

PLATTSMOUTH CITY COUNCIL

December 21, 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 21, 2015 at Plattsmouth 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 Inspector Kevin Larson, 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

John Williams-Mr. Williams spoke to the mayor and council regarding the Blue Star Memorial which is a Plattsmouth Garden Club project and presented a handout on the project.

Teresa Katalenich addressed the mayor and council regarding a property line dispute. Ms. Katalenich stated that there are 16 properties and a city alley that surround the property she is referring to. City Administrator Ervin Portis asked that Ms. Katalenich call him to further discuss the issue.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations

ITEM 7-CONSENT AGENDA:

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

- A Consider approval of the December 7, 2015 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Nebraska Catholic Educators for a Fund Raiser/Dinner being held at St. John the Baptist School, 500 South 18th Street, Plattsmouth on January 30, 2016 from 5:00 p.m. to 11:30 p.m.

C Consider approval of claims

Claims Register Report as of 12/21/2015

Dept Name / Vendor Name Amount

Pay Date: 12/11/15

Com Ctr 7947.12

EMS 9223.37

General 19734.87

Library 6966.57

Parks and Cemetery 2532.75

Police 40974.81

Senior 2074.64

Street 12295.33

Water and Sewer 12603.61

114353.07

VARIOUS DEPARTMENTS

AMERICAN FAMILY LIFE 639.26

AMERITAS 14857.01

COLLECTION SERVICES CENTER 322.93

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 28098.31

NEBRASKA DEPARTMENT OF REVENUE 3899.99

NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10976.26

PLATTSMOUTH COMMUNITY CENTER 2777.76

PLATTSMOUTH STATE BANK 471.92

UNITED STATES LIFE INSURANCE CO 229

Department : 01 - GENERAL ADMINISTRATION

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 169.89

CHARTER BUSINESS 130

DISCOVERY BENEFITS INC 52.5

GLORIA WOLF 50

IRINA A HARRINGTON 75

KATHRYN SHARP 125

KONICA MINOLTA BUSINESS SOLUTIONS 245.72

LEAGUE OF NEB MUNICIPALITIES 673

NEBRASKA PUBLIC POWER DISTRICT 223.46

OFE OIL INC 167.01

OLMSTED & PERRY ENGINEERING 603.3

PAYLESS OFFICE PRODUCTS 258.62

SHELL FLEET PLUS 33.55

THE COLUMBUS TELEGRAM 274.73

THE PITNEY BOWES BANK INC 2000

VERIZON WIRELESS 83.31

WELCH LAW FIRM LLC 6000
WINDSTREAM 249.03

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA HUMANE SOCIETY 76
NEBRASKA PUBLIC POWER DISTRICT 99.68
PLATTSMOUTH ANIMAL HOSPITAL PC 100
SHELL FLEET PLUS 173.47
VERIZON WIRELESS 40.01

Department : 03 - EMS
ALADTEC INC 1465
ARROW INTERNATIONAL 1999.58
DISCOVERY BENEFITS INC 10.5
IDEAL PURE WATER 16.37
LIFE-ASSIST INC 527.34
MATHESON TRI-GAS INC 368.29
VERIZON WIRELESS 198.25
WINDSTREAM 171.77
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 17.14
NEBRASKA PUBLIC POWER DISTRICT 212.14
SHELL FLEET PLUS 216.27

Department : 04 - POLICE
ARROWHEAD SCIENTIFIC INC 113.1
BARONI ENTERPRISES 12.39
CASS COUNTY REGISTER OF DEEDS 10
CASS COUNTY SHERIFF 3509
DISCOVERY BENEFITS INC 31.5
FIRST WIRELESS 393
JACKS UNIFORMS & EQUIPMENT 499.8
KONICA MINOLTA BUSINESS SOLUTIONS 79.19
LYNN PEAVEY COMPANY 53.5
PAYLESS OFFICE PRODUCTS 270.14
SHELL FLEET PLUS 1522.64
VERIZON WIRELESS 171.85
WARGA BROADCASTING LLC 300
WINDSTREAM 318.86

Department : 05 - STREET
CINTAS CORPORATION #749 271.72
CONWAY OIL COMPANY 1447.61
DILLON TIRE INC 5721.23
DISCOVERY BENEFITS INC 21
FASTENAL COMPANY 3.98
FERGUSON ENTERPRISES 564.36
IMPACT MANUFACTURING 19.13
LINDER TIRE & AUTO INC 48

LYMAN RICHEY CORPORATION 759.74
MATHESON TRI-GAS INC 39
MICHAEL TODD & COMPANY INC 99.45
MULLENAX AUTO SUPPLY 424.46
NEBRASKA PUBLIC POWER DISTRICT 7766.41
OLMSTED & PERRY ENGINEERING 2057.88
SHELL FLEET PLUS 580.47
THE COLUMBUS TELEGRAM 8.42
UNITED SEEDS INC 87.5
VERIZON WIRELESS 166.62
WINDSTREAM 93.69

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 2008.73
CENTER POINT LARGE PRINT 258.84
KONICA MINOLTA BUSINESS SOLUTIONS 124.11
NEBRASKA PUBLIC POWER DISTRICT 350.27
OCLC ONLINE COMPUTER LIBRARY CENTER INC 131.44

Department : 07 - PARKS

CHARTER BUSINESS 60.84
MULLENAX AUTO SUPPLY 194.71
NEBRASKA PUBLIC POWER DISTRICT 205.49
SHELL FLEET PLUS 157.32
VERIZON WIRELESS 31.51

Department : 08 - CEMETERY

DISCOVERY BENEFITS INC 10.5
MULLENAX AUTO SUPPLY 47.99
NEBRASKA PUBLIC POWER DISTRICT 54.89
SHELL FLEET PLUS 67.42
VERIZON WIRELESS 31.51

Department : 10 - FIRE

CHARTER BUSINESS 15.75
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 17.16
IDEAL PURE WATER 16.38
NEBRASKA PUBLIC POWER DISTRICT 212.15
NEBRASKA STATE FIRE MARSHALL 240
OFE OIL INC 1063.84
SHAW HARDWARE STORE 39.98
WINDSTREAM 171.77

Department : 11 - SENIOR CITIZEN CTR

4IMPRINT INC 160.49
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 95.96
NEBRASKA PUBLIC POWER DISTRICT 496.63
OFE OIL INC 46.4

STEUBES THRIFTWAY 224.84
THE THOMPSON COMPANY 4439.16

Department : 16 - ECONOMIC DEVELOPMENT

ALFRED BENESCH & COMPANY 560.75
GARY FRANCIS MCGILL 1250
MENARDS 85.31
OLMSTED & PERRY ENGINEERING 937

Department : 17 - COMMUNITY CENTER

4IMPRINT INC 165.36
AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 84.95
AQUA CHEM INC 930.02
BODY BASICS INC 2459.19
COCA COLA REFRESHMENTS USA INC 179.28
EGAN SUPPLY CO 34.07
FERGUSON ENTERPRISES 955.7
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 744.4
FRANCES E WALSH 27.83
JOSEY THOMAS AARON 16
KBC INC 4.93
KONICA MINOLTA BUSINESS SOLUTIONS 102.04
LINCOLN JOURNAL STAR 44.7
NEBRASKA PUBLIC POWER DISTRICT 4469.69
OLMSTED & PERRY ENGINEERING 3832.5
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 155.2
SWANK MOTION PICTURES INC 702
VERIZON WIRELESS 51.8

Department : 18 - AQUATIC

4IMPRINT INC 160.49
AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS 84.95
CHARTER BUSINESS 30.42
NEBRASKA PUBLIC POWER DISTRICT 127.93

Department : 20 - WATER

AMERICAN WATER WORKS ASSOC 182
DISCOVERY BENEFITS INC 21
ECHO GROUP INC 79.95
HAWKINS INC 1791.85
HD SUPPLY WATERWORKS LTD 750
INDUSTRIAL ELECTRIC MOTORS 5448.75
MEESKE ACE HARDWARE 46.92
MENARDS 1036.28
MISSISSIPPI LIME COMPANY 3792
NEBRASKA PUBLIC POWER DISTRICT 27.56
ONE CALL CONCEPTS INC 38.4
SHELL FLEET PLUS 251.55

SPECIALTY RETAIL SHOPS HOLDING CORPORATION 29.98
TRANSWOOD LOGISTICS INC 791.2
VERIZON WIRELESS 94.53
WATER & SEWER DEPARTMENT 378.26
WELCH LAW FIRM LLC 2000
WINDSTREAM 168.88

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 400
NEBRASKA DEPT OF MOTOR VEHICLES 13.2
VERIZON WIRELESS 54.68

Department : 30 - SEWER
MIDWEST LABORATORIES INC 109.5
MULLENAX AUTO SUPPLY 4.78
OFE OIL INC 32.1
OLMSTED & PERRY ENGINEERING 2736.39
ONE CALL CONCEPTS INC 38.4
OREILLY AUTOMOTIVE INC 45.98
SHELL FLEET PLUS 343.81
VERIZON WIRELESS 51.8
WELCH LAW FIRM LLC 2000

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed Amendment No. 1 to the Professional Services Agreement by and between the City of Plattsmouth and Olmsted & Perry Consulting Engineers for design and construction phase services of the Old Highway 34 (Livingston Road) pavement reconstruction project (Phases 1-4). Motion by Kerns, seconded by Porter to approve Amendment No. 1 to the Professional Services Agreement by and between the City of Plattsmouth and Olmsted & Perry Consulting Engineers for design and construction phase services of the Old Highway 34 (Livingston Road) pavement reconstruction project (Phases 1-4), at an increase of \$77,205; and authorize the Mayor to execute Amendment No. 1. ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 B

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No. 2 (Final) submitted by Eriksen Construction Co. Inc. for the Livingston Road Pavement Improvements-Phase II Project , in the amount of (-) \$4,405.00 for a total project cost of \$127,591.20. Motion by Brookhouser, seconded by Tilson to approve Change Order No. 2

(Final) submitted by Eriksen Construction Co. Inc. for the Livingston Road Pavement Improvements-Phase II Project , in the amount of (-) \$4,405.00 for a total project cost of \$127,591.20 and authorize the Mayor to execute Change Order No. 2 (Final). ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No. 3 (Final) submitted by Eriksen Construction Co. Inc. in the amount of \$26,951.81 for the Livingston Road Pavement Improvements-Phase II Project. Motion by Riese, seconded by Dugan to approve Contractor's Application for Payment No. 3 (Final) submitted by Eriksen Construction Co. Inc. in the amount of \$26,951.81 for the Livingston Road Pavement Improvements-Phase II Project and authorize the Mayor to execute Pay Applicatoin No. 3 (Final). ROLL CALL: Yes-Tilson, Riese, Dugan, Wiemer, Derby, Porter, Kerns and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No. 1 (Final) submitted by Oldcastle Materials Midwest Co. for the Livingston Road Pavement Improvements-Phase III Maintenance & Repair Project , in the amount of (-) \$24,928.27 for a total project cost of \$155,071.73. Motion by Tilson, seconded by Dugan to approve Change Order No. 1 (Final) submitted by Oldcastle Materials Midwest Co. for the Livingston Road Pavement Improvements-Phase III Maintenance & Repair Project , in the amount of (-) \$24,928.27 for a total project cost of \$155,071.73 and authorize the Mayor to execute Change Order No. 1 (Final). ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 E

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No. 1 (Final) submitted by Oldcastle Materials Midwest Co. in the amount of \$155,071.73 for the Livingston Road Pavement Improvements-Phase III Maintenance & Repair Project. Motion by Brookhouser, seconded by Derby to approve Contractor's Application for Payment No. 1 (Final) submitted by Oldcastle Materials Midwest Co. in the amount of \$155,071.73 for the Livingston Road Pavement Improvements-Phase III Maintenance & Repair Project and authorize the Mayor to execute Pay Application No. 1 (Final). ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. referenced a report that was in the Council Packet outlining the Livingston Road Improvements-Phase 4 Project. Following discussion, motion by Wiemer, seconded by Brookhouser to authorize publication of notice and

solicitation for sealed bids for the construction of the Livingston Road Improvements-Phase 4 Project. ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 G

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. reviewed the condition of the slide stairs and platform at Twin Rivers Water Park. Following discussion, motion by Brookhouser, seconded by Tilson to authorize publication of notice and solicitation for sealed bids for the Slide Stair and Platform Replacement Project at the Twin Rivers Water Park. ROLL CALL: Yes-Derby, Porter, Kerns, Brookhouser, Tilson, Riese, Dugan and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Council Member Kerns introduced a resolution numbered and titled as follows: RESOLUTION NO. 15-029: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO SET THE MILEAGE REIMBURSEMENT RATE FOR ANY EMPLOYEE, BOARD, COMMITTEE, OR COMMISSION MEMBER, AND VOLUNTEER USING A PERSONAL VEHICLE TO TRAVEL FOR APPROVED OFFICIAL CITY BUSINESS.

Motion by Kerns, seconded by Wiemer to adopt RESOLUTION NO. 15-029 by title only.

RESOLUTION NO. 15-029

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO SET THE MILEAGE REIMBURSEMENT RATE FOR ANY EMPLOYEE, BOARD, COMMITTEE, OR COMMISSION MEMBER, AND VOLUNTEER USING A PERSONAL VEHICLE TO TRAVEL FOR APPROVED OFFICIAL CITY BUSINESS.

WHEREAS *Neb. Rev. Stat.* § 81-1176 provides that mileage reimbursement rates will be established by the Nebraska Department of Administrative Services, and that such rates may change from time to time.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA that the reimbursement rate for employees, board, committee, and commission members using personal vehicles on approved official city business shall be that allowed by section 81-1176.

PASSED AND APPROVED this 21ST day of December 2015.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Attorney Stephen Q. Preston read RESOLUTION NO. 15-029 in to the record by title only. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Motion by Riese, seconded by Porter to authorize publication of notice and solicitation of sealed bids for a cleaning service company to provide janitorial services at the Community Center and the Senior Center. Following discussion, ROLL CALL: Yes-Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Riese, seconded by Dugan to approve the following personnel as a new volunteer member of the Plattsmouth Emergency Medical Services Department: Brandon McClane; Anna Odorisio; and Cody Williams. ROLL CALL: Yes-Brookhouser, Tilson, Riese, Dugan, Wiemer, Derby, Porter and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

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

ITEM 9 E

Mayor Lambert indicated the need for the council to go in to Closed Session to protect the public interest with regard to Keno Contract negotiations and to receive legal advice.

7:45 p.m. Motion by Tilson, seconded by Porter to convene to Closed Session to protect the public interest with regard to Keno Contract negotiations and to receive legal advice. ROLL CALL: Yes-Riese, Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to Keno Contract negotiations and to receive legal advice.

8:00 p.m. Motion by Tilson, seconded by Brookhouser to reconvene in to regular session.
ROLL CALL: Yes-Dugan, Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Tilson, seconded by Dugan to approve the Second Amendment to Lottery Operator Agreement by and between Cass County Keno, LLC, a Nebraska Limited Liability Company and the City of Plattsmouth, Cass County, Nebraska, a municipal corporation and authorize the Mayor to execute the Second Amendment. Kyle Allen, legal counsel for Cass County Keno LLC reviewed the circumstances pertaining to opening. Following discussion, ROLL CALL: Yes-Wiemer, Derby, Porter, Kerns, Brookhouser, Tilson, Riese and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:12 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