERGY 438.15  
CINTAS CORPORATION #749 280.6  
LOGAN CONTRACTORS SUPPLY CO 213.2  
MICHAEL TODD & COMPANY INC 433.62  
MULLENAX AUTO SUPPLY 35.9  
MURPHY TRACTOR AND EQUIPMENT 307.45  
NEBRASKA PUBLIC POWER DISTRICT 5043.75  
NSG LOGISTICS LLC 1845.85  
SHELL FLEET PLUS 806.46  
VERIZON WIRELESS 82.04  
WASTE CONNECTIONS OF NEBRASKA INC 210.15  
WINDSTREAM 127.99

Department : 06 - LIBRARY

ALL COPY PRODUCTS INC 84.81  
BAKER & TAYLOR BOOKS 2031.28  
BARCODES LLC 217.5  
BLACK HILLS ENERGY 235.18  
CHARTER BUSINESS 65  
ELM USA INC 100.99  
NEBRASKA PUBLIC POWER DISTRICT 239.39  
OCLC ONLINE COMPUTER LIBRARY CENTER INC 170.93

WASTE CONNECTIONS OF NEBRASKA INC 25.19  
WINDSTREAM 148.23

Department : 07 - PARKS

BLACK HILLS ENERGY 229.47  
HILLER ELECTRIC COMPANY 146.85  
LIFEARTS INTEGRATED HEALTH CENTER PC 80  
NEBRASKA PUBLIC POWER DISTRICT 239.35  
SHAW HARDWARE STORE 11.96  
SHELL FLEET PLUS 328.04  
TEDS MOWER SALES AND SERVICE 17.97  
VERIZON WIRELESS 41.02  
WALKERS INC 14.1  
WASTE CONNECTIONS OF NEBRASKA INC 212.22

Department : 08 - CEMETERY

BLACK HILLS ENERGY 136.12  
J & J SMALL ENGINE SERVICE 133.2  
NEBRASKA PUBLIC POWER DISTRICT 45.12  
SAMUEL C MCCANDLESS 600  
SHELL FLEET PLUS 140.59  
TILSON AUTOMOTIVE 249.32  
VERIZON WIRELESS 42.44  
WASTE CONNECTIONS OF NEBRASKA INC 102.1  
WINDSTREAM 151.96

Department : 10 - FIRE

ALL COPY PRODUCTS INC 10.84  
BLACK HILLS ENERGY 135.88  
CHARTER BUSINESS 18.2  
IDEAL PURE WATER 25.5  
NEBRASKA PUBLIC POWER DISTRICT 249.73  
WASTE CONNECTIONS OF NEBRASKA INC 25.2  
WINDSTREAM 180.62

Department : 11 - SENIOR CITIZEN CTR

BARONI ENTERPRISES 409  
BLACK HILLS ENERGY 202.93  
CHARLES S SCHREIBER 185  
NEBRASKA PUBLIC POWER DISTRICT 561.69  
REINHART FOODSERVICE LLC 2567.65  
SHELL FLEET PLUS 111.18

Department : 17 - COMMUNITY CENTER

ALL COPY PRODUCTS INC 26.54  
BLACK HILLS ENERGY 1826.38  
LIFEARTS INTEGRATED HEALTH CENTER PC 60  
NEBRASKA PUBLIC POWER DISTRICT 5055.2

STEPHEN C WARGA 72  
WALKERS INC 84  
WASTE CONNECTIONS OF NEBRASKA INC 160.8

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 30.16  
NEBRASKA PUBLIC POWER DISTRICT 90.06

Department : 20 - WATER  
AMERICAN UNDERGROUND SUPPLY LLC 224.89  
BERT GURNEY & ASSOCIATES 660  
BLACK HILLS ENERGY 390.65  
CONCRETE INDUSTRIES INC 1188.25  
CORE & MAIN LP 3050.96  
DPC INDUSTRIES INC 80  
FERGUSON ENTERPRISES 278.23  
HACH COMPANY 43.05  
LIFEARTS INTEGRATED HEALTH CENTER PC 40  
MENARDS 52.48  
MUNICIPAL AUTOMATION & CONTROL 291.56  
MUNICIPAL SUPPLY INC 2736.94  
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 527.5  
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 230  
NEBRASKA PUBLIC POWER DISTRICT 71.09  
PETTY CASH WATER DEPARTMENT 421.26  
SHELL FLEET PLUS 505.01  
STEPHEN Q PRESTON 1600  
VERIZON WIRELESS 163.07  
WEX HEALTH INC 75  
WINDSTREAM 307.39

Department : 24 - DRUG FORFEITURE  
VERIZON WIRELESS 41.02

Department : 30 - SEWER  
BERT GURNEY & ASSOCIATES 526.67  
BLACK HILLS ENERGY 1455.31  
LIFEARTS INTEGRATED HEALTH CENTER PC 40  
MIDWEST LABORATORIES INC 403  
MULLENAX AUTO SUPPLY 7.09  
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES 527.5  
NEBRASKA PUBLIC POWER DISTRICT 47.37  
OLMSTED & PERRY ENGINEERING 97200  
SHELL FLEET PLUS 178  
STEPHEN Q PRESTON 1600  
UNITED STATES POSTAL SERVICE 160  
VERIZON WIRELESS 81.03  
WASTE CONNECTIONS OF NEBRASKA INC 76.7

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Emily Bausch, City Administrator stated Chief Rathman has reviewed and is in agreement. Motion by Forrest seconded by Brookhouser to approve a Tuition Payment and Reimbursement Agreement between the City and the Chief of Police and authorize the Mayor to execute the Agreement on behalf of the City. ROLL CALL: Yes-Clark, Brookhouser, Muller, Forrest, Kerns, Riese, Derby and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:18 p.m. to hear and consider public comment regarding a rezoning request from Keeler Properties LLC from R3/PUD to R3 on property located at 2209 1<sup>st</sup> Avenue Plattsmouth, legally described as Plattsmouth Outlots Tax Lot 83 except Sub Lot 1 of 83 NW1/4, SW1/4, and Outlots 73 West of Railroad NE1/4, SW1/4, 13-12-13. Emily Bausch, City Administrator stated the rezoning request cleans up the zoning-the PUD is not needed. Plattsmouth Planning Commission and Kevin Larson, Zoning Administrator both recommended approval. Brent Beller, attorney for the developer, spoke in favor of the rezoning. Jesse Calabretto, developer, spoke in favor of the rezoning. No one else spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:29 p.m.

ITEM 9 B

Council member Forrest introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1990: AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY LOCATED AT 2209 1ST AVENUE PLATTSMOUTH AND LEGALLY DESCRIBED AS PLATTSMOUTH OUTLOTS TAX LOT 83 EXCEPT SUB LOT 1 OF 83 NW1/4, SW1/4, AND OUTLOTS 73 WEST OF RAILROAD NE1/4, SW1/4, 13-12-13 IN CASS COUNTY, NEBRASKA, FROM THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY TO THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT; TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. Council member Forrest moved to adopt ORDINANCE NO. 1990: AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY LOCATED AT 2209 1ST AVENUE PLATTSMOUTH AND LEGALLY

DESCRIBED AS PLATTSMOUTH OUTLOTS TAX LOT 83 EXCEPT SUB LOT 1 OF 83 NW1/4, SW1/4, AND OUTLOTS 73 WEST OF RAILROAD NE1/4, SW1/4, 13-12-13 IN CASS COUNTY, NEBRASKA, FROM THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY TO THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT; TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE on first reading by title only. Such motion was seconded by Riese. ROLL CALL: Yes-Minahan, Muller, Riese, Forrest, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1990 in to the record by title only. Motion by Muller seconded by Kerns to suspend the statutory rule that ORDINANCE NO. 1990 be read on three different days and to adopt ORDINANCE NO. 1990: AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY LOCATED AT 2209 1ST AVENUE PLATTSMOUTH AND LEGALLY DESCRIBED AS PLATTSMOUTH OUTLOTS TAX LOT 83 EXCEPT SUB LOT 1 OF 83 NW1/4, SW1/4, AND OUTLOTS 73 WEST OF RAILROAD NE1/4, SW1/4, 13-12-13 IN CASS COUNTY, NEBRASKA, FROM THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY TO THE URBAN RESIDENTIAL HIGH-DENSITY (R-3) DISTRICT; TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE on final reading by title only. ROLL CALL: Yes-Brookhouser, Derby, Kerns, Clark, Riese, Forrest, Muller and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1990 in to the record by title only.

#### ITEM 9 C

Pursuant to publication, Mayor Lambert opened a public hearing at 7:34 p.m. to hear and consider public comment regarding a redevelopment plan entitled: "Redevelopment Plan for the Highway 75 Living Redevelopment Project," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within a portion of Plattsmouth, Nebraska, previously designated as a blighted and substandard area, as legally described: OUTLOTS TL83 EXC SL1 OF LOT 83 NW1/4 SW1/4 13-12-13 (10.87), PLATTSMOUTH, CASS COUNTY, NEBRASKA; and OUTLOTS LOT 74 W OF RR NE1/4 SW1/4 13-12-13 (1.49), PLATTSMOUTH, CASS COUNTY, NEBRASKA. Brent Beller, attorney for the developer, gave a brief overview of the project and spoke in favor of the project. Jesse Callabretto, developer, spoke in favor of the project. Mr. Beller and Mr. Callabretto addressed council concerns: sidewalks; fencing; playground area; safety with regard to access from Highway 75; pedestrian crossing at railroad tracks; and the school's capability to accommodate the possibility of increased student population. No one else spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 8:05 p.m.

ITEM 9 D

Motion by Forrest seconded by Riese to adopt RESOLUTION NO. 21-023: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN FOR THE HIGHWAY 75 LIVING REDEVELOPMENT PROJECT by title only. Stephen Q. Preston, City Attorney read RESOLUTION NO. 21-023 in to the record by title only. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark and Derby. No-Brookhouser. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Council member Forrest introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1991: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, AMENDING CHAPTER 1, ARTICLE 7, SECTION 1-713 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES OF 2011 TO UPDATE THE ELECTION WARDS AND PRECINCTS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. Council member Forrest moved to adopt ORDINANCE NO. 1991: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, AMENDING CHAPTER 1, ARTICLE 7, SECTION 1-713 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES OF 2011 TO UPDATE THE ELECTION WARDS AND PRECINCTS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE on first reading by title only. Such motion was seconded by Riese. ROLL CALL: Yes-Kerns, Muller, Forrest, Brookhouser, Derby, Riese, Clark and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1991 in to the record by title only. Motion by Riese seconded by Minahan to suspend the statutory rule that ORDINANCE NO. 1991 be read on three different days and to adopt ORDINANCE NO. 1991: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, AMENDING CHAPTER 1, ARTICLE 7, SECTION 1-713 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES OF 2011 TO UPDATE THE ELECTION WARDS AND PRECINCTS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE on final reading by title only. ROLL CALL: Yes-Riese, Clark, Brookhouser, Kerns, Minahan, Muller, Forrest and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1991 in to the record by title only.

ITEM 9 F

Motion by Brookhouser seconded by Derby to receive, with regrets, the resignation of Janice Carnes from the Library Board effective January 1, 2022. ROLL CALL: Yes-Forrest, Derby, Muller, Brookhouser, Kerns, Riese, Minahan and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Muller seconded by Riese to appoint Michelle Vulgamott to the Library Board to fill a vacancy with a term that expires 01/2025. ROLL CALL: Yes-Derby, Minahan, Riese, Clark, Brookhouser, Forrest, Muller and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:22 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