

PLATTSMOUTH CITY COUNCIL

May 16, 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 May 16, 2016 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, Plattsmouth Main Street Association Executive Director presented the Entertainment Plaza Event Cards to the council and introduced Regan Hefner, Miss Plattsmouth, who was sponsored by the Plattsmouth Main Street Association.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA:

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

- A Consider approval of the May 2, 2016 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 5/16/16

Dept Name / Vendor Name Amount Pay Date: 5/13/16

Com Ctr 8698.24
EMS 10648.29
General 14311.97

Library 7192.64
Parks and Cemetery 5056.8
Police 35442.84
Senior 2280.02
Street 11891.71
Water and Sewer 13934.42

109456.93

Various

AMERITAS 14676.78
BLUE CROSS BLUE SHIELD 61129.15
CENTRAL UNITED LIFE INSURANCE 265.44
COLLECTION SERVICES CENTER 301.8
EYE MED VISION CARE 362.47
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 26944.99
NEBRASKA DEPARTMENT OF REVENUE 3657.78
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 9807.72
PETTY CASH TRWP 300
PLATTSMOUTH COMMUNITY CENTER 2148.34
PLATTSMOUTH STATE BANK 720.01
VERIZON 1002.01
WIPF, DEANNA 125.68

Department : 01 - GENERAL ADMINISTRATION

BAIRD HOLM LLP 581.4
CASS COUNTY TREASURER 8088
CHARTER 130
DISCOVERY BENEFITS INC 15.75
EGAN SUPPLY CO 35.7
IRINA A HARRINGTON 155
KATHRYN SHARP 125
KONICA MINOLTA BUSINESS SOLUTIONS 142.52
KONICA MINOLTA PREMIER FINANCE 296.16
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 232.44
WASTE CONNECTIONS OF NEBRASKA INC 14668.17
WINDSTREAM 251.21

Department : 02 - HUMANE/CODE ENFORCEMENT

JACKS UNIFORMS & EQUIPMENT 195.79
NEBRASKA PUBLIC POWER DISTRICT 90.02

Department : 03 - EMS

BOUND TREE MEDICAL LLC 395.9
DISCOVERY BENEFITS INC 5.25
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 13.37

IDEAL PURE WATER 18
KATHRYN SHARP 200
KONICA MINOLTA PREMIER FINANCE 34.98
MATHESON TRI-GAS INC 323.05
NEBRASKA PUBLIC POWER DISTRICT 336
QUALITY SIGNS 1043.26
SHELL FLEET PLUS 289.92
WALKERS INC 13.87
WASTE CONNECTIONS OF NEBRASKA INC 17.14
WINDSTREAM 171.92

Department : 04 - POLICE
CASS COUNTY SHERIFF 3509
DISCOVERY BENEFITS INC 31.5
JACKS UNIFORMS & EQUIPMENT 283.64
JEFF HENRY CHEVROLET 90
JEREMY OSTLER 185
KONICA MINOLTA BUSINESS SOLUTIONS 78.21
KONICA MINOLTA PREMIER FINANCE 197.6
LYNN PEAVEY COMPANY 53.5
OFFICE DEPOT INC 99.37
PLATTCO REAL ESTATE & INS INC 80
REID RICHTER 11.98
SAFARILAND LLC 200
SHELL FLEET PLUS 1507.67
WINDSTREAM 321.67

Department : 05 - STREET
ASPHALT & CONCRETE MATERIALS FLINN PAVING INC 567.21
CINTAS CORPORATION #749 298.67
DISCOVERY BENEFITS INC 10.5
HAMILTON EQUIPMENT COMPANY 1900
HOTSY EQUIPMENT CO 165.46
LINDER TIRE & AUTO INC 48
LYMAN RICHEY CORPORATION 652.08
MICHAEL TODD & COMPANY INC 111.97
MULLENAX AUTO SUPPLY 153.51
NEBRASKA PUBLIC POWER DISTRICT 7738.35
PLATTSMOUTH STATE BANK 69508.75
SAFETY-KLEEN CORPORATION 231.77
SHELL FLEET PLUS 477.77
WASTE CONNECTIONS OF NEBRASKA INC 137.29
WINDSTREAM 93.07

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1142.28
CASS COUNTY TREASURER 1348
CENTER POINT LARGE PRINT 43.14

CHARTER BUSINESS 19.5
CIACCIO ROOFING 170.76
GALE/CENGAGE LEARNING 47.23
JUSTEN MENESES 1600
KONICA MINOLTA BUSINESS SOLUTIONS 222.27
KONICA MINOLTA PREMIER FINANCE 197.6
NEBRASKA PUBLIC POWER DISTRICT 364.08
OCLC ONLINE COMPUTER LIBRARY CENTER INC 114.19
R & R AUTO BODY 95
RACO INDUSTRIES LLC 163
WASTE CONNECTIONS OF NEBRASKA INC 17.13

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 5860.63
BRYAN ROCK PRODUCTS 1813.13
EGAN SUPPLY CO 276.65
FIX ENTERPRISES INC 66.32
LINDER TIRE & AUTO INC 153
MULLENAX AUTO SUPPLY 382.02
NEBRASKA PUBLIC POWER DISTRICT 212.8
RGS REPAIR INC 2467.98
SHELL FLEET PLUS 184
WASTE CONNECTIONS OF NEBRASKA INC 128.52

Department : 08 - CEMETERY

BLACK HILLS ENERGY 38.5
DISCOVERY BENEFITS INC 5.25
FASTENAL COMPANY 7.29
FOR HIRE LLC 100
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 3.3
LINDER TIRE & AUTO INC 144.44
MULLENAX AUTO SUPPLY 34.99
OREILLY AUTOMOTIVE INC 3.2
SHELL FLEET PLUS 78.86

Department : 10 - FIRE

CHARTER BUSINESS 15.75
FOUR STAR LAUNDRY AND LINEN SUPPLY INC 13.4
IDEAL PURE WATER 18
KATHRYN SHARP 200
KONICA MINOLTA PREMIER FINANCE 34.98
NEBRASKA PUBLIC POWER DISTRICT 336
WALKERS INC 13.88
WASTE CONNECTIONS OF NEBRASKA INC 17.14
WINDSTREAM 171.92

Department : 11 - SENIOR CITIZEN CTR

CHARTER BUSINESS 130.35

NEBRASKA PUBLIC POWER DISTRICT 607.16
OFE OIL INC 73.6
STEUBES THRIFTWAY 299.53
THE THOMPSON COMPANY 3010.11
WALKERS INC 98.7

Department : 12 - DEBT SERVICE
PLATTSMOUTH STATE BANK 63631.25

Department : 16 - ECONOMIC DEVELOPMENT
PLATTSMOUTH STATE BANK 42154.17

Department : 17 - COMMUNITY CENTER
BARONI ENTERPRISES 16.95
CHARTER BUSINESS 391.05
FIRST BANKCARD 284.06
KONICA MINOLTA BUSINESS SOLUTIONS 149.48
KONICA MINOLTA PREMIER FINANCE 278.83
MIDWEST SOUND & LIGHTING INC 160
NEBRASKA PUBLIC POWER DISTRICT 5464.42
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 70.39
STEPHEN C WARGA 60
THE THOMPSON COMPANY 402.21
WALKERS INC 57.6
WASTE CONNECTIONS OF NEBRASKA INC 118.84

Department : 18 - AQUATIC
AQUA CHEM INC 1759.52
FASTENAL COMPANY 25.5
FIRST BANKCARD 221.62
MEESKE ACE HARDWARE 562.38
MULLENAX AUTO SUPPLY 16.49
NEBRASKA PUBLIC POWER DISTRICT 105.47
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 161.98
WASTE CONNECTIONS OF NEBRASKA INC 54.13

Department : 20 - WATER
AMERICAN UNDERGROUND SUPPLY LLC 131.11
BLUETARP FINANCIAL INC 79.98
CASS COUNTY TREASURER 2426.4
DISCOVERY BENEFITS INC 15.75
DPC INDUSTRIES INC 2196
FERGUSON ENTERPRISES 86.88
HAWKINS INC 100.43
HD SUPPLY WATERWORKS LTD 75
MENARDS 26.3
MULLENAX AUTO SUPPLY 1.38
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 484.83

NEBRASKA PUBLIC POWER DISTRICT 74.49
OREILLY AUTOMOTIVE INC 29.52
PETTY CASH WATER DEPARTMENT 506.53
SHELL FLEET PLUS 213.45
STEPHEN C WARGA 72
WINDSTREAM 170.37

Department : 24 - DRUG FORFEITURE
JEFF HENRY CHEVROLET 800

Department : 30 - SEWER
CASS COUNTY TREASURER 1617.6
HD SUPPLY FACILITIES MAINTENANCE LTD 120.9
MIDWEST LABORATORIES INC 282.5
MULLENAX AUTO SUPPLY 36.6
NDEQ - FISCAL SERVICES 275
NEBRASKA RURAL WATER 75
SHELL FLEET PLUS 281.98
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 20.14
WASTE CONNECTIONS OF NEBRASKA INC 50.17
WINDSTREAM 49.87

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
PLATTSMOUTH STATE BANK 185633.75

