

PLATTSMOUTH CITY COUNCIL

February 19, 2018

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 19, 2018 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, Sean Minahan, Wanda Wiemer and Doug Derby. Council Members Absent: None. Also present: City Administrator Ervin Portis, City Clerk Sandra J. Meyer and City Attorney Stephen Q. Preston.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on February 15, 2018 in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. The Open Meetings Act is posted on the bulletin board in the City Council chambers. A copy of the agenda and all documents to be discussed is available to the public. All proceedings hereafter shown were taken while the convened meeting was open to the public. We will follow the agenda that was made available to the public. Please silence cell phones.

ITEM 5-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

ITEM 6-MAYORAL PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7

Council member Riese introduced a resolution numbered and titled as follows: **RESOLUTION NO. 18-003: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA EXPRESSING APPRECIATION FOR LARRY E. WELCH JR'S SERVICE TO THE CITY AND OFFERING ITS COLLECTIVE CONGRATULATIONS FOR MR. WELCH'S APPOINTMENT TO THE NEBRASKA COURT OF APPEALS.**

Motion by Riese seconded by Brookhouser to adopt RESOLUTION NO. 18-003 by title only:

RESOLUTION NO. 18-003

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA EXPRESSING APPRECIATION FOR LARRY E. WELCH JR'S SERVICE TO THE CITY AND OFFERING ITS COLLECTIVE CONGRATULATIONS FOR MR. WELCH'S APPOINTMENT TO THE NEBRASKA COURT OF APPEALS.

WHEREAS, Larry E. Welch, Jr. is a partner in Welch Law Firm of Omaha;

***WHEREAS,** For several years, Welch Law Firm has represented municipalities, including the City of Plattsmouth, and other political subdivisions insured by Employers Mutual Insurance;*

***WHEREAS,** in July 2015, the City Council appointed Welch Law Firm as City Attorney, with Stephen Q. Preston as the Firm's attorney designated to Plattsmouth;*

***WHEREAS,** in mid 2016, Mr. Preston was deployed in fulfillment of his duties and responsibilities to a branch of the United States Army National Guard;*

***WHEREAS,** through the duration of Mr. Preston's deployment, Larry E. Welch, Jr. stepped in as Plattsmouth City Attorney while still handling the complex and multiple affairs of Welch Law Firm;*

***WHEREAS,** Mr. Welch has diligently and faithfully executed his legal responsibilities to the City of Plattsmouth;*

***WHEREAS,** Mr. Welch and his family are actively involved in the Plattsmouth community in multiple ways, including through their church, youth and school activities, and other endeavors;*

***WHEREAS,** on January 22, 2018, Governor of Nebraska Pete Ricketts appointed Larry E. Welch, Jr. to the Nebraska Court of Appeals for the twenty-four county Fifth Judicial District;*

***NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Plattsmouth, Nebraska that on behalf of their constituents, the City of Plattsmouth extends its thanks, appreciation and congratulations to Larry E. Welch, Jr. as he prepares to assume the role of The Honorable Larry E. Welch, Jr., Nebraska Court of Appeals.*

***PASSED AND APPROVED** this 19th Day of February, 2018.*

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 18-003 in to the record by title only. ROLL CALL: Yes-Grimshaw, Riese, Brookhouser, Minahan, Kerns, Wiemer, Porter and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mayor Lambert congratulated Mr. Welch on his appointment as Judge of the Fifth Judicial District, Nebraska Court of Appeals and presented RESOLUTION NO. 18-003 to him. Mr. Welch expressed how honored he was and what an incredible opportunity for him to serve the great State of Nebraska.

ITEM 8-CONSENT AGENDA

Motion by Wiemer seconded by Grimshaw to approve the Consent Agenda with separate consideration for the Kerns Excavating Company claim in the amount of \$2,813.23 in the Water Department listing of claims:

- A Consider approval of the February 5, 2018 City Council Meeting Minutes

B Consider recommendation of approval of a Special Designated License filed by Knights of Columbus for a Parish Fish Fry being held at St. John the Baptist Parish Center, 518 South 18th Street on March 23, 2018 from 3:00 p.m. to 11:00 p.m.

C Consider approval of claims

Claims Register Report as of 2/19/18

Pay Date: 2/16/18 112145.95
Com Ctr 9066.51
EMS 10323.56
General 14704.52
Library 7603.63
Parks and Cemetery 3561.14
Police 36462.11
Senior 2304.23
Street 15767.88
Water and Sewer 12352.37

Various - Vendor Name
ACCREDITED COLLECTION SERVICE 177.5
AMERITAS 15531.45
AMERITAS LIFE INSURANCE CORP 155.02
FRATERNAL ORDER OF POLICE 180
INTERNAL REVENUE SERVICE 24398.24
NEBRASKA DEPARTMENT OF REVENUE 3579.49
PLATTSMOUTH STATE BANK 222.32

Department : 01 - GENERAL ADMINISTRATION
CASS COUNTY REGISTER OF DEEDS 22
CASS COUNTY TREASURER 8088
CHARTER BUSINESS 130
IDEAL PURE WATER 31.35
IRINA A HARRINGTON 75
KATHRYN SHARP 125
KEYMASTER OF GREATER OMAHA INC 306
KONICA MINOLTA BUSINESS SOLUTIONS 96.03
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 289.11
NEBRASKA STATE FIRE MARSHALL 400
OFFICE DEPOT INC 77.31
OFFUTT ADVISORY COUNCIL 300
ROGER DAVIS 64.8
SCHNEIDER AGENCY INC 8707
THE COLUMBUS TELEGRAM 829.31
VERIZON WIRELESS 103.6
WASTE CONNECTIONS OF NEBRASKA INC 57.11

WINDSTREAM 253.51

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA HUMANE SOCIETY 35

NEBRASKA PUBLIC POWER DISTRICT 290.72

VERIZON WIRELESS 40.01

Department : 03 - EMS

ALEGENT CREIGHTON HEALTH 70

BOUND TREE MEDICAL LLC 1383.21

CHARTER BUSINESS 7.88

EYMAN PLUBING INC 330.45

IDEAL PURE WATER 21.5

JEFF HENRY CHEVROLET 165.38

JONES AUTOMOTIVE INC 1134.51

KATHRYN SHARP 200

KONICA MINOLTA BUSINESS SOLUTIONS 17.03

MATHESON TRI-GAS INC 476.26

METRO BILLING SERVICES LLP 840

MICHAEL WOOD 740.96

NEBRASKA PUBLIC POWER DISTRICT 347.37

STERICYCLE INC 471.2

VERIZON WIRELESS 224.25

WALKERS INC 15.38

WASTE CONNECTIONS OF NEBRASKA INC 18

WINDSTREAM 181.35

Department : 04 - POLICE

ARROWHEAD SCIENTIFIC INC 410.12

CASS COUNTY REGISTER OF DEEDS 10

JACKS UNIFORMS & EQUIPMENT 104.99

JEFF HENRY CHEVROLET 834.6

KONICA MINOLTA BUSINESS SOLUTIONS 51.1

LANCE R BURNETT 53.5

SOFTCHOICE CORPORATION 166.65

THE COLUMBUS TELEGRAM 530

VERIZON WIRELESS 171.89

WINDSTREAM 331.18

Department : 05 - STREET

CINTAS CORPORATION #749 360.1

LINDER TIRE & AUTO INC 24

LYLE SIGNS INC 1841.06

MULLENAX AUTO SUPPLY 472.8

NEBRASKA PUBLIC POWER DISTRICT 5776.81

ROSE EQUIPMENT INC 3444.33

TVH PARTS CO 308.61

VERIZON WIRELESS 115.93

WASTE CONNECTIONS OF NEBRASKA INC 144.15
WINDSTREAM 94.14

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1637.02
CASS COUNTY TREASURER 1348
KONICA MINOLTA BUSINESS SOLUTIONS 80.04
MICROFILM IMAGING SYSTEMS 310
NEBRASKA PUBLIC POWER DISTRICT 588.32
OCLC ONLINE COMPUTER LIBRARY CENTER INC 136.34
OFFICE DEPOT INC 307.11
RECORDED BOOKS INC 1097.65
UNIVERSAL MEDIA CORP 164.5
WASTE CONNECTIONS OF NEBRASKA INC 17.99

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 26.53
CHARTER BUSINESS 36.34
LINDER TIRE & AUTO INC 40
NEBRASKA PUBLIC POWER DISTRICT 226.92
THE COLUMBUS TELEGRAM 5.89
VERIZON WIRELESS 31.51
WASTE CONNECTIONS OF NEBRASKA INC 134.95

Department : 08 - CEMETERY

BLACK HILLS ENERGY 180.42
VERIZON WIRELESS 31.51

Department : 10 - FIRE

CHARTER BUSINESS 7.88
EYMAN PLUBING INC 330.44
FIRST BANKCARD 75.14
GALLS 16.99
IDEAL PURE WATER 21.5
KATHRYN SHARP 200
KONICA MINOLTA BUSINESS SOLUTIONS 17.02
NEBRASKA PUBLIC POWER DISTRICT 347.37
NEBRASKA STATE FIRE MARSHALL 100
WALKERS INC 15.37
WASTE CONNECTIONS OF NEBRASKA INC 17.99
WINDSTREAM 181.35

Department : 11 - SENIOR CITIZEN CTR

NEBRASKA PUBLIC POWER DISTRICT 715.06
OFE OIL INC 81
STEUBES THRIFTWAY 140.15
THE THOMPSON COMPANY 4333.09

Department : 16 - ECONOMIC DEVELOPMENT
CASS COUNTY NEBRASKA ECONOMIC DEV 3750
RIVER OAKS COMMUNICATIONS CORPORATION 1252.46

Department : 17 - COMMUNITY CENTER
ACCELERATED GRAPHX LLC 419.65
AQUA CHEM INC 135.75
CHESTERMAN CO 56.04
EGAN SUPPLY CO 1144.39
JEREMY J MASID 980
KONICA MINOLTA BUSINESS SOLUTIONS 99.01
MECHANICAL SALES INC 307.5
NEBRASKA PUBLIC POWER DISTRICT 6435.56
PLATTSMOUTH COMMUNITY CENTER 460
STEPHEN C WARGA 75
THE COLUMBUS TELEGRAM 510
VERIZON WIRELESS 51.9
WALKERS INC 60.6
WASTE CONNECTIONS OF NEBRASKA INC 124.78

Department : 18 - AQUATIC
CHARTER BUSINESS 36.34
NEBRASKA PUBLIC POWER DISTRICT 102.58
STEPHEN C WARGA 72

Department : 20 - WATER
CASS COUNTY TREASURER 2426.4
CORE & MAIN LP 3446.92
DPC INDUSTRIES INC 256
NEBRASKA PUBLIC POWER DISTRICT 77.12
ONE CALL CONCEPTS INC 8.84
OREILLY AUTOMOTIVE INC 104.48
SHERWIN WILLIAMS 157.6
VERIZON WIRELESS 64.13
WATER & SEWER DEPARTMENT 65.82
WINDSTREAM 175.23

Department : 24 - DRUG FORFEITURE
VERIZON WIRELESS 55.02

Department : 30 - SEWER
CASS COUNTY TREASURER 1617.6
DES MOINES STAMP MFG COMPANY 105.85
DPC INDUSTRIES INC 25
HD SUPPLY FACILITIES MAINTENANCE LTD 206.49
MIDWEST LABORATORIES INC 725.13
MULLENAX AUTO SUPPLY 27.04
ONE CALL CONCEPTS INC 8.83

