

PLATTSMOUTH CITY COUNCIL

May 5, 2025

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 May 5, 2025 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Jeanie Brookhouser, James Forrest, Stockton Graham, Terry Kerns, Morgan Muller and Steve Riese. Council Members Absent: Bryan Clark and Sean Minahan. Also present: City Administrator Emily Bausch, City Attorney Damien Wright, City Clerk Sandra J. Meyer and Deputy City Clerk Ryan Vulgamott.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on April 24, 2025 in the Omaha World Herald. 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 CITIZENS DELEGATION

Dean Helmick, 9789 Otter Trail, introduced himself to Council and stated he was here to observe the meeting and will be running for the District 2 Senate seat. Mr. Helmick has been visiting with many communities and has noticed their shared issues and concerns.

ITEM 6 MAYORAL PROCLAMATION

There were no Mayoral Proclamations.

ITEM 7 APPOINTMENT

ITEM 7 A

Mayor Lambert commented on Adam's work ethic and contributions to the City, he will be missed. Motion by Riese seconded by Forrest to receive, with regrets, the resignation of Adam Denio, Building and Zoning Administrator. ROLL CALL: Yes-Graham, Brookhouser, Kerns, Muller, Riese and Forrest. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED.

ITEM 7 B

Mayor Lambert introduced Michael Jensen to Council and stated that his 25 years' experience with the County will be an asset for the City. Motion by Brookhouser seconded by Graham to approve the Mayor's recommendation of the appointment of Michael J. Jensen as the Building and Zoning Administrator. ROLL CALL: Yes-Muller, Riese, Forrest, Graham, Brookhouser and Kerns. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED. Council welcomed Mike Jensen to the City team.

ITEM 8 CONSENT AGENDA

Emily Bausch, City Administrator, reviewed ITEM 8 G with Council stating that this change order is linked to previous Right-of-Entry agreements on this property. The price may seem high, but it is reasonable when you factor in the debris must be hauled off-site before being ground up. Following discussion, Motion by Brookhouser seconded by Riese to approve the Consent Agenda as presented.

- A Consider approval of the April 21, 2025 City Council Meeting Minutes
- B Consider a License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Historic Downtown Plattsmouth Association (HDPa) a Nebraska nonprofit corporation for the 2025 Events Scheduled in the 4th Street Entertainment Plaza and authorize the Mayor to execute License Agreement
- C Consider a License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Plattsmouth Select Baseball, a Nebraska nonprofit corporation for 2025 Baseball Season and authorize the Mayor to execute License Agreement
- D Consider a License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Plattsmouth Swim Team, a Nebraska nonprofit corporation for 2025 Swim Season from May 27, 2025 to June 27, 2025 and authorize the Mayor to execute License Agreement
- E Consider Contractor's Application for Payment No. 5 submitted by Strand Associates on behalf of Neuvirth Construction Inc. in the amount of \$250,209.00 for work completed from April 1 to April 30, 2025 for the New Wastewater Treatment Plan Contract 4-Lift Stations & Force Mains (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Application for Payment No. 5
- F Consider Contractor's Application for Payment No. 4 submitted by Strand Associates on behalf of Yost Excavating Inc. in the amount of \$88,175.21 for work completed from March 29 to April 24, 2025 for the Plattsmouth Water Supply Contract W1 – Clearing & Grading (2019 FEMA Flood Recovery project #88690 – Water Supply System Project) and authorize the Mayor to execute Contractor's Application for Payment No. 4
- G Consider approval of Change Order No. 3 submitted by Strand Associates on behalf of Yost Excavating Inc. which includes three (3) items for a total increase of \$11,902.00 for the Plattsmouth Water Supply Contract W1 – Clearing & Grading (2019 FEMA Flood Recovery project #88690 – Water Supply System Project) and authorize the Mayor to execute Change Order No. 3

