

PLATTSMOUTH CITY COUNCIL

September 19, 2022

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:03 o'clock p.m. on September 19, 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, Jeanie Brookhouser and James Forrest. Council Members Absent: Steve Riese and Doug Derby. 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 September 8, 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

No one spoke at Citizen Delegation.

ITEM 5-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

Motion by Brookhouser seconded by Clark to approve the Consent Agenda as presented with the additions to the claims list

- A Consider approval of the September 6, 2022 City Council Budget Public Hearing Meeting
- B Consider approval of the September 6, 2022 City Council Meeting Minutes
- C Receive Treasurer's Report
- D Consider approval of claims

Claims Register Report as of 9/19/22

Pay Date: 9/7/22 153453.1

Com Ctr 6411.68
EMS 26756.93

General 28018.25
Library 8255.04
Parks and Cemetery 6714.99
Police 48412.43
Senior Center 3489.29
Street 12303.14
Water and Sewer 13091.35

Various

Vendor Name

AMERITAS 17370.27
COLLECTION SERVICES CENTER 174
COUNTY COURT OF LANCASTER COUNTY NE 25.6
FIRST STATE BANK NEBRASKA 186.16
FRATERNAL ORDER OF POLICE 195
INTERNAL REVENUE SERVICE 35080.94
NEBRASKA CHILD SUPPORT PAYMENT CENTER 69.24
NEBRASKA DEPARTMENT OF REVENUE 5695.51
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 8122.31
PLATTSMOUTH COMMUNITY CENTER 2686.28

Department : 01 - GENERAL ADMINISTRATION

AMAZON.COM SALES INC 179.97
BAIRD HOLM LLP 9464
BLACK HILLS ENERGY 35.02
CASS COUNTY REGISTER OF DEEDS 38
CHARTER BUSINESS 56.4
F S I AGENCY LLC 70
IDEAL PURE WATER 11
IRINA A HARRINGTON 75
LEE ENTERPRISES 567.94
MELVEN SUDBECK HOMES INC 7039.89
MICROFILM IMAGING SYSTEMS 75
NEBRASKA MUNICIPAL CLERK ASSOC 150
NEBRASKA PUBLIC POWER DISTRICT 734.46
OFFICE DEPOT INC 212.88
STAZNUR LLC 4795.18
STEPHEN Q PRESTON 4800
TERRA CONSULTING 933.25
THE PITNEY BOWES BANK INC 1510
VERIZON WIRELESS 85.66
WALKERS INC 119.4
WASTE CONNECTIONS OF NEBRASKA INC 323.97
WESTSIDE DEVELOPMENT INC 81108.84
WH PLATTSMOUTH LLC 35202.44
WINDSTREAM 242.74

Department : 02 - HUMANE/CODE ENFORCEMENT
JEREMY J MASID 1090
NEBRASKA PUBLIC POWER DISTRICT 60.71
SHELL FLEET PLUS 128.06

Department : 03 - EMS
A F P CORPORATION 331.38
ACCELERATED GRAPHX LLC 850
ARROW MANUFACTURING INC 10000
BLACK HILLS ENERGY 66.57
BOUND TREE MEDICAL LLC 225.74
CHARTER BUSINESS 18.3
FIRST BANKCARD 401.45
FREDERICK K ROLLINS 25
GREAT PLAINS UNIFORMS 112.5
IDEAL PURE WATER 28
MATHESON TRI-GAS INC 346.36
NEBRASKA PUBLIC POWER DISTRICT 358.52
REBECCA L GRAF 10
ROLLINS INC 30
SHELL FLEET PLUS 2106.48
STANDARD HEATING & AIR CONDITIONING INC 473
STRYKER SALES CORPORATION 273.61
VERIZON WIRELESS 171.47
WALKERS INC 19.38
WASTE CONNECTIONS OF NEBRASKA INC 33.26
WEX HEALTH INC 13.5
WINDSTREAM 180.47
WOODHOUSE FORD SOUTH INC 3177.83

Department : 04 - POLICE
CASS COUNTY REGISTER OF DEEDS 60
CONSOLIDATED MANAGEMENT CO 111.65
GREAT PLAINS UNIFORMS 423.5
GSK LLC 900
JONATHAN HARDY 51.9
POLICE OFFICERS ASSOCIATION OF NE 360
RYAN CRICK 125.61
SHELL FLEET PLUS 3022.26
VERIZON WIRELESS 321.06
WEX HEALTH INC 26
WINDSTREAM 339.13

Department : 05 - STREET
BLACK HILLS ENERGY 70.59
BOO INC DBA BOBCAT OF OMAHA 128.58
CINTAS CORPORATION #749 239.92
DAN KOEHLER 20

EGAN SUPPLY CO 592.8
LEE ENTERPRISES 54.28
MULLENAX AUTO SUPPLY 905.23
NEBRASKA IOWA SUPPLY CO INC 4747.36
NEBRASKA PUBLIC POWER DISTRICT 5358.2
OFFICE DEPOT INC 29.89
OREILLY AUTOMOTIVE INC 171.33
SHELL FLEET PLUS 855.6
UNITED SEEDS INC 385
VERIZON WIRELESS 128.49
WASTE CONNECTIONS OF NEBRASKA INC 274.88
WINDSTREAM 129.02

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1178.16
BLACK HILLS ENERGY 70.04
CHARTER BUSINESS 65
EGAN SUPPLY CO 280.16
ELM USA INC 100.99
LEE ENTERPRISES 48.8
LIBRARY IDEAS LLC 1142.68
NEBRASKA LIBRARY COMMISSION 166
NEBRASKA PUBLIC POWER DISTRICT 497.93
OCLC ONLINE COMPUTER LIBRARY CENTER INC 178.82
WASTE CONNECTIONS OF NEBRASKA INC 33.25

Department : 07 - PARKS

AAA SEWER & DRAIN CLEANING CO 487.5
BLACK HILLS ENERGY 35.02
EGAN SUPPLY CO 296.4
LEE ENTERPRISES 6.32
NEBRASKA PUBLIC POWER DISTRICT 239.4
OFFICE DEPOT INC 6.49
OREILLY AUTOMOTIVE INC 150.5
SHELL FLEET PLUS 604.98
VERIZON WIRELESS 42.83
WALKERS INC 14.1
WASTE CONNECTIONS OF NEBRASKA INC 237.37

Department : 08 - CEMETERY

BLACK HILLS ENERGY 35.39
OFFICE DEPOT INC 16.48
SHELL FLEET PLUS 259.28
VERIZON WIRELESS 42.83
WASTE CONNECTIONS OF NEBRASKA INC 112.92

Department : 10 - FIRE

A F P CORPORATION 331.38

BLACK HILLS ENERGY 66.57
CHARTER BUSINESS 18.29
CUMMINS CENTRAL INC 677.07
FREDERICK K ROLLINS 225
HYVEE 1254.11
IDEAL PURE WATER 28
NEBRASKA IOWA SUPPLY CO INC 1926.32
NEBRASKA PUBLIC POWER DISTRICT 358.53
PLATTSMOUTH VOLUNTEER FIREFIGHTERS ASSOC 71.9
ROLLINS INC 30
SANDRY FIRE SUPPLY LLC 13121
WALKERS INC 19.37
WASTE CONNECTIONS OF NEBRASKA INC 33.26
WINDSTREAM 180.47

Department : 11 - SENIOR CITIZEN CTR

BARONI ENTERPRISES 412.95
BLACK HILLS ENERGY 23.91
NEBRASKA PUBLIC POWER DISTRICT 736.61
REINHART FOODSERVICE LLC 1984.37
SHELL FLEET PLUS 128.12
WALKERS INC 147.8

Department : 13 - CEMETARY - LOT & IMPROVEMENT
KARI CASEY 800

Department : 17 - COMMUNITY CENTER

AQUA CHEM INC 1227.25
BLACK HILLS ENERGY 215.21
KRYSTAL ADAMS 367.56
NEBRASKA PUBLIC POWER DISTRICT 6629.48
THE WALDINGER CORPORATION 6649.24
WALKERS INC 98.2
WASTE CONNECTIONS OF NEBRASKA INC 212.22

Department : 18 - AQUATIC

BLACK HILLS ENERGY 40.69
FASTENAL COMPANY 31.51
FERGUSON ENTERPRISES 52.36
MULLENAX AUTO SUPPLY 12.87
NEBRASKA PUBLIC POWER DISTRICT 1761.85
WASTE CONNECTIONS OF NEBRASKA INC 157.71

