

PLATTSMOUTH CITY COUNCIL

May 4, 2015

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 4, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Terry D. Tilson, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Roger Johnson.

Notice of this meeting was given in advance by publication in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. All proceedings hereafter shown were taken while the convened meeting was open to the public.

The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act and a copy of all documents being discussed at the meeting were available for inspection and indicated the location of such copies in the room where the meeting was being held.

ITEM 5-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

Motion by Brookhouser, seconded by Tilson to approve the Consent Agenda excluding the claim to Nebraska Dept of Roads in the amount of \$5,750.89.

- A Consider approval of the April 20, 2015 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 4/20/2015

Vendor Name Amount

Pay Date: 5/1/15
Com Ctr 8409.57
EMS 8483.86
General 16545.2
Library 6975.8

Park and Cemetery 3556.8
Police 33049.38
Senior 2354.8
Street 11641.35
Water and Sewer 12794.25

103811.01

Vendor Name

AMERICAN FAMILY LIFE 773.42
AMERITAS LIFE INSURANCE CORP 155.02
AMERITAS LIFE INSURANCE CORP (pension) 13456.51
BLUE CROSS BLUE SHIELD 50002.9
CENTRAL UNITED LIFE INSURANCE 265.44
COLLECTION SERVICES CENTER 186
DELTA DENTAL PLAN 2420.5
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 25466.57
MUTUAL OF OMAHA 708.63
NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 4663.7
PLATTSMOUTH COMMUNITY CENTER 2163.04
PLATTSMOUTH STATE BANK 568.07

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 391.56
BOMGAARS SUPPLY 22.59
DISCOVERY BENEFITS INC 26.25
FIRST BANKCARD 303.12
GLORIA WOLF 50
OLMSTED & PERRY ENGINEERING 317.14
SCHNEIDER AGENCY INC 20

Department : 03 - EMS

ARROW INTERNATIONAL 2210.92
BAUER BUILT TIRE INC 674.04
BLACK HILLS ENERGY 81.43
BOUND TREE MEDICAL LLC 33.84
CASS COUNTY EMERGENCY MANAGEMENT AGENCY 50
DISCOVERY BENEFITS INC 5.25
FORT DEARBORN LIFE INSURANCE CO 58.48
JEREMY BAILIFF 14.09
KATHRYN SHARP 200
LIFE-ASSIST INC 841.95
MATHESON TRI-GAS INC 121.05
METRO BILLING SERVICES 912

Department : 04 - POLICE

CASS COUNTY SHERIFF 3509

DIGITAL ALLY INC 2385
DISCOVERY BENEFITS INC 15.75
FIRST BANKCARD 296.88
JEFF HENRY CHEVROLET 245
PAYLESS 84.37
REID RICHTER 45.98
WARGA BROADCASTING LLC 300

Department : 05 - STREET
BLACK HILLS ENERGY 225.88
BOMGAARS SUPPLY 111
DISCOVERY BENEFITS INC 10.5
LYMAN RICHEY CORPORATION 704.37
MARTIN MARIETTA AGGREGATES 383.87
OLMSTED & PERRY ENGINEERING 10041.3

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1312.35
BLACK HILLS ENERGY 59.23
BOMGAARS SUPPLY 23.67
CHARTER BUSINESS 16
COMPUTERS TO GO 829
FIRST BANKCARD 1429.64
GALE/CENGAGE LEARNING 98.98
KIRSTEN WOOD 16.05
PAYLESS OFFICE PRODUCTS 76.25
RESEARCH TECHNOLOGY INTERNATIONAL 88.45
USI EDUCATION AND GOVERNMENT SALES 346.89
WINDSTREAM 61.55

Department : 07 - PARK & REC
BLACK HILLS ENERGY 60.01
BOMGAARS SUPPLY 254.43
BRYAN ROCK PRODUCTS 3586.78
FASTENAL COMPANY 32.8
JOHN DEERE CREDIT 32.04
MENARDS 95.9

Department : 08 - CEMETERY
BOMGAARS SUPPLY 27.98
CONWAY OIL COMPANY 1078.13
DISCOVERY BENEFITS INC 5.25
NEBRASKA PUBLIC POWER DISTRICT 47.58