- H Consider approval of Work Change Directive No. 19 submitted by Strand Associates for a total increase of \$56,557.00 for the New Wastewater Treatment Plant Contract 2 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Work Change Directive No. 19
- I Consider approval of Work Change Directive No. 20 submitted by Strand Associates for a total increase of \$65,959.00 for the New Wastewater Treatment Plant Contract 2 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Work Change Directive No. 20
- J Consider Contractor's Application for Payment No. 5 submitted by Olsson on behalf of Armodus LLC in the amount of \$83,136.16 for the AMI Water Meter Replacement Project and authorize the Mayor to execute Application for Payment No. 5
- K Consider approval of claims

Claims Register Report as of 5/5/25

Pay Date: 5/2/25 167482.25

Com Ctr 8545.09
 EMS 31165
 General 22546.84
 Library 10063.31
 Parks and Cemetery 7495.13
 Police 54438.19
 Senior Center 3586.19
 Street 13863.6
 Water and Sewer 15778.9

Various
 Vendor Name
 ACCREDITED COLLECTION SERVICE 318.65
 AMERITAS 19350.69
 BLUE CROSS BLUE SHIELD 66943.19
 FIRST STATE BANK NEBRASKA 631.95
 FRATERNAL ORDER OF POLICE 195
 INTERNAL REVENUE SERVICE 38865.83
 MUTUAL OF OMAHA 7430.71
 NEBRASKA CHILD SUPPORT PAYMENT CENTER 456.48
 NEBRASKA DEPARTMENT OF REVENUE 5580.88
 PETTY CASH CITY 300
 PLATTSMOUTH COMMUNITY CENTER 1898.43

Department : 01 - GENERAL ADMINISTRATION

A F P CORPORATION 332.56
ACCESS TECHNOLOGIES INC 330.06
BOMGAARS SUPPLY 10.77
CHARTER BUSINESS 232.61
EAKES INC 61.56
F S I AGENCY LLC 3409.04
FIRST BANKCARD 1982.46
KATHRYN SHARP 250
MENARDS 49.98
OFFICE DEPOT INC 87.19
OXEN TECHNOLOGY 1680
RICHARD A COMI 1950
SHELL FLEET PLUS 743.81
WALKERS INC 59.79

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 35.97
SHELL FLEET PLUS 48.99

Department : 03 - EMS

ACCESS TECHNOLOGIES INC 51.09
BELLEVUE PRINTING COMPANY 164.24
BOUND TREE MEDICAL LLC 1437.11
EAKES INC 53.12
FIRST BANKCARD 7.54
FORT DEARBORN LIFE INSURANCE CO 68.8
MATHESON TRI-GAS INC 121.38
REBECCA L GRAF 20
SHELL FLEET PLUS 1201.51
STERICYCLE INC 103.03
TELEFLEX LLC 2545
TRICARE FINANCE WEST REGION 550.12

Department : 04 - POLICE

ACCESS TECHNOLOGIES INC 225.69
FIRST BANKCARD 1498.25
H & H SALES INC 87.76
NOLAN SIEMONSMA 195
SHELL FLEET PLUS 2965.93

Department : 05 - STREET

AFL LLC 85965
AGRIVISION EQUIPMENT GROUP LLC 56.99
BOMGAARS SUPPLY 148.2
CORNHUSKER INTERNATIONAL TRUCKS INC 1128.05
COURTSIDE MARKETING 45
H & H SALES INC 304.61

OREILLY AUTOMOTIVE INC 736.56
SHELL FLEET PLUS 508.18

Department : 06 - LIBRARY
ACCESS TECHNOLOGIES INC 123.51
BAKER & TAYLOR BOOKS 1678.06
FIRST BANKCARD 1324.25
HILLER ELECTRIC COMPANY 436.76
RED BRICK RESOURCES 188.75
WINDSTREAM 188.01

Department : 07 - PARKS
AGRIVISION EQUIPMENT GROUP LLC 63.99
BOMGAARS SUPPLY 240.52
CHARTER BUSINESS 33.09
COURTSIDE MARKETING 45
EAKES INC 67.9
MENARDS 373.93
OREILLY AUTOMOTIVE INC 5.04
SHELL FLEET PLUS 125.09
WALKERS INC 15.7

Department : 08 - CEMETERY
BOMGAARS SUPPLY 95.47
JESSE CLARK 28
LIFEARTS INTEGRATED HEALTH CENTER PC 110
SAMUEL C MCCANDLESS 1350
SHELL FLEET PLUS 133.6
WINDSTREAM 188.96

