

# PLATTSMOUTH CITY COUNCIL

March 7, 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 March 7, 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

Walt Yenney, 709 3<sup>rd</sup> Avenue-praised the Street Department for the job they do with snow removal and street maintenance/repair.

Karen Mier, Plattsmouth Public Library Director-invited the Mayor and Council to a Special Celebration commemorating the 100 Year Anniversary of the Plattsmouth Public Library on April 23, 2016 at 2:00 p.m.

## 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 February 15, 2016 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Knights of Columbus Council 1966 for a Fund Raiser being held at St. John the Baptist School, 500 South 18<sup>th</sup> Street, Plattsmouth on April 23, 2016 from 5:00 p.m. to 12:00 a.m.

C Consider ratifying the administrative approval of a Special Designated Liquor License submitted by Knights of Columbus Council 1966 for a Fund Raiser on March 19, 2016 at Church of the Holy Spirit Parish Center, 520 South 18<sup>th</sup> Street, Plattsmouth from 1:00 p.m. to 12:00 a.m.

D Consider approval of claims  
Claims Register Report as of 3/7/16

Dept Name / Vendor Name Amount

Pay Date: 2/19/16  
Com Ctr 8361.89  
EMS 8847.12  
General 13692.13  
Library 7115.45  
Parks and Cemetery 2459.74  
Police 33883.94  
Senior 2223.8  
Street 12314.19  
Water and Sewer 12672.63

101570.89

Pay Date: 3/4/16  
Com Ctr 8564.06  
EMS 8381.24  
General 19662.11  
Library 7317.31  
Parks and Cemetery 2396.8  
Police 33767.6  
Senior 2160.92  
Street 11748.28  
Water and Sewer 13123.77

107122.09

Various  
AMERICAN FAMILY LIFE 629.12  
AMERITAS 27978.53  
AMERITAS LIFE INSURANCE CORP 155.02  
BLUE CROSS BLUE SHIELD 63824.59  
CENTRAL UNITED LIFE INSURANCE 265.44  
COLLECTION SERVICES CENTER 624.63  
DELTA DENTAL PLAN 2579.3  
EYE MED VISION CARE 362.47  
FRATERNAL ORDER OF POLICE 360  
INTERNAL REVENUE SERVICE 50642.75  
MUTUAL OF OMAHA 914.34

NEBRASKA DEPARTMENT OF REVENUE 6811.82  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 11267.83  
PLATTSMOUTH COMMUNITY CENTER 2958.6  
PLATTSMOUTH STATE BANK 301440.02

Department : 01 - GENERAL ADMINISTRATION  
ALLEY POYNER MACCHIETTO ARCHITECTURE 1974.87  
BAIRD HOLM LLP 1020  
BLACK HILLS ENERGY 891.59  
CHARTER BUSINESS 130  
EGAN SUPPLY CO 32.26  
FIRST BANKCARD 43.36  
KONICA MINOLTA BUSINESS SOLUTIONS 19.72  
KONICA MINOLTA PREMIER FINANCE 296.16  
MENARDS 205.7  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA MUNICIPAL CLERK ASSOC 35  
OLMSTED & PERRY ENGINEERING 1193.48  
SCHNEIDER AGENCY INC 98  
TYLER TECHNOLOGIES 17894.4  
WASTE CONNECTIONS OF NEBRASKA INC 50.69  
WELCH LAW FIRM LLC 6000

Department : 02 - HUMANE/CODE ENFORCEMENT  
DEBRA S FLAHERTY 65  
NEBRASKA HUMANE SOCIETY 70

Department : 03 - EMS  
A1 UNITED HEATING AIR & ELECTRICAL CO INC 118.44  
BLACK HILLS ENERGY 147.43  
BOUND TREE MEDICAL LLC 662.33  
EGAN SUPPLY CO 109.86  
FORT DEARBORN LIFE INSURANCE CO 92.88  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 6.46  
JEFF HENRY CHEVROLET 261.12  
KATHRYN SHARP 200  
KONICA MINOLTA PREMIER FINANCE 34.98  
LIFE-ASSIST INC 162  
MATHESON TRI-GAS INC 130.63  
OMAHA DOOR & WINDOW COMPANY 90.55  
SAVAGE PLUMBING INC 97  
WASTE CONNECTIONS OF NEBRASKA INC 15.91