Department : 10 - FIRE
BLACK HILLS ENERGY 81.43
FIRST BANKCARD 408.5
FORT DEARBORN LIFE INSURANCE CO 161.68

KATHRYN SHARP 200

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 190.27

Department : 12 - DEBT SERVICE
PLATTSMOUTH STATE BANK 59287.5

Department : 16 - ECONOMIC DEVELOPMENT
KASS KOUNTY KING KORN KLUB 8511.8
OLMSTED & PERRY ENGINEERING 262.5
SENDD 698.12

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 231.83
BLACK HILLS ENERGY 1712.44
BOMGAARS SUPPLY 2.98
DEBRA S FLAHERTY 325
EGAN SUPPLY CO 182.35
FIRST BANKCARD 293.3
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 444.25
KS STATEBANK 1048
NEBRASKA AIR FILTER INC 224.42
QUALITY SIGNS 180

Department : 18 - AQUATIC
BLACK HILLS ENERGY 21.63
FIRST BANKCARD 163.91

Department : 20 - WATER
AMERICAN FENCE CO 1586
AMERICAN UNDERGROUND SUPPLY LLC 69.44
BLACK HILLS ENERGY 22.15
BOMGAARS SUPPLY 209.89
DISCOVERY BENEFITS INC 10.5
DPC INDUSTRIES INC 411.25
HD SUPPLY WATERWORKS LTD 712
MUNICIPAL SUPPLY INC 294.58
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 120
NEBRASKA PUBLIC POWER DISTRICT 6623.64
OLMSTED & PERRY ENGINEERING 12375
PHONETICS INC 420
TYLER TECHNOLOGIES 90
VESSCO INC 1646.57
WATER & SEWER DEPARTMENT 272.78

Department : 24 - DRUG FORFEITURE

JEFF HENRY CHEVROLET 540

Department : 30 - SEWER
BLACK HILLS ENERGY 614.41
BOMGAARS SUPPLY 188
NEBRASKA PUBLIC POWER DISTRICT 2786.53
OLMSTED & PERRY ENGINEERING 555.5
TYLER TECHNOLOGIES 90

ROLL CALL: Yes-Riese, Wiemer, Porter, Brookhouser, Kerns, Derby, Dugan and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8-UNFINISHED BUSINESS

Council Member Kerns stated that he would be abstaining from any discussion or action on ITEM 8 A; ITEM 8 B; and ITEM 8 C as he is president and majority shareholder of Kerns Excavating Company.

ITEM 8 A

Steve Perry, Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No. 1 (Final) submitted by Kerns Excavating Co. Inc. for the 22nd Street Sanitary Sewer Extension Project and stated that there was an additional invoice making Change Order No. 1 amount of \$(-) 1,711.00 for a total project cost of \$47,011.50 and was available for questions. Motion by Porter, seconded by Brookhouser to approve Change Order No. 1 (Final) submitted by Kerns Excavating Co. Inc. for the 22nd Street Sanitary Sewer Extension Project in the amount of \$(-) 1,711.00 for a total project cost of \$47,011.50 and authorize the Mayor to execute Change Order No. 1. ROLL CALL: Yes-Derby, Tilson, Porter, Dugan, Riese, Brookhouser and Wiemer. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 B

Steve Perry, Olmsted & Perry Consulting Engineers Inc. reviewed the progress on the 22nd Street Sanitary Sewer Extension Project. Motion by Porter, seconded by Riese to approve Contractor's Application for Payment No. 1 submitted by Kerns Excavating Co. Inc. in the amount of \$44,501.33 for the 22nd Street Sanitary Sewer Extension Project, authorize payment and authorize the Mayor to execute Pay Application No. 1. ROLL CALL: Yes-Dugan, Brookhouser, Derby, Tilson, Wiemer, Porter and Riese. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 C

Steve Perry, Olmsted & Perry Consulting Engineers Inc. reviewed the progress on the CDBG Water and Sewer Street Project Contract No. 1. Motion by Riese, seconded by Wiemer to approve Contractor's Application for Payment No. 1 submitted by Kerns Excavating Co. Inc. in the amount of \$37,994.85 for the CDBG Water and Sewer Street Project Contract No. 1, authorize payment and authorize the Mayor to execute Pay Application No. 1. ROLL CALL:

Yes-Porter, Wiemer, Tilson, Riese, Derby, Brookhouser and Dugan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 8 D

Steve Perry, Olmsted & Perry Consulting Engineers Inc. reviewed the construction of a Livingston Road Improvements Phase I project and the timeline. Motion by Porter, seconded by Brookhouser to authorize publication of notice and solicitation for sealed bids for construction of a Livingston Road Improvements Phase I. ROLL CALL: Yes-Kerns, Dugan, Wiemer, Porter, Riese, Brookhouser, Derby and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1893: AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY IN BLOCK 2 TOWNSEND'S ADDITION TO THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ADJACENT PROPERTY OWNERS; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Wiemer to approve second reading of ORDINANCE NO. 1893 by title only. ROLL CALL: Yes-Tilson, Brookhouser, Derby, Riese, Porter, Kerns, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1893 in to the record by title only.

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:16 p.m. to hear and receive public comments regarding a preliminary plat of a major subdivision application for "Meadow Heights Estates Replat 2 Lots 1 through 60 and Outlots A&B" by Melvin Sudbeck Homes Inc. on property located between 11th and 13th Avenues, and east of South 4th Street, legally described as, "Lots 14 thru 25, inclusive, together with Lots 36 thru 53, inclusive, together with the lot shown as "Park" in Meadow Heights Estates, a subdivision in Cass County, Nebraska, together with Sublot 2 of the "Replat of Outlot "A" of said Meadow Heights Estates, together with the south 25.00 feet of Lot 30 and all of Lots 31 thru 35, inclusive, of the "Replat of Lot 9 and Lots 26 through 35" of said Meadow Heights Estates, together with adjacent Ridgecrest Drive, Ridgecrest Circle and Meadow Drive". No one spoke. Mayor Lambert again stated the reason for the public hearing and with no one present who wanted to speak, he closed the public hearing at 7:17 p.m.

ITEM 9 B

Motion by Brookhouser, seconded by Wiemer to approve a preliminary plat of a major subdivision for "Meadow Heights Estates Replat 2 Lots 1 through 60 and Outlots A&B" by Melvin Sudbeck Homes Inc. on property located between 11th and 13th Avenues, and east of South 4th Street, legally described as, "Lots 14 thru 25, inclusive, together with Lots 36 thru 53, inclusive, together with the lot shown as "Park" in Meadow Heights Estates, a subdivision in Cass County, Nebraska, together with Sublot 2 of the "Replat of Outlot "A" of said Meadow Heights Estates, together with the south 25.00 feet of Lot 30 and all of Lots 31 thru 35, inclusive, of the "Replat of Lot 9 and Lots 26 through 35" of said Meadow Heights Estates, together with adjacent Ridgecrest Drive, Ridgecrest Circle and Meadow Drive". Portis stated that there were no significant changes from previous documents presented. ROLL CALL: Yes-Brookhouser, Wiemer, Riese, Kerns, Dugan, Derby and Porter. No-Tilson. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council Member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1895: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA ESTABLISHING AS AN HISTORIC LANDMARK CITY HALL, 136 N. 5TH STREET, PLATTSMOUTH, NEBRASKA, LEGALLY DESCRIBED AS LOTS 1 THROUGH 3, BLOCK 28, ORIGINAL TOWN OF PLATTSMOUTH, CASS COUNTY, NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE**

Motion by Riese, seconded by Porter to approve first reading of ORDINANCE NO. 1895 by title only. ROLL CALL: Yes-Tilson, Porter, Brookhouser, Kerns, Wiemer, Riese and Derby. No-Dugan. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Roger Johnson read ORDINANCE NO. 1895 in to the record by title only.

ITEM 9 D

Erv Portis, City Administrator reviewed the request to allow use of Rights-of-Way to Berean Fundamental Church for parking on the North Side of 1st Avenue between 16th Street and 15th Street. Motion by Wiemer, seconded by Derby to approve a License Agreement Allowing Use of Rights-of-Way to Berean Fundamental Church for parking on the North Side of 1st Avenue between 16th Street and 15th Street. ROLL CALL: Yes-Brookhouser, Kerns, Derby, Riese, Wiemer and Porter. No-Dugan and Tilson. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Mike Wood, Director of the Plattsmouth Emergency Medical Services Department reviewed the request to accept a grant award from the State of Nebraska for the reimbursement of the purchase of three Lucas CPR devices with a total purchase price of \$32,562.60. Motion by Tilson, seconded by Dugan to accept a Plattsmouth Emergency Medical Services Department grant

award from the State of Nebraska for the reimbursement of the purchase of three (3) Lucas CPR devices with a total purchase price of \$32,562.60. ROLL CALL: Yes-Riese, Wiemer, Porter, Dugan, Brookhouser, Derby, Tilson and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Brookhouser, seconded by Kerns to approve Carl Boehm as a new volunteer member of the Plattsmouth Emergency Medical Services Department. ROLL CALL: Yes-Derby, Tilson, Kerns, Riese, Wiemer, Dugan, Porter and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Porter, seconded by Riese to approve the Plattsmouth Emergency Medical Services Department roster. ROLL CALL: Yes-Brookhouser, Riese, Derby, Porter, Tilson, Kerns, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:50 p.m. Motion by Porter, seconded by Tilson to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk