

PLATTSMOUTH CITY COUNCIL

February 15, 2016

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 February 15, 2016 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 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

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

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

- A Consider approval of the February 1, 2016 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 2/15/16

Dept Name / Vendor Name Amount

Pay Date: 2/5/16  
Com Ctr 7976.08  
EMS 8615.45  
General 14338.43  
Library 7068.69

Parks and Cemetery 2396.8  
Police 33628.29  
Senior 1974.44  
Street 13039.66  
Water and Sewer 13235.56

102273.4

Various  
AMERITAS 13599.56  
CENTRAL UNITED LIFE INSURANCE 265.44  
COLLECTION SERVICES CENTER 301.8  
EYE MED VISION CARE 374.13  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 24885.23  
NEBRASKA DEPARTMENT OF REVENUE 3403.28  
PLATTSMOUTH COMMUNITY CENTER 1964.56  
PLATTSMOUTH STATE BANK 720.01  
UNITED STATES LIFE INSURANCE CO 229.8  
VERIZON 1002

Department : 01 - GENERAL ADMINISTRATION  
CASS COUNTY COURT 51  
CASS COUNTY TREASURER 8088  
DISCOVERY BENEFITS INC 26.25  
EGAN SUPPLY CO 86.47  
GLORIA WOLF 50  
INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS 155  
IRINA A HARRINGTON 75  
KATHRYN SHARP 125  
KONICA MINOLTA BUSINESS SOLUTIONS 245.43  
KONICA MINOLTA PREMIER FINANCE 296.16  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 263.88  
THE COLUMBUS TELEGRAM 892.65  
WASTE CONNECTIONS OF NEBRASKA INC 50.69  
WINDSTREAM 243.17

Department : 02 - HUMANE/CODE ENFORCEMENT  
NEBRASKA PUBLIC POWER DISTRICT 148.69  
SHELL FLEET PLUS 32.78  
STEPHEN C WARGA 108  
THE COLUMBUS TELEGRAM 58.5

Department : 03 - EMS  
BARONI ENTERPRISES 82.95  
BOUND TREE MEDICAL LLC 555.69  
DISCOVERY BENEFITS INC 5.25

FOUR STAR LAUNDRY AND LINEN SUPPLY INC 30.89  
IDEAL PURE WATER 16.37  
KATHRYN SHARP 300  
KONICA MINOLTA PREMIER FINANCE 34.98  
MATHESON TRI-GAS INC 446.67  
MEESKE ACE HARDWARE 43.26  
METRO BILLING SERVICES LLP 760  
MICHAEL WOOD 56.5  
MULLENAX AUTO SUPPLY 17.49  
NEBRASKA PUBLIC POWER DISTRICT 458.61  
PETTY CASH CITY 10  
SHANE LOHMEIER 237.6  
SHELL FLEET PLUS 334.2  
WASTE CONNECTIONS OF NEBRASKA INC 15.91  
WINDSTREAM 172.02

Department : 04 - POLICE

B SHARP TOWING 140  
CASS COUNTY SHERIFF 3509  
DISCOVERY BENEFITS INC 31.5  
EVA PETERSEN 49.65  
FIRST WIRELESS 10.74  
JACKS UNIFORMS & EQUIPMENT 371.12  
JEFF HENRY CHEVROLET 659.28  
KONICA MINOLTA BUSINESS SOLUTIONS 80.72  
KONICA MINOLTA PREMIER FINANCE 197.6  
MULLENAX AUTO SUPPLY 9.69  
NEAL THOMAS 39.35  
SHELL FLEET PLUS 1631.06  
TASER INTERNATIONAL 68.07  
WARGA BROADCASTING LLC 300  
WINDSTREAM 320.25  
WOODHOUSE FORD SOUTH INC 80.25

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 28.91  
B SHARP TOWING 140  
BGNE INC 304.05  
CINTAS CORPORATION #749 271.72  
DISCOVERY BENEFITS INC 10.5  
HAMILTON EQUIPMENT COMPANY 57.19  
IMPACT MANUFACTURING 52.08  
LINDER TIRE & AUTO INC 1587.8  
LYMAN RICHEY SAND & GRAVEL CO 4219.5  
MICHAEL TODD & COMPANY INC 652  
MULLENAX AUTO SUPPLY 692.77  
NEBRASKA IOWA SUPPLY CO INC 954.76  
NEBRASKA PUBLIC POWER DISTRICT 7960.7

NEBRASKA SALT & GRAIN CO 4837.92  
OMAHA DOOR & WINDOW COMPANY 18.25  
PLATTSMOUTH STATE BANK 1876.25  
SHELL FLEET PLUS 589.13  
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 55.67  
TITAN MACHINERY 113.61  
WASTE CONNECTIONS OF NEBRASKA INC 127.91  
WINDSTREAM 93.2