Department : 20 - WATER

BLACK HILLS ENERGY 73.79
CORE & MAIN LP 2658.72
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 914.92
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 1132.8

NEBRASKA PUBLIC POWER DISTRICT 71.85
OFFICE DEPOT INC 85.16
ONE CALL CONCEPTS INC 45.59
PETTY CASH WATER DEPARTMENT 594.05
POWERTECH LLC 1600
SHELL FLEET PLUS 673.6
STEPHEN Q PRESTON 1600
TRANSWOOD LOGISTICS INC 1197.41
VERIZON WIRELESS 168.5
WATER & SEWER DEPARTMENT 356.18
WEX HEALTH INC 10.5
WINDSTREAM 135.04

Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 42.83

Department : 30 - SEWER
BLACK HILLS ENERGY 386.02
EGAN SUPPLY CO 64.36
MIDWEST LABORATORIES INC 477
OFFICE DEPOT INC 6.49
OLMSTED & PERRY ENGINEERING 145035
OMAHA TANK WASH 7419.32
ONE CALL CONCEPTS INC 45.59
POWERTECH LLC 1520.86
SHELL FLEET PLUS 297.8
STEPHEN Q PRESTON 1600
VERIZON WIRELESS 82.84
WASTE CONNECTIONS OF NEBRASKA INC 101.24
WINDSTREAM 116.82

Department : 40 - PLATTSMOUTH KENO
ADVANCED GAMING TECHNOLOGIES INC 49.59

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

ITEM 7-UNFINISHED BUSINESS

ITEM 7 A

Motion by Muller seconded by Minahan to approve second reading of ORDINANCE NO. 1996: **AN ORDINANCE TO VACATE THE NORTHERN HALF OF THE ALLEY RUNNING FROM 1ST AVENUE TO 2ND AVENUE BETWEEN 13TH STREET AND 14TH STREET, PLATTSMOUTH, NEBRASKA; TO RESERVE EASEMENTS AND OTHER RIGHTS TO THE ALLEY VACATED HEREBY; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ABUTTING PROPERTY OWNERS; TO REPEAL ALL**

ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE by title only. ROLL CALL: Yes-Brookhouser, Muller, Clark, Forrest, Kerns and Minahan. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1996 in to the record by title only.

ITEM 8-NEW BUSINESS

ITEM 8 A

Motion by Brookhouser seconded by Clark to adopt RESOLUTION NO. 22-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE THE PLATTSMOUTH AIRPORT AUTHORITY TO BUDGET \$75,415.70 FOR THE AIRPORT GENERAL FUND AND \$35,700.00 FOR THE AIRPORT BOND FUND, WITH LEVIES OF .019256 AND .009115, RESPECTIVELY by title only. ROLL CALL: Yes-Clark, Minahan, Forrest, Muller, Brookhouser and Kerns. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-014 in to the record by title only.

ITEM 8 B

Motion by Brookhouser seconded by Kerns to adopt RESOLUTION NO. 22-015: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 AND TO SET THE SAME USING THE BASE LIMITATION PERCENTAGE INCREASE OF 2.5% AND ALSO USING THE ADDITIONAL 1% INCREASE by title only. ROLL CALL: Yes-Forrest, Brookhouser, Minahan, Kerns, Muller and Clark. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-015 in to the record by title only.

ITEM 8 C

Motion by Clark seconded by Brookhouser to adopt RESOLUTION NO. 22-016: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO SET THE TAX REQUEST FOR THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 by title only. ROLL CALL: Yes-Kerns, Clark, Brookhouser, Minahan, Forrest and Muller. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-016 in to the record by title only.

ITEM 8 D

Motion by Forrest seconded by Brookhouser to approve first reading of ORDINANCE NO. 1998: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL

FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 ; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE by title only. ROLL CALL: Yes-Muller, Forrest, Kerns, Clark, Minahan and Brookhouser. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1998 in to the record by title only.

Motion by Muller seconded by Forrest to suspend the statutory rule that an ordinance be read on three different days and to adopt ORDINANCE NO. 1998: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 ; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE on final reading by title only. ROLL CALL: Yes-Brookhouser, Kerns, Muller, Forrest, Clark and Minahan. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1998 in to the record by title only.

