

PLATTSMOUTH CITY COUNCIL

October 5, 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 October 5, 2015 at City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Joe Dugan and Wanda Wiemer. Council Members Absent: Terry D. Tilson and Doug Derby. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer, City Treasurer Roger Davis and City Attorney Stephen Q. Preston.

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

Jennifer Jensen, 17375 Koubek Road, Plattsmouth, one of the owners of DC's Waterhole, 441 Main Street, Plattsmouth, spoke to the Mayor and Council regarding a social media post by a Council Member as the Plattsmouth Town Cryer. The post had negative verbiage in regard to the sale of alcohol at the Cheers Garden at the Plattsmouth Harvest Festival in September. Ms. Jensen stated that DC's Waterhole is a viable business and is very active within the community. She feels that elected officials should be held to a higher standard and such a post on social media does not meet that standard. Ms. Jensen also stated that they are not looking for an apology but just want their voices to be heard.

ITEM 6-MAYORAL PROCLAMATIONS

Mayor Lambert has not done any proclamations since the last meeting.

ITEM 7-CONSENT AGENDA:

Motion by Brookhouser, seconded by Kerns to approve the Consent Agenda with additional claims:

- A Consider approval of the September 21, 2015 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 10/5/15

Vendor Name Amount

Pay Date: 10/2/15

Com Ctr 8454.7

EMS 8523.86

General 14023.5

Library 7318.45

Park and Cemetery 4112.55

Police 32887.5

Senior 2188.74

Street 11517.81

Water and Sewer 13095.85

102122.96

VARIOUS DEPARTMENTS:

AMERICAN FAMILY LIFE 639.26

AMERITAS LIFE INSURANCE CORP 155.02

AMERITAS LIFE INSURANCE CORP (pension) 12910.56

BLUE CROSS BLUE SHIELD 53128.08

CENTRAL UNITED LIFE INSURANCE 265.44

COLLECTION SERVICES CENTER 296.3

DELTA DENTAL PLAN 2396.15

FRATERNAL ORDER OF POLICE 165

INTERNAL REVENUE SERVICE 24655.95

MUTUAL OF OMAHA 718.62

NEBRASKA DEPARTMENT OF REVENUE (INCOME TAX) 3296.95

PLATTSMOUTH COMMUNITY CENTER 2114.36

PLATTSMOUTH STATE BANK 170471.92

Department : 01 - GENERAL ADMINISTRATION

BAIRD HOLM LLP 99

BLACK HILLS ENERGY 22.01

BOMGAARS SUPPLY 3.36

CASS COUNTY TREASURER 1390.5

FIRST BANKCARD 47.11

GLORIA WOLF 50

KONICA MINOLTA BUSINESS SOLUTIONS 262.65

NEBRASKA DEPARTMENT OF REVENUE 25

OLMSTED & PERRY 321.3

PETTY CASH 200

WELCH LAW FIRM LLC 6051.25

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA HUMANE SOCIETY 247

Department : 03 - EMS
FORT DEARBORN LIFE INSURANCE CO 68.8
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 23.39
LIFE-ASSIST INC 2260.05
MATHESON TRI-GAS INC 158.11
METRO BILLING SERVICES 920
MICHAEL WOOD 434.07
PHYSIO CONTROL INC 10854.2
WINDSTREAM 163.04

Department : 04 - POLICE
CASS COUNTY SHERIFF 3509
CORY J SCOTT 307.42
HART'S AUTO SUPPLY 804
IOWA LAW ENFORCEMENT ACADEMY 250
JACKS UNIFORMS & EQUIPMENT 184.53
JEFF HENRY CHEVROLET 70.6
KONICA MINOLTA BUSINESS SOLUTIONS 75.35
MJN INC 1500
MULLENAX AUTO SUPPLY 142.54
RYAN CRICK 11.71
VINCENT G HERNANDEZ 250
WARGA BROADCASTING LLC 300

Department : 05 - STREET
ALLIED OIL & TIRE CO 369.95
BOMGAARS SUPPLY 529.74
CONWAY OIL COMPANY 1598.09
FIRST BANKCARD 280.84
LOGAN CONTRACTORS SUPPLY CO 76.57
LYMAN RICHEY CORPORATION 386.54
MARK HYDRAULIC CO INC 38.06
MICHAEL TODD & COMPANY INC 395.9
PALFLEET TRUCK EQUIPMENT COMPANY 4400
SID TOOL CO INC 202.37

Department : 06 - LIBRARY
APOLLO REFRIGERATION & HEATING SYSTEMS 735.83
BAKER & TAYLOR BOOKS 313.42
BLACK HILLS ENERGY 22.7
CASS COUNTY TREASURER 231.75
CIACCIO ROOFING 13120
FIRST BANKCARD 3195.21
GALE/CENGAGE LEARNING 100.98
IARCHIVES INC 6392.65
KIRSTEN WOOD 147.95
KONICA MINOLTA BUSINESS SOLUTIONS 139.47
MENARDS 79.7

OKEEFE ELEVATOR CO INC 173.22
WINDSTREAM 79.04

Department : 07 - PARKS
BLACK HILLS ENERGY 22.01
BOMGAARS SUPPLY 156.83
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 3.15

Department : 08 - CEMETERY
BOMGAARS SUPPLY 85.85
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 1.65
NEBRASKA PUBLIC POWER DISTRICT 26.33
TEDS MOWER SALES AND SERVICE 36.63
WINDSTREAM 102.95

Department : 10 - FIRE
FIRE GUARD INC 1281.14
FIRST BANKCARD 838.7
FORT DEARBORN LIFE INSURANCE CO 151.36
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 23.42
FRONT RANGE FIRE APPARATUS 286.67
HYVEE 213.74
MAIN STREET JEWELERS 156
NEBRASKA STATE VOLUNTEER FIREFIGHTERS 980
TSI INCORPORATED 216.08
ULTIMATE SAFETY CONCEPTS INC 762.19
WINDSTREAM 163.05

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 41.35
DAWN THUMSER 297.63
DEBRA BARNHART 286.96
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 68.24

Department : 16 - ECONOMIC DEVELOPMENT
DAVID GORIN & ASSOCIATES 5576
OLMSTED & PERRY 744.7
PLATTSMOUTH MAIN STREET ASSOCIATION 5500
SEND D 333

Department : 17 - COMMUNITY CENTER
BARONI ENTERPRISES 122.29
BLACK HILLS ENERGY 372.1
DEBRA S FLAHERTY 326.5
EAST VIEW FARMS CORPORATION 100
FIRST BANKCARD 314.77
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 738.5
KONICA MINOLTA BUSINESS SOLUTIONS 83.38

KS STATEBANK 1048
PLATTSMOUTH COMMUNITY CENTER 120

Department : 18 - AQUATIC
BLACK HILLS ENERGY 27.44

Department : 20 - WATER
BLACK HILLS ENERGY 24.26
BOMGAARS SUPPLY 100.63
CASS COUNTY TREASURER 417.15
DPC INDUSTRIES INC 352.5
DXP ENTERPRISES INC 315.63
FASTENAL COMPANY 9.3
GRAINGER 294.5
HD SUPPLY FACILITIES MAINTENANCE LTD 74.81
HD SUPPLY WATERWORKS LTD 1762.4
MISSISSIPPI LIME COMPANY 3915
NEBRASKA DEPARTMENT OF REVENUE 25
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 596
NEBRASKA PUBLIC POWER DISTRICT 7587.26
NORTHWEST ELECTRIC LLC 1152.8
TRANSWOOD LOGISTICS INC 830.83
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2000

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 200

Department : 30 - SEWER
BERT GURNEY & ASSOCIATES 2605.6
BLACK HILLS ENERGY 191.99
BOMGAARS SUPPLY 297.24
CASS COUNTY TREASURER 278.1
FASTENAL COMPANY 45.59
GRAINGER 57.4
GRAYBAR ELECTRIC COMPANY INC 160.98
HD SUPPLY WATERWORKS LTD 60.9
NEBRASKA PUBLIC POWER DISTRICT 3406.84
OFE OIL INC 30
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2000

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the bid award and contract to Oldcastle Materials Midwest Co., dba Omni Engineering Inc. for the Livingston Road Improvements Phase III Project at a unit price contract award of \$180,000.00. Following discussion, Motion by Kerns, seconded by Porter to approve the bid award and contract to Oldcastle Materials Midwest Co., dba Omni Engineering Inc. for the Livingston Road Improvements Phase III Project at a unit price contract award of \$180,000.00 and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Brookhouser, Dugan, Riese, Porter, Wiemer and Kerns. No-None. Absent-Tilson and Derby. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Council Member Brookhouser introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1903: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 9, ARTICLE 3, SECTION 9-305 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, RELATED TO "LANDMARK HERITAGE PRESERVATION"; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Brookhouser, seconded by Wiemer to approve first reading of Ordinance No. 1903 by title only. ROLL CALL: Yes-Kerns, Wiemer, Porter, Brookhouser, Riese and Dugan. No-None. Absent-Tilson and Derby. Abstain-None. MOTION CARRIED. City Attorney Stephen Q. Preston read Ordinance No. 1903 in to the record by title only.

ITEM 9 B

City Administrator Erv Portis informed the Council that the applicant was not present at the meeting to answer any questions, so if there were questions they could lay the item over to a future meeting at which the applicant is present. Concerns about the criminal activity were expressed and some council members indicated that they had questions. Motion by Riese, seconded by Dugan to lay over a Mobile Home License Application Transfer Request submitted by Mac-Church Properties LLC for a mobile home court located at 1904 Lincoln Avenue, Plattsmouth. Following discussion about obtaining a report from the police that shows criminal activity in all Mobile Home Courts in Plattsmouth, ROLL CALL: Yes-Dugan, Riese, Brookhouser, Porter and Wiemer. No-Kerns. Absent-Tilson and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 C

Pursuant to publication, Mayor Lambert opened a public hearing at 7:17 p.m. with regard to a Rezoning Application submitted by Wiles Development LLC requesting a zoning change from RR (Rural Residential) to RR with a Mixed Use Overlay on property located east of Highway 75 at 18003 Club View Road, legally described as a tract of land being part of the Northwest ¼ of the Northwest ¼ and part of the Southwest ¼ of the Northwest ¼ of Section 12, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska (said tract of land contains an area of 1,791,903 square feet or 41.136 acres, more or less). No one spoke in favor or opposition. Mayor Lambert again stated the reason for the public hearing and asked if there was anyone who would like to speak. No one came forward to speak. City Administrator Ervin Portis stated that he was notified by a representative of Midwest Hop Producers, LLC that no one would be present and asked that the item be held over to a near distant meeting. Mayor Lambert continued the public hearing to a later date.

7:26 p.m. Council Member Derby arrived.

ITEM 12

7:36 p.m. Motion by Porter, seconded by Kerns to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk