

PLATTSMOUTH CITY COUNCIL

July 17, 2017

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 July 17, 2017 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: John Porter, Terry Kerns, Jeanie Brookhouser, Cheryl Grimshaw, Steve Riese, Joe Dugan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer and City Attorney Larry Welch Jr.

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-RECOGNITION

ITEM 6

A video, made by Nebraska Public Power District, of the June 16, 2017 Plattsmouth storm damage was shown. Mayor Lambert introduced representatives of Nebraska Public Power District (NPPD): Pat Pope, NPPD CEO; Mary Harding, NPPD Board Member; Craig Vincent, NPPD District Account Manager; and Mick Snell, NPPD Distribution Supervisor-Plattsmouth, and thanked them for the quick and professional response to the power outage issues due to the June 16, 2017 storm.

Council member Wiemer introduced a resolution numbered and titled as follows: **RESOLUTION NO. 17-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA EXPRESSING APPRECIATION TO THE NEBRASKA PUBLIC POWER DISTRICT AND ITS EMPLOYEES FOR THEIR RESPONSE TO THE JUNE 16, 2017 STORM THAT DAMAGED MANY HOMES, BUSINESSES, AND PUBLIC PROPERTY AND LEFT MANY PLATTSMOUTH RESIDENTS WITHOUT ELECTRICITY FOR SEVERAL DAYS.**

Motion by Wiemer, seconded by Derby to adopt RESOLUTION NO. 17-006:

**RESOLUTION NO. 17-006**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA EXPRESSING APPRECIATION TO THE NEBRASKA PUBLIC POWER DISTRICT AND ITS EMPLOYEES FOR THEIR RESPONSE TO THE JUNE 16, 2017 STORM THAT DAMAGED MANY HOMES, BUSINESSES, AND PUBLIC PROPERTY AND LEFT MANY PLATTSMOUTH RESIDENTS WITHOUT ELECTRICITY FOR SEVERAL DAYS.**

**WHEREAS**, the City of Plattsmouth and Nebraska Public Power District (NPPD) have partnered for more than forty years to provide electricity to customers within the Plattsmouth electric utility service area;

**WHEREAS**, on January 1, 2004, the City of Plattsmouth and NPPD ratified a Professional Retail Operations Agreement through which NPPD operates and maintains the electric utility for Plattsmouth;

**WHEREAS**, in March 2017, Plattsmouth and NPPD ratified Amendment No. 2 to the Professional Retail Operations Agreement through which NPPD will operate and maintain the electric utility for Plattsmouth through at least March 2032;

**WHEREAS**, in the evening of June 16, 2017 a devastating spring storm rolled through Plattsmouth damaging many homes, businesses, and public property, and left 2800 NPPD Plattsmouth area customers without power;

**WHEREAS**, immediately upon being notified of the power emergency, NPPD dispatched line crews from York, South Sioux City, Kearney, Norfolk, and other communities to assist its Plattsmouth area crews, some of whose own homes were damaged by the storms;

**WHEREAS**, by midnight of June 16<sup>th</sup>, NPPD had already restored power to the water treatment plant, wastewater plant, and other critical city infrastructure, by 7:00 p.m., the following day, the 2800 customers without power had been reduced to 480; and by Monday afternoon almost all customers had their power restored;

**WHEREAS**, even while working to restore power, NPPD linemen Ed Boyle and Doug Bauer noticed a Plattsmouth resident providing aid to a neighbor who had become weak and was having difficulty staying upright without support, and both Boyle and Bauer put aside what they were doing to help get the resident and her neighbor inside to safety;

**WHEREAS**, NPPD'S commitment to reliability and a quality relationship with its customers was never more evident than in helping Plattsmouth recover from this storm;

**THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA** that, on behalf of our citizens and constituents, NPPD is recognized and graciously thanked for its long-standing relationship with this community and for its assistance following the June 16, 2017 damaging storm and winds.

**PASSED AND APPROVED** this 17<sup>th</sup> day of July, 2017.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Administrator, Ervin Portis read RESOLUTION NO. 17-006 in to the record. ROLL CALL: Yes-Derby, Wiemer, Dugan, Riese, Grimshaw, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mayor Lambert presented RESOLUTION NO. 17-006 to the Nebraska Public Power District representatives.

#### ITEM 7 CONSENT AGENDA

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

- A Consider approval of the July 3, 2017 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 7/17/17

Dept Name / Vendor Name Amount

Pay Date: 7/7/17 121534.23  
Com Ctr 20083.83  
EMS 9582.74  
General 14685.91  
Library 7068.21  
Parks and Cemetery 4515.3  
Police 39015.84  
Senior 2267.56  
Street 12420.8  
Water and Sewer 11894.04

Various

Vendor Name

AMERITAS 14075.28  
CASS COUNTY COURT 104.68  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 29337.25  
NEBRASKA DEPARTMENT OF REVENUE 3846.1  
PLATTSMOUTH COMMUNITY CENTER 2191.14  
PLATTSMOUTH STATE BANK 814.67

Department : 01 - GENERAL ADMINISTRATION  
CHARTER BUSINESS 131.95  
DISCOVERY BENEFITS INC 5.25  
IRINA A HARRINGTON 75  
KONICA MINOLTA BUSINESS SOLUTIONS 259.82  
MICROFILM IMAGING SYSTEMS 75  
MULLENAX AUTO SUPPLY 13.27  
NEBRASKA PUBLIC POWER DISTRICT 504.69  
OREILLY AUTOMOTIVE INC 20.25  
SHELL FLEET PLUS 38.58  
VERIZON WIRELESS 83.31  
WINDSTREAM 239.27

Department : 02 - HUMANE/CODE ENFORCEMENT  
NEBRASKA PUBLIC POWER DISTRICT 55.46  
PLATTSMOUTH ANIMAL HOSPITAL PC 63.95  
SHELL FLEET PLUS 150.73  
VERIZON WIRELESS 40.01

Department : 03 - EMS  
BOUND TREE MEDICAL LLC 1270.61  
CHARTER BUSINESS 7.89  
DISCOVERY BENEFITS INC 5.25  
IDEAL PURE WATER 32  
KONICA MINOLTA BUSINESS SOLUTIONS 8.99  
MATHESON TRI-GAS INC 375.7  
METRO BILLING SERVICES LLP 1029  
MULLENAX AUTO SUPPLY 145.65  
NEBRASKA PUBLIC POWER DISTRICT 267.79  
PREMIER HEALTH CARE SERVICES INC 2500  
SHELL FLEET PLUS 471.99  
VERIZON WIRELESS 224.23  
WINDSTREAM 176

Department : 04 - POLICE  
DISCOVERY BENEFITS INC 42  
JACKS UNIFORMS & EQUIPMENT 118.99  
JEFF HENRY CHEVROLET 37.3  
KONICA MINOLTA BUSINESS SOLUTIONS 76.93  
OMAHA WORLD HERALD 106.6  
SHELL FLEET PLUS 1680.05  
VERIZON WIRELESS 171.85  
WINDSTREAM 330.36

Department : 05 - STREET  
AGRIVISION EQUIPMENT GROUP LLC 202.09

CINTAS CORPORATION #749 288.08  
DISCOVERY BENEFITS INC 10.5  
FASTENAL COMPANY 67.18  
MULLENAX AUTO SUPPLY 290.58  
NEBRASKA PUBLIC POWER DISTRICT 7102.13  
SHELL FLEET PLUS 487.91  
TITAN MACHINERY 6200.96  
VERIZON WIRELESS 166.62  
WASTE CONNECTIONS OF NEBRASKA INC 144.15  
WINDSTREAM 93.89  
WOODHOUSE FORD SOUTH INC 272.73