ITEM 8 E

Council discussed the Community Center membership rates and the Mobile Home fees per unit. Motion by Forrest seconded by Kerns to approve first reading of ORDINANCE NO. 1999: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** by title only. ROLL CALL: Yes-Minahan, Muller, Forrest, Clark, Kerns and Brookhouser. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1999 in to the record by title only.

Motion by Forrest seconded by Muller to suspend the statutory rule that an ordinance be read on three different days and to adopt ORDINANCE NO. 1999: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** on final reading by title only. ROLL CALL: Yes-Kerns, Clark, Brookhouser, Minahan, Muller and Forrest. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1999 in to the record by title only.

ITEM 8 F

Motion by Forrest seconded by Brookhouser to approve first reading of ORDINANCE NO. 2000: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2022; TO REPEAL ORDINANCE NO. 1993 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR**

PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE by title only. ROLL CALL: Yes-Clark, Minahan, Muller, Forrest, Brookhouser and Kerns. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 2000 in to the record by title only.

Motion by Muller seconded by Brookhouser to suspend the statutory rule that an ordinance be read on three different days and to adopt ORDINANCE NO. 2000: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2022; TO REPEAL ORDINANCE NO. 1993 AND 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-Forrest, Muller, Minahan, Kerns, Clark and Brookhouser. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 2000 in to the record by title only.

ITEM 8 G

Emily Bausch, City Administrator and Nate Taylor, Public Works Director reviewed the request and options. Motion by Forrest seconded by Brookhouser to authorize solicitation for bids to repair/replace check valve and variable frequency drive (VFD) Pump for high service pump at the Water Treatment Plant. Following further discussion, ROLL CALL: Yes-Brookhouser, Forrest, Muller, Clark, Kerns and Minahan. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 H

The insurance requirements to procure a License Agreement to have an event on City Property were discussed-concern was the cost prohibiting some organizations from having an event. Emily Bausch, City Administrator reviewed information she obtained from the City's insurance agent-the requirements are in line with what other communities require. The \$5 million coverage is obtained with \$2 million in liability coverage with a \$3 million dollar umbrella. The \$5 million requirement is the maximum exposure for tort liability. Mayor Lambert felt if the insurance coverage requirements were lowered it would put the tax payers at risk in the event of an incident/claim. Following further discussion, council asked staff to compare our requirements with other comparable communities.

ITEM 8 I

Emily Bausch, City Administrator stated the Fire Department informed her they were able to secure coverage that meets the License Agreement requirements. Options were discussed. Motion by Kerns seconded by Clark to approve a License and Management Agreement by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and the Plattsmouth Volunteer Fire Fighters Association, a Nebraska nonprofit corporation for an annual Spaghetti Fundraisers on October 13, 2022 at the Plattsmouth Fire Station, 127 Main Street contingent on receipt of required insurance coverage. ROLL CALL: Yes-Minahan, Clark,

Forrest, Muller, Kerns and Brookhouser. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 J

Emily Bausch, City Administrator and Stephen Q. Preston, City Attorney gave background and informed council this Resolution will allow for permits to be issued by a designated official (City Inspector). Motion by Brookhouser seconded by Clark to adopt RESOLUTION NO. 22-017: **A RESOLUTION OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH CONDITIONS PURSUANT TO WHICH BUSINESSES IN THE CENTRAL BUSINESS DISTRICT MAY RECEIVE LICENSES FROM THE CITY FOR THE TEMPORARY USE OF RIGHTS-OF-WAY TO CONDUCT OUTDOOR RETAIL OPERATIONS DURING THE ANNUAL “IT’S FALL Y’ALL” EVENT TO BE HELD ON SEPTEMBER 24, 2022; TO ESTABLISH THE CONDITIONS FOR CONDUCTING SUCH OUTDOOR RETAIL OPERATIONS; AND TO AUTHORIZE THE BUILDING INSPECTOR TO ISSUE LICENSES FOR THE CONDUCT OF OUTDOOR RETAIL OPERATIONS AND TO OTHERWISE ADMINISTER THE SUBJECT MATTER OF THIS RESOLUTION** by title only. ROLL CALL: Yes-Brookhouser, Clark, Kerns, Minahan, Muller and Forrest. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED.

ITEM 11

8:52 p.m. Motion by Brookhouser seconded by Forrest to adjourn. ROLL CALL: Yes-Forrest, Minahan, Clark, Brookhouser, Kerns and Muller. No-None. Absent-Riese and Derby. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk