

## PLATTSMOUTH CITY COUNCIL

February 7, 2022

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:14 o'clock p.m. on February 7, 2022 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 and Jeanie Brookhouser. Council Members Absent: Steve Riese. Also present: City Administrator Emily Bausch, City Inspector Kevin Larson 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 January 27, 2022 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 4-CITIZEN DELEGATION

Mayor Lambert stated Item 8 L will have NO ACTION as the application has been withdrawn. No one spoke at Citizen Delegation.

### ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

### ITEM 6-CONSENT AGENDA

Motion by Forrest seconded by Brookhouser to approve the consent agenda with the additional claim:

- A Consider approval of the January 17, 2022 City Council Meeting Minutes
- B Consider a Special Designated License application submitted by Church of the Holy Spirit for the Parish Fish Fry being held at St. John the Baptist School Gymnasium/Cafeteria, 518 S. 18<sup>th</sup> Street on March 4, 2022 from 4:00 p.m. to 9:00 p.m.
- C Consider a Special Designated License application submitted by Church of the Holy Spirit for the Parish Fish Fry being held at St. John the Baptist School Gymnasium/Cafeteria, 518 S. 18<sup>th</sup> Street on March 11, 2022 from 4:00 p.m. to 9:00 p.m.

- D Consider a Special Designated License application submitted by Church of the Holy Spirit for the Parish Fish Fry being held at St. John the Baptist School Gymnasium/Cafeteria, 518 S. 18<sup>th</sup> Street on March 18, 2022 from 4:00 p.m. to 9:00 p.m.
- E Consider a Special Designated License application submitted by Church of the Holy Spirit for the Parish Fish Fry being held at St. John the Baptist School Gymnasium/Cafeteria, 518 S. 18<sup>th</sup> Street on March 25, 2022 from 4:00 p.m. to 9:00 p.m.
- F Consider a Special Designated License application submitted by Church of the Holy Spirit for the Parish Fish Fry being held at St. John the Baptist School Gymnasium/Cafeteria, 518 S. 18<sup>th</sup> Street on April 1, 2022 from 4:00 p.m. to 9:00 p.m.
- G Consider recommendation of approval of a Special Designated License filed by Church of the Holy Spirit, 520 S. 18<sup>th</sup> Street for a Non-profit fundraiser event being held at St. John the Baptist School, 500 S. 18<sup>th</sup> St., Plattsmouth on April 30, 2022 from 4:00 p.m. to 11:00 p.m.
- H Consider approval of claims

Claims Register Report as of 2/7/22

Pay Date: 1/28/22                      136531.38

Com Ctr 6296.51  
 EMS 23015.18  
 General 16946.46  
 Library 8161.46  
 Parks and Cemetery 5193.77  
 Police 43927.47  
 Senior Center 3000.41  
 Street 15160.63  
 Water and Sewer 14829.49

Various  
 Vendor Name  
 AMERITAS 15733.66  
 AMERITAS LIFE INSURANCE CORP 148.12  
 BLUE CROSS BLUE SHIELD 50747.5  
 COLLECTION SERVICES CENTER 208.8  
 COUNTY COURT OF LANCASTER COUNTY NE 25.6  
 DELTA DENTAL PLAN 3001.75  
 FIRST STATE BANK NEBRASKA 186.16  
 FRATERNAL ORDER OF POLICE 195  
 INTERNAL REVENUE SERVICE 30602.61

MUTUAL OF OMAHA 1946.56  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39  
NEBRASKA DEPARTMENT OF REVENUE 4829.66  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 7326.43  
NEBRASKA STATE TREASURER 823.5  
NEBRASKA UNEMPLOYMENT COMP FUND 251.58  
PLATTSMOUTH COMMUNITY CENTER 85.6

Department : 01 - GENERAL ADMINISTRATION

ALL COPY PRODUCTS INC 13.17  
BOMGAARS SUPPLY 42.96  
CHARTER BUSINESS 130  
ECHO GROUP INC 153.12  
EGAN SUPPLY CO 174.93  
FIRST BANKCARD 272.84  
INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS 175  
KONICA MINOLTA PREMIER FINANCE 221.16  
LEE ENTERPRISES 432.38  
MELVEN SUDBECK HOMES INC 3751.96  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA STATE FIRE MARSHAL 36  
OFFICE DEPOT INC 276.88  
OLMSTED & PERRY ENGINEERING 2728.75  
SHELL FLEET PLUS 55.46  
STAZNUR LLC 9278.17  
THE PITNEY BOWES BANK INC 125.37  
TYLER TECHNOLOGIES 520.89  
WALKERS INC 71.6  
WASTE CONNECTIONS OF NEBRASKA INC 468.24  
WESTSIDE DEVELOPMENT INC 12830.62  
WINDSTREAM 238.02

Department : 02 - HUMANE/CODE ENFORCEMENT

ACCELERATED GRAPHX LLC 46.5  
DR K E JOY PC 75  
SHELL FLEET PLUS 42.6

Department : 03 - EMS

BLACK HILLS ENERGY 252.43  
BOUND TREE MEDICAL LLC 2286.96  
EGAN SUPPLY CO 135.94  
FIRST BANKCARD 381.67  
FORT DEARBORN LIFE INSURANCE CO 61.92  
KONICA MINOLTA PREMIER FINANCE 35.78  
LEELAND HARVEY 162.5  
MATHESON TRI-GAS INC 276.12  
METRO BILLING SERVICES LLP 1219  
ROLLINS INC 28

SHELL FLEET PLUS 865.27  
STERICYCLE INC 93.45  
WALKERS INC 17.38  
WASTE CONNECTIONS OF NEBRASKA INC 29.74  
WINDSTREAM 180.38

Department : 04 - POLICE  
ACCELERATED GRAPHX LLC 629  
ALL COPY PRODUCTS INC 26.21  
BARONI ENTERPRISES 17.99  
CASS COUNTY REGISTER OF DEEDS 20  
CASS COUNTY SHERIFF 3615  
DEK CORPORATION 209.99  
DIGITAL ALLY INC 81  
FIRST BANKCARD 630.91  
FRANCIS J GALLO 500  
GSK LLC 300  
H & H SALES INC 32.95  
INTERNATIONAL ASSOC OF CHIEFS OF POLICE 190  
JACKS UNIFORMS & EQUIPMENT 8828.11  
KONICA MINOLTA PREMIER FINANCE 154.29  
MATTHEW E WATSON 255.72  
MIDLAND PRINTING AND BUSINESS FORMS INC 183.65  
SHELL FLEET PLUS 2212.19  
WINDSTREAM 333.65

Department : 05 - STREET  
AGRIVISION EQUIPMENT GROUP LLC 278.53  
ALLIED OIL & TIRE CO 812.74  
BOMGAARS SUPPLY 171.05  
CINTAS CORPORATION #749 239.92  
DAN KOEHLER 332.57  
ECHO GROUP INC 144.45  
EGAN SUPPLY CO 300.36  
HOTSY EQUIPMENT CO 400.24  
IMPACT MANUFACTURING 9.6  
JOHN DEERE CREDIT 17974.33  
MICHAEL L FLAHERTY 420  
MICHAEL TODD & COMPANY INC 1284.9  
NEBRASKA IOWA SUPPLY CO INC 1599.2  
NSG LOGISTICS LLC 3519.18  
OLMSTED & PERRY ENGINEERING 370  
PAVERS INC 2385.46  
SHELL FLEET PLUS 649.39  
SUSPENSION SHOP INC 569.41  
TERRACON CONSULTANTS INC 197.5  
WASTE CONNECTIONS OF NEBRASKA INC 247.98  
WINDSTREAM 124.99

WOODHOUSE FORD SOUTH INC 17.75

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 652.1

BLACK HILLS ENERGY 438.05

DEMCO 165.62

ELM USA INC 231.01

FIRST BANKCARD 1383.81

KONICA MINOLTA PREMIER FINANCE 154.29

NATASHA BASHUS 69.67

NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 95.41

NEBRASKA LIBRARY COMMISSION 72.7500000000001

OCLC ONLINE COMPUTER LIBRARY CENTER INC 170.93

ROBERT J SAVAGE 800

TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 209.28

WASTE CONNECTIONS OF NEBRASKA INC 29.73

WINDSTREAM 142.47

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 49.34

BOMGAARS SUPPLY 114.12

CHARTER BUSINESS 37.67

EGAN SUPPLY CO 218.84

LEE ENTERPRISES 7.16

SAMUEL C MCCANDLESS 600

SHELL FLEET PLUS 358.17

WALKERS INC 28.2

WASTE CONNECTIONS OF NEBRASKA INC 1646.22

Department : 08 - CEMETERY

BOMGAARS SUPPLY 29.95

EGAN SUPPLY CO 322.83

FIRST BANKCARD 29.93

NEBRASKA PUBLIC POWER DISTRICT 58.62

SHELL FLEET PLUS 115.29

WASTE CONNECTIONS OF NEBRASKA INC 102.29

WINDSTREAM 150.8

Department : 10 - FIRE

BLACK HILLS ENERGY 252.42

FIRST BANKCARD 24.99

FORT DEARBORN LIFE INSURANCE CO 154.8

KONICA MINOLTA PREMIER FINANCE 35.78

ROLLINS INC 28

WALKERS INC 17.37

WASTE CONNECTIONS OF NEBRASKA INC 29.73

WINDSTREAM 180.39

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 154.14  
DEPARTMENT OF HEALTH AND HUMAN SERVICES 10  
HYVEE 441.46  
REINHART FOODSERVICE LLC 681.8  
SHELL FLEET PLUS 99.84  
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 17 - COMMUNITY CENTER  
A F P CORPORATION 197.5  
AQUA CHEM INC 552.48  
BOMGAARS SUPPLY 16.47  
CHARTER BUSINESS 462.41  
CHESTERMAN CO 258.64  
FIRST BANKCARD 192.57  
KONICA MINOLTA PREMIER FINANCE 186.7  
LAUREN HOUFEK 612.6  
NEBRASKA STATE FIRE MARSHAL 36  
RED RHINO ROOFING 2475  
SARAH CIHACEK 61.26  
STEPHEN C WARGA 72  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
THE WALDINGER CORPORATION 1274.53  
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 209.28  
WALKERS INC 128  
WASTE CONNECTIONS OF NEBRASKA INC 189.74

Department : 18 - AQUATIC  
CHARTER BUSINESS 37.67

Department : 20 - WATER  
BENJAMIN A HILL INC 480  
BENJAMIN MOORE 64.34  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 34.23  
BOMGAARS SUPPLY 158.14  
CORE & MAIN LP 293.16  
DPC INDUSTRIES INC 1512.88  
EGAN SUPPLY CO 36.27  
FIRST BANKCARD 293.25  
FIRST STATE BANK NEBRASKA 1147  
HD SUPPLY FACILITIES MAINTENANCE LTD 67.64  
MENARDS 98.46  
MISSISSIPPI LIME COMPANY 4822.35  
MUNICIPAL SUPPLY INC 1112.31  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 573.63  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 138  
NEBRASKA PUBLIC POWER DISTRICT 7026.83

OFFICE DEPOT INC 104.53  
OLMSTED & PERRY ENGINEERING 24305  
ONE CALL CONCEPTS INC 32.92  
PETTY CASH WATER DEPARTMENT 431.81  
SAVAGE PLUMBING INC 1550  
SHELL FLEET PLUS 275.31  
TIMOTHY PROKUPEK 222.57  
TRANSWOOD LOGISTICS INC 1130.45  
TYLER TECHNOLOGIES 350.45  
WATER & SEWER DEPARTMENT 178.24  
WINDSTREAM 134.69

Department : 30 - SEWER  
BENJAMIN A HILL INC 480  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 2541.98  
BOMGAARS SUPPLY 160.82  
EGAN SUPPLY CO 130.6  
FIRST BANKCARD 293.25  
HD SUPPLY FACILITIES MAINTENANCE LTD 67.63  
MACQUEEN EQUIPMENT LLC 11750  
NEBRASKA PUBLIC POWER DISTRICT 2311.73  
NORTHWEST ELECTRIC LLC 1920  
OFFICE DEPOT INC 38.1  
OLMSTED & PERRY ENGINEERING 93225  
ONE CALL CONCEPTS INC 32.92  
SHELL FLEET PLUS 91.08  
TYLER TECHNOLOGIES 350.44  
WASTE CONNECTIONS OF NEBRASKA INC 90.51  
WINDSTREAM 63.95  
FIRST STATE BANK \$2,227.00

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

#### ITEM 7-UNFINISHED BUSINESS

##### ITEM 7 A

Council member Kerns moved to adopt Ordinance No. 1992: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND SECTION 1-307 OF CHAPTER 1, ARTICLE III OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 RELATING TO THE RULES OF ORDER GOVERNING MEETINGS OF THE PLATTSMOUTH CITY COUNCIL; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** on second reading by title only. Said motion was seconded by Clark. ROLL CALL: Yes-Forrest, Clark, Minahan, Muller, Kerns, Brookhouser and Derby. No-None. Absent-

Riese. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read Ordinance No. 1992 in to the record by title only.

#### ITEM 7 B

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 and discusses settlement negotiations 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.

7:24 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 and discusses settlement negotiations 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-Derby, Brookhouser, Forrest, Clark, Kerns, Minahan and Muller. No-None. Absent-Riese. 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 and discusses settlement negotiations 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.

7:45 p.m. Motion by Forrest seconded by Derby to reconvene in open session. ROLL CALL: Yes-Muller, Minahan, Brookhouser, Derby, Clark, Forrest and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

#### ITEM 8-NEW BUSINESS

##### ITEM 8 A

Jenni Serkiz, Executive Director of the Cass County Economic Development Corp. presented the annual update to the Mayor and Council.

##### ITEM 8 B

Motion by Forrest seconded by Brookhouser to receive the Housing Authority of the City of Plattsmouth, Nebraska Basic Financial Statements, Required Supplemental Information and Supplemental Information for Year Ended June 30, 2021. ROLL CALL: Yes-Forrest, Brookhouser, Muller, Derby, Minahan, Clark and Kerns. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.

##### ITEM 8 C

Motion by Brookhouser seconded by Derby to authorize the purchase of a power cot from Stryker at a cost of \$20,548.14 (budgeted FY 2021-2022). Following discussion, ROLL CALL: Yes-Kerns, Minahan, Brookhouser, Derby, Clark, Forrest and Muller. No-None. Absent-Riese. Abstain-None. MOTION CARRIED.



Mayor Lambert indicated a single motion could be made to approve ITEMS 8D, 8E, 8F, 8G, 8H, 8I, 8J and 8K. Council member Brookhouser stated she would like to have ITEM 8 I considered separately.

ITEM 8D, 8E, 8F, 8G, 8H, 8J AND 8K

Motion by Kerns seconded by Minahan to approve the application for a Mobile Home License and authorize the issuance of a Mobile Home License for a period March 1, 2022 through February 28, 2023 for the following applicants:

ITEM 8 D

Application for Mobile Home License submitted by Jeff and Traci Henry for The Pines Mobile Home Park, 1715 South 15<sup>th</sup> Street, Plattsmouth

ITEM 8 E

Application for Mobile Home License submitted by Jeff and Traci Henry for Cottonwood Mobile Home Park, 2405 South 15<sup>th</sup> Street, Plattsmouth

ITEM 8 F

Application for Mobile Home License submitted by Tim Podraza for Morning Star Mobile Home Community, 1018 Avenue H, Plattsmouth

ITEM 8 G

Application for Mobile Home License submitted by Summer Grove 2021 MHC, LLC, for Summer Grove, 2425 South 15<sup>th</sup> Street, Plattsmouth

ITEM 8 H

Application for Mobile Home License submitted by Hillside Pointe 2021 MHC, LLC for Hillside Pointe, 1023 North 9<sup>th</sup> Street, Plattsmouth

ITEM 8 J

Application for Mobile Home License submitted by Rob Church for Mac-Church Properties LLC d/b/a South Side Mobile Home Park, 1904 Lincoln Avenue, Plattsmouth

ITEM 8 K

Application for Mobile Home License submitted by Mickey Gordon for Gordon's Court & Apts., 1105 Avenue D, Plattsmouth

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

ITEM 8 I

Council discussed conditions at the Mobile Home Park. Motion by Kerns seconded by Minahan to approve the Application for Mobile Home License submitted by John Jungers, Three Parks LLC for Hill City Mobile Home Park, 504 North 22<sup>nd</sup> Street, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2022 through February 28, 2023. Following discussion, ROLL CALL: Yes-Muller, Minahan, Derby and Kerns. No-Clark and Brookhouser. Absent-Riese. Abstain-Forrest. MOTION FAILED.

Following further discussion on options, Motion by Muller seconded by Clark to table the Application for Mobile Home License submitted by John Jungers, Three Parks LLC for Hill City Mobile Home Park, 504 North 22<sup>nd</sup> Street, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2022 through February 28, 2023 until the February 21, 2022 Plattsmouth City Council regular meeting. ROLL CALL: Yes-Brookhouser, Derby, Clark, Minahan, Muller and Forrest. No-Kerns. Absent-Riese. Abstain-None. MOTION CARRIED.

ITEM 8 L

Application withdrawn-NO ACTION TAKEN (Consider approval of the appointment of the following proposed new member to the Plattsmouth Volunteer Fire Department: Matt Copenhaver and the addition of his name to the Plattsmouth Volunteer Fire Department roster)

ITEM 11

8:33 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