Department : 06 - LIBRARY  
ALEGENT CREIGHTON HEALTH 70  
BAKER & TAYLOR BOOKS 936.95  
KONICA MINOLTA BUSINESS SOLUTIONS 104.16  
NEBRASKA PUBLIC POWER DISTRICT 481.06

Department : 07 - PARKS  
EAKES INC 119.3  
MULLENAX AUTO SUPPLY 119.94  
NEBRASKA PUBLIC POWER DISTRICT 289.51  
SHELL FLEET PLUS 258.48  
VERIZON WIRELESS 31.51  
WASTE CONNECTIONS OF NEBRASKA INC 209.32

Department : 08 - CEMETERY  
BLACK HILLS ENERGY 22.08  
DISCOVERY BENEFITS INC 5.25  
LINDER TIRE & AUTO INC 46  
MULLENAX AUTO SUPPLY 124.22  
PRUITT OUTDOOR POWER 129.63  
SHELL FLEET PLUS 110.78  
STEUBES THRIFTWAY 15.78  
VERIZON WIRELESS 31.51

Department : 10 - FIRE  
CHARTER BUSINESS 7.88  
CUMMINS CENTRAL INC 1182.63  
IDEAL PURE WATER 32  
KATHRYN SHARP 400  
KONICA MINOLTA BUSINESS SOLUTIONS 8.99  
MULLENAX AUTO SUPPLY 44.5  
NEBRASKA PUBLIC POWER DISTRICT 267.79  
WINDSTREAM 175.99

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 140.24

NEBRASKA PUBLIC POWER DISTRICT 614.1  
OFE OIL INC 86.4  
STEUBES THRIFTWAY 306.07  
THE THOMPSON COMPANY 4626.19  
WALKERS INC 98.7

Department : 16 - ECONOMIC DEVELOPMENT  
LYNN F REHMEIER 3800  
PLATTSMOUTH MAIN STREET ASSOCIATION 5500

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 205.05  
CHARTER BUSINESS 420.7  
DXP ENTERPRISES INC 108.13  
EGAN SUPPLY CO 193.3  
HYVEE 57.02  
KONICA MINOLTA BUSINESS SOLUTIONS 119.18  
NEBRASKA PUBLIC POWER DISTRICT 5526.91  
OLMSTED & PERRY ENGINEERING 3270.45  
OMAHA WORLD HERALD 90  
STEPHEN C WARGA 123  
THE COLUMBUS TELEGRAM 500  
TIM NELSON 132.41  
VERIZON WIRELESS 51.8  
WALKERS INC 57.6  
WASTE CONNECTIONS OF NEBRASKA INC 124.78

Department : 18 - AQUATIC  
AQUA CHEM INC 1956.25  
CHESTERMAN CO 981.94  
NEBRASKA PUBLIC POWER DISTRICT 2075.79  
OMAHA WORLD HERALD 90  
QUALITY SIGNS 236  
THE THOMPSON COMPANY 4163.28  
WASTE CONNECTIONS OF NEBRASKA INC 118

Department : 20 - WATER  
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 11052  
DISCOVERY BENEFITS INC 15.75  
DPC INDUSTRIES INC 244  
DUGAN BUSINESS FORMS 224.02  
HACH COMPANY 164.29  
HD SUPPLY WATERWORKS LTD 3417.81  
MULLENAX AUTO SUPPLY 29.36  
MUNICIPAL SUPPLY INC 693.98  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 90  
NEBRASKA PUBLIC POWER DISTRICT 84.75  
OFE OIL INC 542.52

ONE CALL CONCEPTS INC 45.18  
PETTY CASH WATER DEPARTMENT 468.68  
SARGENT DRILLING 12306.26  
SHELL FLEET PLUS 290.61  
VERIZON WIRELESS 94.53  
WILES BROS INC 366.3  
WINDSTREAM 172.75

Department : 24 - DRUG FORFEITURE  
VERIZON WIRELESS 54.82

Department : 30 - SEWER  
HD SUPPLY FACILITIES MAINTENANCE LTD 162.02  
HOTSY EQUIPMENT CO 96.95  
LINDER TIRE & AUTO INC 55.68  
MIDWEST LABORATORIES INC 564  
OFE OIL INC 169.8  
ONE CALL CONCEPTS INC 45.18  
OREILLY AUTOMOTIVE INC 3.99  
PRUITT OUTDOOR POWER 71.25  
SHELL FLEET PLUS 200.71  
SPECIALTY RETAIL SHOPS HOLDING CORPORATION 15.28  
VERIZON WIRELESS 51.8  
WALKER PROCESS EQUIPMENT 29950  
WASTE CONNECTIONS OF NEBRASKA INC 52.68  
WATER ENVIRONMENT FEDERATION 83  
WINDSTREAM 50.89

Department : 40 - PLATTSMOUTH KENO  
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 13949.14

Additional Claim:  
ONE SCHMORE, LLC 53,247.12

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

## ITEM 8-UNFINISHED BUSINESS

### ITEM 8 A

Jim Olmsted, Olmsted & Perry Consulting Engineers reviewed the 2017 Wastewater Treatment Plant Repairs-Project Contract No. 1 and the bids. Mr. Olmsted recommended bid award and contract to W.W. Sandblasting Inc. for a lump sum bid price contract award of \$33,000.00. Following discussion, motion by Brookhouser, seconded by Grimshaw to approve the bid award and contract for the 2017 Wastewater Treatment Plant Repairs –Project Contract No. 1 to W.W. Sandblasting Inc. for a lump sum bid price contract award of \$33,000.00 and authorize the

Mayor to execute the construction contract. ROLL CALL: Yes-Porter, Derby, Kerns, Wiemer, Brookhouser, Dugan, Grimshaw and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED

#### ITEM 8 B

Jim Olmsted, Olmsted & Perry Consulting Engineers reviewed the 2017 Wastewater Treatment Plant Repairs –Project Contract No. 2 and the bids. Mr. Olmsted recommended bid award and contract to Building Crafts Inc. for a lump sum bid price contract award of \$128,000.00 and authorize the Mayor to execute the construction contract. Motion by Riese, seconded by Wiemer to approve the bid award and contract for the 2017 Wastewater Treatment Plant Repairs –Project Contract No. 2 to Building Crafts Inc. for a lump sum bid price contract award of \$128,000.00 and authorize the Mayor to execute the construction contract. Following discussion, ROLL CALL: Yes-Kerns, Grimshaw, Dugan, Derby, Porter, Brookhouser, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 C

Mark Munford, Ameritas Investment Corp. reviewed the proposed Combined Utilities Revenue Bonds, Series 2017 with a principal amount of \$500,000.00.

Council member Riese introduced an Ordinance numbered and titled as follows: ORDINANCE NO. 1924: AN ORDINANCE AUTHORIZING THE ISSUANCE OF COMBINED UTILITIES REVENUE BONDS, SERIES 2017, OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR THE PURPOSE OF PAYING THE COST OF MAINTAINING, EXTENDING, ENLARGING AND IMPROVING THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM OF THE CITY; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM OF SAID CITY FOR THE PAYMENT OF SAID BONDS AND INTEREST THEREON; PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUES OF SAID WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Motion by Riese, seconded by Dugan that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1924 be adopted on first reading by title only. ROLL CALL: Yes-Brookhouser, Riese, Grimshaw, Porter, Wiemer, Derby, Dugan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator, Ervin Portis read ORDINANCE NO. 1924 in to the record by title only. Brookhouser moved for final passage of Ordinance No. 1924, which motion was seconded by Grimshaw. ROLL CALL: Yes-Riese, Brookhouser, Porter, Kerns, Dugan, Grimshaw, Wiemer and Derby. No-



None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator, Ervin Portis read ORDINANCE NO. 1924 in to the record by title only.