Department : 04 - POLICE  
ARROWHEAD SCIENTIFIC INC 137.14  
FIRST WIRELESS 393  
HENRY COLLISION CENTER 2298.39  
JEFF HENRY CHEVROLET 4873.04

KONICA MINOLTA BUSINESS SOLUTIONS 14.59  
KONICA MINOLTA PREMIER FINANCE 197.6  
NEBRASKA ASSOC OF PROPERTY & EVIDENCE 25  
RYAN CRICK 55.08  
TASER INTERNATIONAL 68.07

Department : 05 - STREET

ALLIED OIL & TIRE CO 951.56  
ASPHALT & CONCRETE MATERIALS FLINN PAVING INC 1465.2  
BLACK HILLS ENERGY 568.59  
BOMGAARS SUPPLY 311.35  
FASTENAL COMPANY 6.09  
FIRST BANKCARD 14.79  
INDEPENDENT AUTO REPAIR 138.54  
MARTIN MARIETTA AGGREGATES 3070.22  
MENARDS 24.9  
MICHAEL TODD & COMPANY INC 652  
NEBRASKA SALT & GRAIN CO 3417.53  
OLMSTED & PERRY ENGINEERING 2344.27  
PALFLEET TRUCK EQUIPMENT COMPANY 15.47  
RHYLANDER WELDING & MFG INC 172  
SAFETY-KLEEN CORPORATION 219.17  
SID TOOL CO INC 49.31  
TITAN MACHINERY 45.77  
WASTE CONNECTIONS OF NEBRASKA INC 127.91

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1164.49  
BLACK HILLS ENERGY 232.01  
BOMGAARS SUPPLY 53.33  
CENTER POINT LARGE PRINT 216.9  
CHARTER BUSINESS 19.5  
FIRST BANKCARD 460.42  
GALE/CENGAGE LEARNING 503.78  
KONICA MINOLTA PREMIER FINANCE 197.6  
MENARDS 428.11  
NEBRASKA DEPARTMENT OF LABOR 140  
PLATTSMOUTH ELECTRIC 250  
RESEARCH TECHNOLOGY INTERNATIONAL 174.35  
SPECIALTY STORE SERVICES 107.56  
TYLER TECHNOLOGIES 2982.4  
WASTE CONNECTIONS OF NEBRASKA INC 15.9  
WINDSTREAM 73.84

Department : 07 - PARKS

ALLIED OIL & TIRE CO 107.5  
BLACK HILLS ENERGY 201.13  
BOMGAARS SUPPLY 17.84

CHARTER BUSINESS 36.91  
MENARDS 244.73  
WASTE CONNECTIONS OF NEBRASKA INC 128.52

Department : 08 - CEMETERY  
ALLEN-HARVEY INC 60  
BLACK HILLS ENERGY 126.16  
NEBRASKA PUBLIC POWER DISTRICT 73.48  
WINDSTREAM 103.09

Department : 10 - FIRE  
A1 UNITED HEATING AIR & ELECTRICAL CO INC 118.44  
BLACK HILLS ENERGY 147.44  
CUMMINS CENTRAL POWER LLC 1587.94  
FELD FIRE 55  
FIRE GUARD INC 70.45  
FIREBLADE LASER ENGRAVERS LLC 469.16  
FIRST BANKCARD 1090  
FORT DEARBORN LIFE INSURANCE CO 154.8  
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 6.48  
JACKS UNIFORMS & EQUIPMENT 230.74  
KATHRYN SHARP 200  
KONICA MINOLTA PREMIER FINANCE 34.98  
MENARDS 57.36  
OMAHA DOOR & WINDOW COMPANY 90.55  
PLATTSMOUTH VOLUNTEER FIREFIGHTERS ASSOC 500  
WASTE CONNECTIONS OF NEBRASKA INC 15.9