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Erv Portis, City Administrator stated that Unite Private Networks has been in contact with him regarding the draft Franchise Agreement. Mr. Portis suggested that the council consider laying this item over indefinitely. Motion by Porter, seconded by Kerns to lay over the consideration of giving notice of termination under Section 1 of the Right of Way Agreement by and between the City of Plattsmouth and Unite Private Networks for Fiber Optic Cables indefinitely. ROLL CALL: Yes-Wiemer, Brookhouser, Porter, Derby, Dugan, Riese and Kerns. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 B

Steve Perry P.E., Olmsted and Perry Consulting Engineers Inc. reviewed the bids for both Item 8 B and 8 C as they are both CDBG 14-CIS-004 Water and Street Improvement Phase 2 projects. Mr. Perry indicated that the bids were higher than estimated so if the council awards the contract to Old Castle Materials Midwest Co. dba Omni Engineering Co. for the CDBG 14-CIS-004 Water and Street Improvement Phase 2-Project Contract No. 1-Street Improvements at a unit

price contract award of \$140,000.90 and CDBG 14-CIS-04 Water and Street Improvement Phase 2-Project Contract No. 2-Water Main Improvements at a unit price contract award of \$383,953.50, both contingent upon Nebraska DED approval, then he would be back at the next meeting with a change order to modify a portion of each project and move it to Phase 3.

Motion by Riese, seconded by Wiemer to approve the bid award and contract to Oldcastle Materials Midwest Co. dba Omni Engineering Co. for the CDBG 14-CIS-004 Water and Street Improvement Phase 2 - Project Contract No. 1 - Street Improvements at a unit price contract award of \$140,000.90, contingent upon Nebraska DED approval, and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Porter, Derby, Kerns, Wiemer, Brookhouser, Dugan and Riese. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED.

ITEM 8 C

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he is the owner of Kerns Excavating Co. Motion by Porter, seconded by Riese to approve the bid award and contract to Kerns Excavating Co. for the CDBG 14-CIS-004 Water and Street Improvement Project Contract No. 2- Water Main Improvements at a unit price contract award of \$383,953.50, contingent upon Nebraska DED approval, and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Riese, Brookhouser, Dugan, Wiemer, Porter and Derby. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.

ITEM 8 D

Steve Perry P.E., Olmsted & Perry Consulting Engineers Inc. stated that he would like to move forward on the Highway 66 Bridge Water Main Replacement Project and put the project out for bids but move the bid opening date forward by one week to June 9, 2016.

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he is a potential bidder.

Motion by Porter, seconded by Wiemer to authorize publication of Notice and solicitation of sealed bids for the construction of the Highway 66 Bridge Water Main Replacement Project. ROLL CALL: Yes-Dugan, Riese, Derby, Wiemer Brookhouser and Porter. No-None. Absent-Tilson. Abstain-Kerns. MOTION CARRIED.

ITEM 8 E

Ervin Portis, City Administrator stated that Cass County Keno, LLC (CCK) is wholly-owned by Advanced Gaming Technologies (AGT) and that the assignment and assumption agreement by and between Cass County Keno, LLC, Advanced Gaming Technologies, and the City of Plattsmouth for consideration is to cause CCK to assign to AGT all of CCK's right, title and interest in and to the Operator Agreement. Motion by Riese, seconded by Dugan to approve an assignment and assumption agreement by and between Cass County Keno, LLC, Advanced Gaming Technologies, and the City of Plattsmouth, subject to negotiation of final terms and

conditions by the City Attorney; and authorize the Mayor to execute the agreement. ROLL CALL: Yes-Brookhouser, Wiemer, Kerns, Porter, Derby, Riese and Dugan. No-None. Absent-Tilson. Abstain-None.

ITEM 9-NEW BUSINESS

ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 7:25 p.m. to receive LB840 Economic Development Citizen Advisory Review Committee update. Jackie Morehead, Chairman of the Economic Development LB840 Citizens Advisory Review Committee gave an update on the activity of the committee. With no one else speaking, Mayor Lambert closed the public hearing at 7:27 p.m.

ITEM 12

Mayor Lambert indicated the need for the council to go in to Closed Session to protect the public interest to receive legal advice on the following: Rhylander Park environmental assessment and real estate negotiations.

7:39 p.m. Motion by Brookhouser, seconded by Wiemer to convene to closed session to protect the public interest to receive legal advice on the following: Rhylander Park environmental assessment and real estate negotiations. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Riese, Dugan, Wiemer and Derby. No-None. Absent-Tilson. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Closed Session was to protect the public interest with regard to receiving legal advice on the following: Rhylander Park environmental assessment and real estate negotiations.

8:25 p.m. Council Member Derby left the meeting.

8:29 p.m. Motion by Riese, seconded by Brookhouser to reconvene in to regular session. On a voice vote, MOTION CARRIED.

ITEM 13

8:33 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