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 405.89  
BIBLIOTHECA INC 306  
CASS COUNTY TREASURER 1348  
CENTER POINT LARGE PRINT 41.94  
CHARTER BUSINESS 19.5  
GALE/CENGAGE LEARNING 56  
JONES LIBRARY SALES INC 2107  
KONICA MINOLTA BUSINESS SOLUTIONS 70.55  
KONICA MINOLTA PREMIER FINANCE 197.6  
NEBRASKA LIBRARY COMMISSION 612.6  
NEBRASKA PUBLIC POWER DISTRICT 513.26  
OCLC ONLINE COMPUTER LIBRARY CENTER INC 114.19  
ROBERT J SAVAGE 800  
USI EDUCATION AND GOVERNMENT SALES 284.85  
WASTE CONNECTIONS OF NEBRASKA INC 15.9  
WINDSTREAM 73.23

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 1811.03  
FASTENAL COMPANY 2  
LINDER TIRE & AUTO INC 96  
MULLENAX AUTO SUPPLY 88.19  
NEBRASKA PUBLIC POWER DISTRICT 205.94  
SHELL FLEET PLUS 156.78  
THE COLUMBUS TELEGRAM 5.47  
WASTE CONNECTIONS OF NEBRASKA INC 119.28

Department : 08 - CEMETERY

BLACK HILLS ENERGY 168.36  
DISCOVERY BENEFITS INC 5.25  
SHELL FLEET PLUS 67.19  
WINDSTREAM 103.09

Department : 10 - FIRE

CHARTER BUSINESS 15.75  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 30.92  
IDEAL PURE WATER 16.38  
KATHRYN SHARP 300

KONICA MINOLTA PREMIER FINANCE 34.98  
MEESKE ACE HARDWARE 43.26  
NEBRASKA PUBLIC POWER DISTRICT 458.61  
WASTE CONNECTIONS OF NEBRASKA INC 15.9  
WINDSTREAM 172.03

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 124.79  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 78.32  
NEBRASKA PUBLIC POWER DISTRICT 682.89  
OFE OIL INC 61.5  
STEUBES THRIFTWAY 188.81  
THE THOMPSON COMPANY 2730.76

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 262.3  
CHARTER BUSINESS 374.37  
COCA COLA REFRESHMENTS USA INC 187.56  
DEBRA S FLAHERTY 403.1  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 57.6  
HEIDI BUSH 270  
KONICA MINOLTA BUSINESS SOLUTIONS 193.7  
KONICA MINOLTA PREMIER FINANCE 278.83  
MICHAEL LENNEN 26.14  
NEBRASKA AIR FILTER INC 224.42  
NEBRASKA PUBLIC POWER DISTRICT 6145.97  
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 39.96  
STEPHEN C WARGA 186  
THE COLUMBUS TELEGRAM 388  
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC  
NEBRASKA PUBLIC POWER DISTRICT 111.08  
THE COLUMBUS TELEGRAM 35.77

Department : 20 - WATER  
CASS COUNTY TREASURER 2426.4  
DISCOVERY BENEFITS INC 15.75  
HD SUPPLY WATERWORKS LTD 323  
NALCO COMPANY LLC 583.77  
NEBRASKA PUBLIC POWER DISTRICT 27.66  
OREILLY AUTOMOTIVE INC 123.45  
PETTY CASH WATER DEPARTMENT 383.69  
SHELL FLEET PLUS 334.36  
WATER & SEWER DEPARTMENT 343.36  
WINDSTREAM 170.21

Department : 24 - DRUG FORFEITURE

JEFF HENRY CHEVROLET 400

Department : 30 - SEWER  
BRIAN MCCONNAUGHY 237.6  
CASS COUNTY TREASURER 1617.6  
EGAN SUPPLY CO 27  
FASTENAL COMPANY 15.82  
HAMILTON EQUIPMENT COMPANY 7.2  
HD SUPPLY FACILITIES MAINTENANCE LTD 349.37  
MELLEN & ASSOCIATES INC 394.87  
MIDWEST LABORATORIES INC 272  
MULLENAX AUTO SUPPLY 37.78  
NDEQ - FISCAL SERVICES 150  
SHELL FLEET PLUS 242.01  
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 41.03  
WASTE CONNECTIONS OF NEBRASKA INC 46.56  
WINDSTREAM 50.25

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

#### ITEM 8-UNFINISHED BUSINESS

##### ITEM 8 A

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. was present. Steve Perry reviewed Change Order No. 1 submitted by AZS Industries dba Splashtacular for the Twin Rivers Pool Stair and Platform Replacement Project in the amount of (-) \$2,135.00 for a total project cost of \$49,965.00 and stated that this does not change the scope of work or the completion date. Mr. Perry recommended approval. Motion by Kerns, seconded by Brookhouser to approve Change Order No. 1 submitted by AZS Industries dba Splashtacular for the Twin Rivers Pool Stair and Platform Replacement Project in the amount of (-) \$2,135.00 for a total project cost of \$49,965.00 and authorize the Mayor to execute Change Order No. 1. ROLL CALL: Yes-Dugan, Porter, Wiemer, Tilson, Kerns, Derby, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 B

Motion by Wiemer, second by Porter to approve the award of contract to Stratus Building Solutions for cleaning services at the Plattsmouth Community Center for 6 days per week at an annual expense of \$22,400.00 and Plattsmouth Senior Center for 2 days per week at an annual expense of \$2,628.00 and authorize the Mayor to execute the contract. Following discussion, ROLL CALL: Yes-Brookhouser, Derby, Dugan, Kerns, Riese, Wiemer, Tilson and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Julie Bear, legal counsel for Hi Vue Plattsmouth MHP, LLC requested approval of the Mobile Home License for Hi Vue Plattsmouth MHP and requested council to forgive the penalty assessed for tardy submission of the application. Ms. Bear stated that the tardiness was caused by confusion in the home office in Colorado and her client wishes to have a good relationship with the City and steps have been taken to ensure that the confusion of having two Mobile Home Parks will not happen again. Ms. Bear also asked for a one-time forgiveness and stated that, as the applicant's attorney, she questioned whether the penalty would be upheld upon judicial review or whether it would be held unenforceable as an excessive fine.

Motion by Riese, seconded by Derby to go in to Closed Session to protect the public interest to receive legal advice on the legal issue raised by Ms. Bear. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Council would be convening to Closed Session to protect the public interest to receive legal advice on the legal issue raised by Ms. Bear.

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

Motion by Kerns, seconded by Porter to approve the Application for Mobile Home License submitted by Hi Vue Plattsmouth MHP, LLC for Hi Vue Plattsmouth MHP, 1023 North 9<sup>th</sup> Street, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2016 through February 28, 2017. ROLL CALL: Yes-Tilson, Riese, Brookhouser, Dugan, Kerns, Wiemer, Porter and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Pursuant to publication, Mayor Lambert opened a public hearing at 7:25 p.m. with regard to the plan for the One and Six Year Highway and Street Improvement Program for the City of Plattsmouth, Nebraska for 2016. With no one coming forward to speak, Mayor Lambert closed the public hearing at 7:26 p.m.

ITEM 9 C

Council member Riese introduced a resolution numbered and titled as follows: RESOLUTION NO. 16-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA TO APPROVE THE ONE AND SIX YEAR HIGHWAY AND STREET IMPROVEMENT PLAN FOR THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FOR 2016

Motion by Riese, seconded by Porter to adopt RESOLUTION NO. 16-004:

RESOLUTION NO. 16-004

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA TO APPROVE THE ONE AND SIX YEAR HIGHWAY AND STREET IMPROVEMENT PLAN FOR THE CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA FOR 2016.

WHEREAS, the City has prepared the One and Six Year Road and Street Improvement Plan for 2016; and

WHEREAS, the Mayor and City Council have reviewed the Plan and find that it meets the requirements of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Plattsmouth approve and adopt the One and Six Year Road and Street Improvement Plan for Plattsmouth, Cass County, Nebraska for 2016.

PASSED AND APPROVED this 15<sup>th</sup> day of February 2016.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Council Member Riese inquired as to the expectations of completing the projects listed in the Plan. Gary Hellwig, Public Works Director stated that all of the One Year projects could be completed. They concentrated on the CIS which is 2<sup>nd</sup> Avenue South. City Attorney Stephen Q. Preston read RESOLUTION NO. 16-004 in to the record by title only. ROLL CALL: Yes-Wiemer, Porter, Derby, Tilson, Riese, Brookhouser, Dugan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Council Member Tilson stated that he would be abstaining from any discussion or action on this item as he is the Chief Financial Officer and Quartermaster for the Veterans of Foreign Wars Post 2543. Motion by Brookhouser, seconded by Wiemer to approve a Nebraska Schedule II-County/City Lottery Sales Outlet Location Application for a Keno Satellite location under Cass County Keno, LLC submitted by Veterans of Foreign Wars Post 2543 and authorize the Mayor to execute the application. Following discussion, ROLL CALL: Yes-Kerns, Dugan, Brookhouser, Wiemer, Derby, Riese and Porter. No-None. Absent-None. Abstain-Tilson. MOTION CARRIED.



ITEM 9 E

Motion by Kerns, seconded by Riese to approve a Nebraska Liquor Control Commission Manager Application submitted by Fraternal Order of Eagles Aerie #365, 209 South 23<sup>rd</sup> Street, Plattsmouth for Steven C. Ross. ROLL CALL: Yes-Riese, Derby, Porter, Dugan, Kerns, Tilson, Wiemer and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Ervin Portis, City Administrator stated that he had reviewed the Housing Authority Financial Statements and the only finding by the auditor was addressed by the Housing Authority of the City of Plattsmouth and a policy change was made. Motion by Riese, seconded by Dugan to receive the Housing Authority of the City of Plattsmouth, Nebraska Basic Financial Statements, Required Supplemental Information and Supplemental Information for Year Ended June 30, 2015. Following discussion, ROLL CALL: Yes-Dugan, Brookhouser, Wiemer, Kerns, Derby, Riese, Porter and Tilson. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:46 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