Department : 11 - SENIOR CITIZEN CTR  
BLACK HILLS ENERGY 310.99  
FIRST BANKCARD 93.97  
MIDWEST RESTAURANT SUPPLY LLC 113

Department : 16 - ECONOMIC DEVELOPMENT  
DAVID GORIN ASSOCIATES LLC 1302.59  
OLMSTED & PERRY ENGINEERING 310  
PLATTSMOUTH MAIN STREET ASSOCIATION 1000

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 921  
BLACK HILLS ENERGY 2798.94  
BOMGAARS SUPPLY 30.55  
BROWN FLORAL & CREATIONS 296.39  
DEBRA S FLAHERTY 124.2  
DON GOOD 61.26  
FIFTH THIRD BANK 103.04  
FIRST BANKCARD 380.93  
HYVEE 261.1

JOSEY THOMAS AARON 102  
KONICA MINOLTA PREMIER FINANCE 278.83  
KS STATEBANK 1048  
NE DEPT OF HEALTH & HUMAN SERVICES PERMITS 40  
NEBRASKA DEPARTMENT OF LABOR 140  
PAYLESS OFFICE PRODUCTS 6.95  
WALKERS INC 57.6  
WASTE CONNECTIONS OF NEBRASKA INC 110.29

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 22.04  
CHARTER BUSINESS 33.97  
NE DEPT OF HEALTH & HUMAN SERVICES PERMITS 40

Department : 20 - WATER  
BEAVER LAKE MARINA 46.82  
BLACK HILLS ENERGY 54.69  
BOMGAARS SUPPLY 208.8  
DPC INDUSTRIES INC 763.75  
FASTENAL COMPANY 18.48  
IMPACT MANUFACTURING 104.21  
MISSISSIPPI LIME COMPANY 3757.5  
MOTION INDUSTRIES INC 120.05  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 660.71  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 152  
NEBRASKA PUBLIC POWER DISTRICT 8534.37  
OLMSTED & PERRY ENGINEERING 15482.05  
OMAHA DOOR & WINDOW COMPANY 2739.06  
ONE CALL CONCEPTS INC 22.5  
PETTY CASH WATER DEPARTMENT 467.39  
SCHNEIDER AGENCY INC 3515  
SOUTHEAST NE DEVELOPMENT DISTRICT 3584.65  
TRANSWOOD LOGISTICS INC 757.2  
TYLER TECHNOLOGIES 5458.32  
WELCH LAW FIRM LLC 2000  
WINDSTREAM 258.83

Department : 24 - DRUG FORFEITURE  
JEFF HENRY CHEVROLET 400

Department : 30 - SEWER  
ALLIED OIL & TIRE CO 214.75  
BLACK HILLS ENERGY 1342.65  
BOMGAARS SUPPLY 410.2  
FERGUSON ENTERPRISES 105.32  
GENERAL FIRE & SAFETY 285  
HD SUPPLY FACILITIES MAINTENANCE LTD 55.65  
NEBRASKA PUBLIC POWER DISTRICT 2386.34

ONE CALL CONCEPTS INC 22.5  
PAYLESS OFFICE PRODUCTS 80.58  
SCHNEIDER AGENCY INC 6562  
TYLER TECHNOLOGIES 3668.88  
WASTE CONNECTIONS OF NEBRASKA INC 46.56  
WELCH LAW FIRM LLC 2000  
WINDSTREAM 258.69  
WSG & SOLUTIONS INC 16421

ROLL CALL: Yes-Riese, Kerns, Wiemer, Dugan, Brookhouser, Porter, Tilson 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 the request for authorizing publication and the solicitation of bids for the 2016 Water Treatment Plant Improvements, Clarifier Drive Replacement, consisting of replacing the upflow clarifier drive unit, replacing deteriorated portions of the clarifier assembly, and sandblasting and repainting of the clarifier components. The timeline for the project which should take about 2 and one half months with a proposed start date of April 1, 2016 was also reviewed. Gary Hellwig, Public Works Director stated that the public may notice the water being harder (i.e. scaling on the top of coffee) and they need to stay away from oxidizer in the laundry as it will make your whites turn brownish. It was stated that the water is perfectly safe for consumption and cooking. Motion by Riese, seconded by Dugan to authorize publication and the solicitation of bids for the 2016 Water Treatment Plant Improvements, Clarifier Drive Replacement, consisting of replacing the upflow clarifier drive unit, replacing deteriorated portions of the clarifier assembly, and sandblasting and repainting of the clarifier components. ROLL CALL: Yes-Derby, Tilson, Porter, Wiemer, Kerns, Dugan, Brookhouser and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### ITEM 8 B

Steve Perry, P.E., Olmsted & Perry Consulting Engineers Inc. stated that the Professional Services Agreement was for Community Service Block Grant #14-CIS-104, Phase II, Year 2. Motion by Wiemer, seconded by Derby to approve a Professional Services Agreement by and between the City of Plattsmouth and Olmsted & Perry Consulting Engineers, Inc. for professional design engineering services associated with the Community Development Block Grant #14-CIS-104, Phase II public infrastructure year 2 project, at a lump sum contract price of \$25,100.00; and authorize the Mayor to execute the Agreement conditional upon receipt of documentation of successful SAM registration by Consultant. ROLL CALL: Yes-Brookhouser, Kerns, Porter, Riese, Tilson, Derby, Wiemer and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 C

Jeff DeLine, Dana F. Cole & Company, LLP presented the City of Plattsmouth Fiscal Year October 1, 2014 through September 30, 2015 Audit. Motion by Riese, seconded by Porter to receive the City of Plattsmouth Fiscal Year October 1, 2014 through September 30, 2015 Audit and directed the Clerk to place it on file. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Tilson, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Erv Portis, City Administrator reviewed the Summary of Request and Proposed Agenda Items that was included in the Meeting Packet for second reading of ORDINANCE NO. 1906. Following discussion, council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1906: AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE ZONING JURISDICTION OF THE CITY OF PLATTSMOUTH, NEBRASKA, FROM RURAL RESIDENTIAL TO RURAL RESIDENTIAL SUBJECT TO A MIXED USE OVERLAY DISTRICT; TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO CONDITION APPROVAL UPON COMPLIANCE WITH DEVELOPMENT AGREEMENT; 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. 1906 by title only. ROLL CALL: Yes-Dugan, Brookhouser, Wiemer, Kerns, Tilson, Riese, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Stephen Q. Preston read ORDINANCE NO. 1906 in to the record by title only.

ITEM 8 E

Council Member Porter introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1907: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Porter, seconded by Wiemer that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1907 be adopted on first reading by title only. ROLL CALL: Yes-Derby, Porter, Dugan, Brookhouser, Wiemer, Tilson, Kerns and Riese. No-None. Absent-None. Abstain-None. City Attorney Stephen Q. Preston read ORDINANCE NO. 1907 in to the record by title only.

Motion by Tilson, seconded by Porter to approve final passage of ORDINANCE NO. 1907 by title only. ROLL CALL: Yes-Riese, Kerns, Tilson, Derby, Wiemer, Porter, Brookhouser and



Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Attorney Stephen Q. Preston read ORDINANCE NO. 1907 in to the record by title only.  
ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Brookhouser, seconded by Dugan to approve a Street Closing or Event Permit Application submitted by Cass County Historical Society to have Living History Day on Saturday, April 30, 2016 with street closing, Main Street from 6<sup>th</sup> Street to 7<sup>th</sup> Street, from 10:00 a.m. to 6:00 p.m. ROLL CALL: Yes-Dugan, Tilson, Riese, Brookhouser, Kerns, Wiemer, Derby and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 B

Council Member Kerns stated that he would be abstaining from any discussion or action on this item as he is President and majority shareholder for Kerns Excavating Company. Motion by Porter, seconded by Brookhouser to approve the payment of Invoice No. 13397 submitted by Kerns Excavating Company in the amount of \$1,725.00 for snow removal/hauling January-February 5, 2016. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Tilson, Brookhouser and Porter. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 12

8:14 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