SPECIALTY RETAIL SHOPS HOLDING CORPORATION 44.14
VERIZON WIRELESS 51.8
WALKER PROCESS EQUIPMENT 89850
WASTE CONNECTIONS OF NEBRASKA INC 52.68
WINDSTREAM 50.08

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
ONE SCHMORE 157527.53

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

Council member Kerns stated that he would be abstaining from any discussion or action on this as he has a conflict of interest. Motion by Porter seconded by Derby to approve payment of Invoice No. 14370 submitted by Kerns Excavating Company Inc. in the amount of \$2,813.23 to investigate water leak and install temporary bypass at Hwy 75 and Hwy 66. ROLL CALL: Yes-Grimshaw, Wiemer, Riese, Porter, Derby, Minahan and Brookhouser. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

ITEM 9-UNFINISHED BUSINESS

ITEM 9 A

Council member Kerns introduced a resolution numbered and titled as follows: RESOLUTION NO. 18-002: 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 2018.

Motion by Kerns seconded by Brookhouser to adopt RESOLUTION NO. 18-002 by title only:

RESOLUTION NO. 18-002

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 2018.

WHEREAS, the City has prepared the One and Six Year Road and Street Improvement Plan for 2018; 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 2018.

PASSED AND APPROVED this 19th day of February 2018.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

City Administrator Ervin Portis read RESOLUTION NO. 18-002 in to the record by title only.
ROLL CALL: Yes-Brookhouser, Porter, Riese, Derby, Minahan, Wiemer, Grimshaw and Kerns.
No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10 – NEW BUSINESS

ITEM 10 A

Motion by Riese seconded by Wiemer to approve a request from Roger K. Johnson to allow the assumption of a CDBG DTR grant/loan and to subordinate the City's deed of trust on the property at 506 Main Street, Plattsmouth, Cass County, Nebraska contingent on the City Attorney approval of the subordination agreement. Following discussion, ROLL CALL: Yes-Minahan, Brookhouser, Grimshaw, Riese, Wiemer, Kerns, Porter and Derby. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10 B

Motion by Brookhouser seconded by Derby to approve a request from Cass County Bank and R3K Investments, LLC, to subordinate a Deed of Trust on the property located at 527/537 Main Street, Plattsmouth as security for a promissory note dated June 23, 2016 with Russell and Kimberly Kathol contingent on City Attorney approval of the subordination agreement and that Cass County Bank is responsible for filing fees. Following discussion, ROLL CALL: Yes-Derby, Wiemer, Minahan, Riese, Grimshaw, Brookhouser, Kerns and Porter. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10 C

Motion by Kerns second by Grimshaw to receive a summons and petition re: Joshua Kucera vs. City of Plattsmouth, and its workers' compensation insurer, Employers Mutual Casualty Company and refer to Employers Mutual Casualty Company, the City of Plattsmouth workers' compensation insurer. ROLL CALL: Yes-Porter, Grimshaw, Derby, Minahan, Wiemer, Kerns, Riese and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10 D

Mayor Lambert indicated the need for the council to go in to Closed Session to protect the public interest to discuss and receive legal advice on real estate negotiations. 7:28 p.m. Motion by

Brookhouser seconded by Porter to convene in Closed Session to protect the public interest to discuss and receive legal advice on real estate negotiations. ROLL CALL: Yes-Porter, Kerns, Brookhouser, Grimshaw, Riese, Minahan, Wiemer and Derby. No-None. Absent-None. Abstain-None. Mayor Lambert again stated that the Closed Session was to protect the public interest to discuss and receive legal advice on real estate negotiations.

7:48 p.m. Motion by Derby seconded by Brookhouser to reconvene in to Regular Session. ROLL CALL: Yes-Derby, Minahan, Grimshaw, Kerns, Porter, Brookhouser, Riese and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:59 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