#### ITEM 8 D

Motion by Kerns, seconded by Derby to approve second reading of ORDINANCE NO. 1923: **AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE TEXT OF THE SUBDIVISION ORDINANCE OF THE CITY OF PLATTSMOUTH FOUND AT CHAPTER 11 OF THE PLATTSMOUTH MUNICIPAL CODE TO PROVIDE FOR THE INSTALLATION OF LIGHT-EMITTING-DIODE (LED) STREET LIGHTING IN ALL NEW SUBDIVISION; TO CORRECT A SCRIVENER'S ERROR REGARDING THE WIDTH OF UTILITY EASEMENTS IN URBAN SUBDIVISIONS TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** by title only. ROLL CALL: Yes-Dugan, Kerns, Riese, Grimshaw, Derby, Wiemer, Brookhouser and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED. City Administrator, Ervin Portis read ORDINANCE NO. 1923 in to the record by title only.

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Gary Hellwig, Public Works Director reported to Mayor and Council that the purchase of the 2 Ton Asphalt Hotbox Reclaimer would be more efficient than what is currently being used and also safer. The purchase of this item was budgeted under the Street Maintenance Fund and will have a purchase price of approximately \$32,000.00. Motion by Porter, seconded by Grimshaw to authorize publication of Notice and Solicitation of sealed bids for the purchase of a 2 Ton Asphalt Hotbox Reclaimer. Following discussion, ROLL CALL: Yes-Wiemer, Brookhouser, Porter, Derby, Riese, Kerns, Grimshaw and Dugan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 9 B

Motion by Brookhouser, seconded by Wiemer to authorize publication of Notice and Solicitation of sealed bids for the removal of all tree and brush debris from two sites, which were established as a result of the June 16, 2017 storm, within the City of Plattsburgh. Following discussion, Brookhouser amended her motion to be: Authorize publication of Notice and Solicitation of sealed bids for the removal of all tree and brush debris from two sites, which were established as a result of the June 16, 2017 storm, within the City of Plattsburgh and in the event the bid comes in within the limits of the City Administrator purchasing/authorization capacity as stated in Purchasing Ordinance No. 1789, the City Administrator can authorize bid award and contract. Said amended motion was seconded by Wiemer. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Dugan, Wiemer and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Council member Kerns stated that he would be abstaining from any discussion or action on ITEM 9 C and ITEM 9 D as he is President and majority shareholder for Kerns Excavating Co.

Motion by Grimshaw, seconded by Riese to authorize payment of Invoice No. 14066 submitted by Kerns Excavating Company in the amount of \$12,313.75 for the June 16, 2017 Storm Damage/Brush Pile maintenance (equipment and operator). Following discussion, ROLL CALL: Yes-Derby, Riese, Porter, Wiemer, Grimshaw, Dugan and Brookhouser. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 D

Motion by Dugan, seconded by Wiemer to authorize payment of Invoice No. 14020 from Kerns Excavating Company in the amount of \$4,428.35 for sewer repair near 625 1<sup>st</sup> Avenue. ROLL CALL: Yes-Brookhouser, Riese, Wiemer, Derby, Dugan, Grimshaw and Porter. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9 E

Motion by Kerns, seconded by Dugan to approve Change Order No. 1 – City of Plattsmouth 2017 Concrete Street Patching Agreement: Increase quantities by 529.20 square feet to a total of 14,624.20 square feet; increase contract cost by \$2,990.03 for a new contract price of \$81,999.63. Following discussion, ROLL CALL: Yes-Derby, Dugan, Grimshaw, Kerns, Wiemer, Riese, Brookhouser and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Riese, seconded by Grimshaw to approve Change Order No. 2 – City of Plattsmouth 2017 Concrete Street Patching Agreement: Increase quantities by 7,100 square feet of patch repair at \$5.65 per square foot for a cost increase of \$40,115 and a new contract price of \$122,114.63. ROLL CALL: Yes-Dugan, Kerns, Derby, Grimshaw, Riese Wiemer, Porter and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:56 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