Department : 10 - FIRE
ACCESS TECHNOLOGIES INC 51.09
FIRE CATT LLC 5545.69
FORT DEARBORN LIFE INSURANCE CO 147.92
MACQUEEN EQUIPMENT LLC 2974.96

Department : 11 - SENIOR CITIZEN CTR
OFFICE DEPOT INC 125.98
PERFORMANCE FOOD GROUP INC 2622.5
SHELL FLEET PLUS 43.91
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 12 - DEBT SERVICE
BOKF NATIONAL ASSOCIATION 116160.63

Department : 17 - COMMUNITY CENTER
A F P CORPORATION 1022.9
ACCESS TECHNOLOGIES INC 123.51

BODY BASICS INC 1980
BOMGAARS SUPPLY 30.83
FIRST BANKCARD 148.47
JEREMY J MASID 380
STRATUS BUILDING SOLUTION OF ARIZONA 1870
WALKERS INC 114.74

Department : 18 - AQUATIC
CHESTERMAN CO 459.34
FIRST BANKCARD 438.77

Department : 20 - WATER
BOMGAARS SUPPLY 190.04
CORE & MAIN LP 1979.81
COURTSIDE MARKETING 45
F S I AGENCY LLC 1136.34
FIRST BANKCARD 240
H & H SALES INC 841.5
MISSISSIPPI LIME COMPANY 10550
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 222
NEBRASKA PUBLIC POWER DISTRICT 6780.21
PEOPLESERVICE INC 15947
SHELL FLEET PLUS 550.5
TRANSWOOD LOGISTICS INC 1008.37
TYLER TECHNOLOGIES 215
WATER & SEWER DEPARTMENT 110.49

Department : 30 - SEWER
AMAZON.COM SALES INC 72.7
COURTSIDE MARKETING 45
F S I AGENCY LLC 1136.34
H & H SALES INC 841.51
NEBRASKA PUBLIC POWER DISTRICT 2318.5
OREILLY AUTOMOTIVE INC 32.29
PEOPLESERVICE INC 15947
SHELL FLEET PLUS 139.77
TYLER TECHNOLOGIES 215
WINDSTREAM 51.78

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

ITEM 9 UNFINISHED BUSINESS

ITEM 9 A

Motion by Forrest seconded by Brookhouser to approve a Contract and Notice to Proceed with Valley Corporation for Plattsmouth Water Supply Contract W3 – Water Transmission Main (2019 FEMA Flood Recovery project #88690 – Water Supply System Project) and authorize the Mayor to execute the contract documents. ROLL CALL: Yes-Riese, Forrest, Muller, Kerns, Graham and Brookhouser. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED.

ITEM 10 NEW BUSINESS

ITEM 10 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:11 p.m. to hear and consider public comment, oral or written, concerning the acquisition of the following easements, each to be acquired pursuant to the terms of a purchase agreement with the property owner and in connection with the City's 2019 FEMA Flood Recovery project #88690 – Water Supply System Project:

1. A permanent water main easement located on the North 20 feet of Tax Lot 59 in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska
2. A permanent water main easement located on the North 20 feet of that parcel as recorded in instrument number 2023-04300 in the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska. A temporary construction easement located on the South 40 feet of the North 60 feet of property described as the East 874.5 feet of the West 1765.5 feet of the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska
3. A permanent water main easement located on part of the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska. A temporary construction easement located on part of the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska

Mayor Lambert again stated the reason for the public hearing and with no one coming forward, closed the public hearing at 7:13 p.m.

ITEM 10 B

Motion by Muller seconded by Forrest to approve the following agreements for the acquisition of certain easements, each agreement having been negotiated and prepared by Midwest Right of Way Services, Inc. as directed by the City pursuant to the terms of the Right of Way Acquisition Services Agreement between the City and Midwest and in connection with the City's 2019 FEMA

Flood Recovery project #88690 – Water Supply System Project, and authorize the Mayor to execute the agreements and such other documents as may be necessary to close each of the real estate purchase transactions described therein:

1. Purchase agreement between the City of Plattsmouth and The Estate of Javez St. John and c/o Wayne Stohlmann, executor, for the acquisition of a permanent water main easement located on the North 20 feet of Tax Lot 59 in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska
2. Purchase agreement between the City of Plattsmouth and The Estate of Javez St. John, c/o Wayne Stohlmann, executor, Glennia J. Sand, Sterling Sand, Judy K. Stohlmann and Wayne Stohlmann for the acquisition of a permanent water main easement located on the North 20 feet of that parcel as recorded in instrument number 2023-04300 in the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska and a temporary construction easement located on the South 40 feet of the North 60 feet of property described as the East 874.5 feet of the West 1765.5 feet of the NW $\frac{1}{4}$ of Section 2, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska
3. Purchase agreement between the City of Plattsmouth and Martha F. Baumgart for the acquisition of a permanent water main easement located on part of the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 12 North, Range 13 East of the 6th P.M., City of Plattsmouth, Cass County, Nebraska and a temporary construction easement located on part of the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska

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

ITEM 10 C

Council member Kerns stated he would be abstaining from any discussion or action on ITEM 10 C due to a conflict of interest. Motion by Brookhouser seconded by Forrest to approve Invoice #18491 submitted by Kerns Excavating Company in the amount of \$7,898.50 for replacing a valve and fire hydrant on Avenue B and 8th Street and authorize payment. ROLL CALL: Yes-Forrest, Muller, Riese, Graham and Brookhouser. No-None. Absent-Clark and Minahan. Abstain-Kerns. MOTION CARRIED.

ITEM 10 D

Mike Brodersen, 655 N 16th St, presented his case to have the alley vacated and absorbed by surrounding property owners. His family has been living at their residence for six generations and they would like to clean up the alley, that isn't maintained by the City, so the property can be landscaped for future generations of their family. Emily Bausch, City Administrator, referenced her Council memo stating this alley is not connected to any street and development of that area is

unlikely due to the railroad easement adjacent to the alley and properties. If Council approves vacating the alley City staff would draft an Ordinance to present to Council at a future meeting. Following discussion, Motion by Kerns seconded by Forrest to vacate the alley running north and south between 655 N 16th Street and 613 N 16th Street, Plattsmouth, NE 68048 legally described as; ORCHARD HILL ADD LOT 1R BLK 4, ORCHARD HILL ADD LOT 29 BLK 4, ORCHARD HILL ADD LOT 28 BLK 4, ORCHARD HILL ADD LOTS 21 - 27 BLK 4, ORCHARD HILL ADD LOTS 19 & 20 BLK 4, and ORCHARD HILL ADD LOTS 17 -18 & 1/2 VAC ELM ST BLK 4 and direct City Staff to draft an ordinance executing the same. ROLL CALL: Yes-Graham, Brookhouser, Kerns, Muller, Riese and Forrest. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED.

ITEM 10 E

Council member Kerns introduced an ordinance numbered and titled as follows: Ordinance No. 2031: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS MAY 1, 2025; TO REPEAL ORDINANCE NO. 2024 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Emily Bausch, City Administrator, reminded Council of the format of the wage ordinance, salary vs. wage employees. Following discussion, Motion by Riese seconded by Forrest to approve first reading of ORDINANCE NO. 2031 by title only. ROLL CALL: Yes-Muller, Riese, Forrest, Brookhouser, Kerns and Graham. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2031 into the record by title only.

Motion by Muller seconded by Forrest to suspend the statutory rule that ORDINANCE NO. 2031 be read on three different days and to adopt ORDINANCE NO. 2031 on final reading by title only. ROLL CALL: Yes-Brookhouser, Kerns, Graham, Riese, Forrest and Muller. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2031 into the record by title only.

ITEM 13

At 7:52 p.m. Motion by Brookhouser seconded by Graham to adjourn. ROLL CALL: Yes-Riese, Forrest, Muller, Kerns, Graham and Brookhouser. No-None. Absent-Clark and Minahan. Abstain-None. MOTION CARRIED.

R. Paul Lambert, Mayor

ATTEST:

Sandra J. Meyer, City Clerk