

## PLATTSMOUTH CITY COUNCIL

December 7, 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 December 7, 2015 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: Terry D. Tilson. 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

Charles Jones-Executive Director of Plattsmouth Main Street Association reported that the Victorian Christmas on Main, held November 28, 2015, was a success. Jones made mention of the television advertisements and that it was money well spent. The Plattsmouth Journal donated a full page color ad plus additional coverage.

### ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

### ITEM 7-CONSENT AGENDA:

Motion by Brookhouser, seconded by Wiemer to approve the Consent Agenda as presented:

- A Consider approval of the November 16, 2015 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Nebraska Corn Grower's Association for the Annual Customer Appreciation Dinner being held at Church of the Holy Spirit, 520 South 18<sup>th</sup> Street, Plattsmouth on February 2, 2016 from 5:00 p.m. to 12:00 a.m.
- C Consider approval of claims

Claims Register Report as of 12/7/2015

Vendor Name Amount

Pay Date: 12/4/15 Longevity Checks

Com Ctr 660

EMS 300

General 4020

Library 2760

Parks and Cemetery 900

Police 9840

Senior 540

Street 7140

Water and Sewer 5820

31980

Pay Date: 11/25/15

Com Ctr 8486.89

EMS 8917.77

General 13804.58

Library 7137.28

Parks and Cemetery 3460.8

Police 38868.98

Senior 2186.54

Street 11748.28

Water and Sewer 11805.09

106416.21

VARIOUS DEPARTMENTS:

AMERICAN FAMILY LIFE 639.26

AMERITAS 18208.95

AMERITAS LIFE INSURANCE CORP 155.02

BLUE CROSS BLUE SHIELD 63696.22

CENTRAL UNITED LIFE INSURANCE 265.44

COLLECTION SERVICES CENTER 301.9

DELTA DENTAL PLAN 2863.4

EYE MED VISION CARE 416.37

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 33449.14

MUTUAL OF OMAHA 733.82

NEBRASKA DEPARTMENT OF REVENUE 4386.49

NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 19100.22

PLATTSMOUTH STATE BANK 471.92

UNITED STATES LIFE INSURANCE CO 208.6

Department : 01 - GENERAL ADMINISTRATION

ALLEY POYNER MACCHIETTO ARCHITECTURE 2500  
BLACK HILLS ENERGY 240.34  
CASS COUNTY COURT 68  
CHARTER BUSINESS 130  
FIRST BANKCARD 2094.26  
JENNIFER ROBY 272.29  
KATHRYN SHARP 125  
KEVIN LARSON 240  
KONICA MINOLTA BUSINESS SOLUTIONS 12.6  
KONICA MINOLTA PREMIER FINANCE 296.16  
MICROFILM IMAGING SYSTEMS 75  
OFE OIL INC 18  
SCHMADER ELECTRIC CO INC 414.5  
SHAW HARDWARE STORE 53.54  
THE COLUMBUS TELEGRAM 291.67  
VERIZON WIRELESS 83.31  
WASTE CONNECTIONS OF NEBRASKA INC 50.69  
WELLS FARGO BANK 1750

Department : 02 - HUMANE/CODE ENFORCEMENT  
BOMGAARS SUPPLY 6.99  
HEARTS UNITED 50  
VERIZON WIRELESS 40.01

Department : 03 - EMS  
ALS AFFILIATES 1750  
BLACK HILLS ENERGY 11.95  
EGAN SUPPLY CO 123.62  
FIRST BANKCARD 171.42  
FORT DEARBORN LIFE INSURANCE CO 72.24  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 6.43  
HYVEE 68.44  
JEFF HENRY CHEVROLET 32.9  
JEREMY BAILIFF 71.18  
KATHRYN SHARP 400  
KONICA MINOLTA PREMIER FINANCE 34.98  
LIFE-ASSIST INC 495.4  
MATHESON TRI-GAS INC 135.6  
MICHAEL WOOD 71.64  
MULLENAX AUTO SUPPLY 26.98  
SAVAGE PLUMBING INC 57.5  
VERIZON WIRELESS 1844.17  
WASTE CONNECTIONS OF NEBRASKA INC 15.91  
WINDSTREAM 162.16

Department : 04 - POLICE  
DIGITAL ALLY INC 70  
FIRST BANKCARD 57.71

FIRST WIRELESS 393  
FORD MOTOR CREDIT COMPANY 19193.38  
JACKS UNIFORMS & EQUIPMENT 1510.14  
JEFF HENRY CHEVROLET 1229.25  
KONICA MINOLTA BUSINESS SOLUTIONS 14.96  
KONICA MINOLTA PREMIER FINANCE 197.6  
MIDWEST MINOR MEDICAL 50  
PAYLESS OFFICE PRODUCTS 81.97  
VERIZON WIRELESS 171.85

Department : 05 - STREET  
ACCLAIM ID 313.38  
AGRIVISION EQUIPMENT GROUP LLC 1277.61  
BLACK HILLS ENERGY 134.48  
BOMGAARS SUPPLY 198.83  
DILLON TIRE INC 6221.23  
EGAN SUPPLY CO 53.44  
FASTENAL COMPANY 89.46  
FIRST BANKCARD 6.48  
JOHN DEERE CREDIT 289.14  
LYMAN RICHEY SAND & GRAVEL CO 4165.04  
MICHAEL TODD & COMPANY INC 971.8  
OLMSTED & PERRY ENGINEERING 11807.53  
OMG MIDWEST INC 23357.74  
RHYLANDER WELDING & MFG INC 196.42  
SAFETY-KLEEN CORPORATION 236.35  
SHAW HARDWARE STORE 31.77  
VERIZON WIRELESS 166.62  
WASTE CONNECTIONS OF NEBRASKA INC 127.91

Department : 06 - LIBRARY  
ACCUCUT LLC 108.5  
BAKER & TAYLOR BOOKS 582.58  
BLACK HILLS ENERGY 36.5  
CENTER POINT LARGE PRINT 397.63  
CHARTER BUSINESS 13  
CIACCIO ROOFING 760  
FIRST BANKCARD 896.85  
GALE/CENGAGE LEARNING 103.48  
KONICA MINOLTA PREMIER FINANCE 197.6  
MENARDS 22.48  
THE PENWORTHY CO 171.86  
WASTE CONNECTIONS OF NEBRASKA INC 15.9  
WINDSTREAM 73.58

Department : 07 - PARKS  
BLACK HILLS ENERGY 28.61  
BOMGAARS SUPPLY 127.99

EGAN SUPPLY CO 162.75  
FASTENAL COMPANY 4.59  
SHAW HARDWARE STORE 28.34  
VERIZON WIRELESS 31.51  
WASTE CONNECTIONS OF NEBRASKA INC 119.28

Department : 08 - CEMETERY  
BLACK HILLS ENERGY 47.03  
NEBRASKA PUBLIC POWER DISTRICT 29.51  
VERIZON WIRELESS 31.51  
WINDSTREAM 102.9

Department : 10 - FIRE  
BLACK HILLS ENERGY 11.94  
CASS COUNTY EMERGENCY MANAGEMENT AGENCY 50  
CUMMINS CENTRAL POWER LLC 1488.67  
FIRE GUARD INC 336  
FIRST BANKCARD 1718.8  
FORT DEARBORN LIFE INSURANCE CO 137.6  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 6.46  
KATHRYN SHARP 400  
KONICA MINOLTA PREMIER FINANCE 34.98  
PENGUIN MANAGEMENT INC 1548  
SAVAGE PLUMBING INC 57.5  
WASTE CONNECTIONS OF NEBRASKA INC 15.9  
WINDSTREAM 162.15

Department : 11 - SENIOR CITIZEN CTR  
BLACK HILLS ENERGY 134.8  
THOMAS S BARNHART 375

Department : 12 - DEBT SERVICE  
PLATTSMOUTH STATE BANK 107620

Department : 17 - COMMUNITY CENTER  
4IMPRINT INC 1139.34  
AQUA CHEM INC 355  
BARONI ENTERPRISES 521  
BIG RED LOCKSMITH INC 87.5  
BLACK HILLS ENERGY 1213.18  
DEBRA HOBSCHIEDT 73.3  
DXP ENTERPRISES INC 91.57  
EGAN SUPPLY CO 221.38  
FIRST BANKCARD 197.78  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 1058.25  
JENNIFER DASOVIC 48  
KONICA MINOLTA PREMIER FINANCE 278.83  
KS STATEBANK 1048

MR LANDSCAPE NURSERY 48  
PAYLESS OFFICE PRODUCTS -6.95  
SHAW HARDWARE STORE 2.89  
STEPHEN C WARGA 45  
VERIZON WIRELESS 51.8  
VERNE SIMMONDS COMPANY INC 938.51  
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 22.26

Department : 20 - WATER  
AMERICAN UNDERGROUND SUPPLY LLC 887.55  
BLACK HILLS ENERGY 38.78  
BOMGAARS SUPPLY 120.37  
CENTRAL COMMUNITY COLLEGE 170  
DPC INDUSTRIES INC 411.25  
ECHO GROUP INC 149.44  
FASTENAL COMPANY 26.15  
HD SUPPLY FACILITIES MAINTENANCE LTD 150.29  
HD SUPPLY WATERWORKS LTD 640.8  
JEFF HENRY CHEVROLET 67.77  
KNIGHT TRUCKING LLC 604.8  
MISSISSIPPI LIME COMPANY 3600  
MR LANDSCAPE NURSERY 13.98  
MUNICIPAL AUTOMATION & CONTROL 282.93  
MUNICIPAL SUPPLY INC 5061.43  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 883.89  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 110758.03  
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 575  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 286  
NEBRASKA PUBLIC POWER DISTRICT 6210.94  
OLMSTED & PERRY ENGINEERING 2450  
ONE CALL CONCEPTS INC 52.65  
PETTY CASH WATER DEPARTMENT 372.59  
SARGENT DRILLING 19409.18  
THE COLUMBUS TELEGRAM 130  
THE FRAZIER COMPANY 275  
TYLER TECHNOLOGIES 180  
UNITED STATES POSTAL SERVICE 72  
UTILITY EQUIPMENT COMPANY 65.62  
VERIZON WIRELESS 94.53  
WATER & SEWER DEPARTMENT 89.71

Department : 24 - DRUG FORFEITURE  
PETTY CASH DRUG FUND 500  
VERIZON WIRELESS 54.68

Department : 30 - SEWER  
BLACK HILLS ENERGY 297.56  
BOMGAARS SUPPLY 313.44  
DXP ENTERPRISES INC 57.07  
EGAN SUPPLY CO 29.15  
FIRST BANKCARD 302.69  
HD SUPPLY FACILITIES MAINTENANCE LTD 548.74  
HD SUPPLY WATERWORKS LTD 181.8  
KBC INC 28.05  
MUNICIPAL AUTOMATION & CONTROL 625.53  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 118537.52  
NEBRASKA PUBLIC POWER DISTRICT 2315.91  
ONE CALL CONCEPTS INC 52.65  
TYLER TECHNOLOGIES 180  
UNITED STATES POSTAL SERVICE 72  
VERIZON WIRELESS 51.8  
WASTE CONNECTIONS OF NEBRASKA INC 46.56  
WINDSTREAM 49.58

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

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

Motion by Kerns, seconded by Brookhouser to approve the purchase of a 10 foot, Sand/Salt Spreader from Palfleet Truck Equipment, LLC in the amount of \$23,000.00. Following discussion, ROLL CALL: Yes-Wiemer, Kerns, Dugan, Porter, Riese, Brookhouser and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Motion by Riese, seconded by Porter to approve the Community Development Block Grant (CDBG) Financial Management Plan and authorize the Mayor to execute the agreement. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Brookhouser, Kerns and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 9-NEW BUSINESS

##### ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:10 p.m. with regard to a proposed amendment to Table 4.1: "Permitted Uses by Zoning District" of The Land Development Ordinance For the City of Plattsmouth, August, 2006, to permit College/University by Special Use Permit (SUP) in the Central Business District (CBD). Charles Jones, Executive

Director of the Plattsmouth Main Street Association spoke in favor of the amendment. No one else spoke. Mayor Lambert closed the public hearing at 7:11 p.m.

#### ITEM 9 B

Council Member Brookhouser introduced an ordinance numbered and titled as follows:  
ORDINANCE NO. 1904: AN ORDINANCE TO AMEND TABLE 4.1 OF THE AUGUST 2006 LAND DEVELOPMENT ORDINANCE, ZONING CHAPTER, FOR THE CITY OF PLATTSMOUTH, NEBRASKA RELATED TO THE COLLEGE/UNIVERSITY USE TYPE; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Motion by Brookhouser, seconded by Riese that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1904 be adopted on first reading by title only. ROLL CALL: Yes-Porter, Riese, Brookhouser, Derby, Dugan, Wiemer and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only and thereafter Riese moved for final passage of Ordinance No. 1904 by title only, which motion was seconded by Dugan. ROLL CALL: Yes-Kerns, Dugan, Wiemer, Porter, Brookhouser, Derby and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. City Attorney Stephen Q. Preston read Ordinance No. 1904 in to the record by title only.

#### ITEM 9 C

Motion by Porter, seconded by Kerns to approve a Master Software License and Services Agreement between the City of Plattsmouth and Cass County, as Licensees, and Justice Data Solutions, as Vendor, under which Justice Data Solutions will provide certain law enforcement records management software and related maintenance services to the City and County as separate Licensees, and under which the City will place an initial order for software modules in the amount of \$30,000.00 and an initial order for maintenance services to be billed by Vendor on an hourly, as needed basis; authorize the City Attorney to make minor changes to the Agreement as necessary to incorporate revisions requested by the Cass County Board or Attorney; and authorize the Mayor to execute the Agreement and order forms if the Agreement is also approved by the Cass County Board. Following discussion, ROLL CALL: Yes-Brookhouser, Wiemer, Kerns, Dugan, Derby, Riese and Porter. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

#### ITEM 9 D

Council Member Kerns stated that he would be abstaining from any discussion or action regarding this item as he is president and majority shareholder of Kerns Excavating Company.

Motion by Porter, seconded by Riese to approve payment of an invoice submitted by Kerns Excavating Company in the amount of \$180.00 to dig up a Curb Stop. ROLL CALL: Yes-Riese, Derby, Porter, Brookhouser, Wiemer and Dugan. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.



ITEM 9 E

Motion by Riese, seconded by Brookhouser to approve a Nebraska Liquor Control Commission Manager Application for Lonnie G. Eggers in connection with U Save Foods, Inc. d/b/a No Frills Supermarkets #794 located in Plattsmouth. ROLL CALL: Yes-Dugan, Brookhouser, Kerns, Riese, Wiemer, Porter and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Derby, seconded by Kerns to receive a Law Suit: Susan E. Baker v. City of Plattsmouth (Claim No. Z01116506) and refer to insurance (EMC Insurance Companies). ROLL CALL: Yes-Wiemer, Kerns, Riese, Porter, Brookhouser, Derby and Dugan. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Brookhouser, seconded by Wiemer to approve the appointment of Andrea Harkness to the Plattsmouth Library Board to fill a vacancy. ROLL CALL: Yes-Riese, Brookhouser, Dugan, Kerns, Wiemer, Porter and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 9 H

Motion by Porter, seconded by Derby to receive, with regrets, the resignation of Larry Rulla from the Civil Service Commission effective December 7, 2015. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 12

7:35 p.m. Motion by Porter, seconded by Brookhouser to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk