

PLATTSMOUTH CITY COUNCIL

April 2, 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 April 2, 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 March 22, 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. Mayor Lambert did recognize Patti Jo Peterson for all of the accurate reporting and positive press she has given the City of Plattsmouth and wished her the best of luck on her new endeavors.

ITEM 7-CONSENT AGENDA

Motion by Wiemer seconded by Derby to approve the Consent Agenda as presented:

- A Consider approval of the March 19, 2018 City Council Meeting Minutes
- B Consider recommendation of approval of a Special Designated License filed by Knights of Columbus for a Cinco de Mio celebration being held at St. John the Baptist School and Parish Center, 518 South 18th Street on May 5, 2018 from 1:00 p.m. to 10:00 p.m.
- C Consider approval of claims

Dept Name / Vendor Name Amount

Pay Date: 3/29/18 111727.17
 Com Ctr 9362.07
 EMS 11133.94

General 14778.95
Library 7773.17
Parks and Cemetery 3504.56
Police 37485.87
Senior 2447.85
Street 13014.84
Water and Sewer 12225.92

Various

Vendor Name

AMERICAN FAMILY LIFE 566.2
AMERITAS 14273.8
AMERITAS LIFE INSURANCE CORP 155.02
BLUE CROSS BLUE SHIELD 39499.68
DELTA DENTAL PLAN 2791.2
INTERNAL REVENUE SERVICE 24447.66
MUTUAL OF OMAHA 788.85
NEBRASKA DEPARTMENT OF REVENUE 3560.86
PLATTSMOUTH STATE BANK 222.32

Department : 01 - GENERAL ADMINISTRATION

BARONI ENTERPRISES 559.9
BLACK HILLS ENERGY 779.14
CHARTER BUSINESS 61.74
ERVIN PORTIS 17.5
FIRST BANKCARD 611.74
KONICA MINOLTA BUSINESS SOLUTIONS 20.54
KONICA MINOLTA PREMIER FINANCE 221.16
OFFICE DEPOT INC 175.52
OLMSTED & PERRY ENGINEERING 1040
OREILLY AUTOMOTIVE INC 7.49
RDG SCHUTTE WILSCAM BIRGE INC 900
THE PITNEY BOWES BANK INC 1510
WELCH LAW FIRM LLC 6000

Department : 03 - EMS

AETNA 96.71
BLACK HILLS ENERGY 134.31
BOUND TREE MEDICAL LLC 434.26
FIRST BANKCARD 70.91
FORT DEARBORN LIFE INSURANCE CO 72.24
KONICA MINOLTA PREMIER FINANCE 35.78
TODD K HINTZE 4.58
WALKERS INC 15.38

Department : 04 - POLICE

ACCELERATED GRAPHX LLC 250
FIRST BANKCARD 353.28

JACKS UNIFORMS & EQUIPMENT 115.89
JEFF HENRY CHEVROLET 212.6
KONICA MINOLTA BUSINESS SOLUTIONS 18.48
KONICA MINOLTA PREMIER FINANCE 154.29
MATTHEW E WATSON 58.95
SOFTCHOICE CORPORATION 161.63

Department : 05 - STREET

AA WHEEL & TRUCK SUPPLY 245.34
BLACK HILLS ENERGY 436.48
BOMGAARS SUPPLY 155.18
FIRST BANKCARD 366.82
HAMILTON EQUIPMENT COMPANY 57.34
IMPACT MANUFACTURING 2088.63
LYMAN RICHEY CORPORATION 500.39
MARK HYDRAULIC CO INC 2564.55
MARTIN MARIETTA AGGREGATES 460.56
MENARDS 156.52
MICHAEL TODD & COMPANY INC 682
MURPHY TRACTOR AND EQUIPMENT 553.25
NEBRASKA IOWA SUPPLY CO INC 1745.11
OFFICE DEPOT INC 78.05
OLMSTED & PERRY ENGINEERING 3820
RGS REPAIR INC 1559.48
RHYLANDER WELDING & MFG INC 425.6
TVH PARTS CO 231.85

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 938.48
BLACK HILLS ENERGY 169.95
CHARTER BUSINESS 24
FIRST BANKCARD 1868.94
KONICA MINOLTA PREMIER FINANCE 154.29
OKEEFE ELEVATOR CO INC 187.34

Department : 07 - PARKS

BLACK HILLS ENERGY 129.25

Department : 08 - CEMETERY

BOMGAARS SUPPLY 25.18
NEBRASKA PUBLIC POWER DISTRICT 56.94

Department : 10 - FIRE

BLACK HILLS ENERGY 134.32
CASS COUNTY EMERGENCY MANAGEMENT AGENCY 25
FIREBLADE LASER ENGRAVERS LLC 292.53
FORT DEARBORN LIFE INSURANCE CO 161.68
JACKS UNIFORMS & EQUIPMENT 116.99

KONICA MINOLTA PREMIER FINANCE 35.78
TODD K HINTZE 4.58
WALKERS INC 15.37

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 241.37
CAROL GRAY 43.6
RECORD AUTOMATIC DOORS INC 296.61
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 16 - ECONOMIC DEVELOPMENT
FIRST BANKCARD 215.24
OLMSTED & PERRY ENGINEERING 360
SOUTHEAST NE DEVELOPMENT DISTRICT 300

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 935.5
BLACK HILLS ENERGY 2172.36
BOMGAARS SUPPLY 22.86
ECHO GROUP INC 87.7
FIRST BANKCARD 984.91
KONICA MINOLTA PREMIER FINANCE 186.7
KS STATEBANK 1048
OFFICE DEPOT INC 98.4
OKEEFE ELEVATOR CO INC 187.34
STEPHEN C WARGA 60
STRATUS BUILDING SOLUTION OF ARIZONA 1870
WALKERS INC 95.4

Department : 18 - AQUATIC
BLACK HILLS ENERGY 22.25
PLATTSMOUTH EDUCATION FOUNDATION 100

Department : 20 - WATER
BLACK HILLS ENERGY 326.02
BOMGAARS SUPPLY 313.03
DUGAN BUSINESS FORMS 762.96
ECHO GROUP INC 261.75
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 172
NEBRASKA PUBLIC POWER DISTRICT 7804.21
OLMSTED & PERRY ENGINEERING 22514.3
OREILLY AUTOMOTIVE INC 12.29
SHERWIN WILLIAMS 144.65
TYLER TECHNOLOGIES 90
WATER & SEWER DEPARTMENT 423.84
WELCH LAW FIRM LLC 2000

Department : 30 - SEWER
BERT GURNEY & ASSOCIATES 341.8
BLACK HILLS ENERGY 2029.56
BOMGAARS SUPPLY 107.85
DUGAN BUSINESS FORMS 762.96
MILLER MECHANICAL SPECIALTIES INC 1271.82
NEBRASKA PUBLIC POWER DISTRICT 2414.81
OLMSTED & PERRY ENGINEERING 2050.8
SKELLERUP MASPORT INC 2722.55
TYLER TECHNOLOGIES 90
WELCH LAW FIRM LLC 2000

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Riese introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1934: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AMEND CHAPTER 11, ARTICLE 3, SECTION 3-11 TO REVISE THE DEFINITION OF “COMMUNICATIONS TOWER”; TO AMEND CHAPTER 11, ARTICLE 3, SECTION 3-11 TO ADD A DEFINITION OF “WIRELESS COMMUNICATIONS FACILITY”; TO AMEND CHAPTER 11, ARTICLE 4, TABLE 4.1 TO ADD THE WIRELESS COMMUNICATIONS FACILITY USE TYPE; TO ENACT CHAPTER 11, ARTICLE 13 OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011, RELATED TO “WIRELESS COMMUNICATIONS FACILITIES”; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Riese seconded by Grimshaw to approve second (2nd) reading of ORDINANCE NO. 1934 by title only. Following discussion on the levels of restrictions and establishing standards and that the supplemental use with significant infrastructure does require unique restrictions, ROLL CALL: Yes-Derby, Porter, Wiemer, Kerns, Minahan, Brookhouser, Riese and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1934 in to the record by title only.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:16 p.m. to hear and receive public comment regarding a request by Jeff Riddle, agent for Betty L. Davis, for rezoning of property located at 1017 Avenue C, Plattsmouth, legally described as Original Town Lots 9 and 10, Block 111, from R2 (Urban Residential Medium Density) to GC (General Commercial). No

one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:18 p.m.

ITEM 9 B

Erv Portis, City Administrator referenced the memorandum in the Council Packet material stating this is spot zoning and it is not permitted under the law. Portis also reviewed the permitted uses under General Commercial (GC) and recommended denial and also reminded the council the Plattsmouth Planning Commission recommended denial. Motion by Porter seconded by Brookhouser to DENY Ordinance No. 1936: **AN ORDINANCE TO CHANGE THE ZONING DISTRICT OF CERTAIN REAL PROPERTY LOCATED AT 1017 AVENUE C, PLATTSMOUTH, NEBRASKA, WITHIN THE CITY'S ZONING JURISDICTION, FROM URBAN RESIDENTIAL MEDIUM DENSITY (R2) TO GENERAL COMMERCIAL (GC); TO AMEND THE ZONING DISTRICT BOUNDARIES AND OFFICIAL ZONING MAP OF THE CITY OF PLATTSMOUTH; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Following further discussion, ROLL CALL: Yes-Brookhouser, Riese, Wiemer, Porter, Derby, Kerns, Minahan and Grimshaw. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 C

Pursuant to publication, Mayor Lambert opened a public hearing at 7:25 p.m. to hear and receive public comment regarding a proposed amendment to Article 5-3 CCD – Civic Corridor Design Overlay District B. 1, of The Land Development Ordinance for the City of Plattsmouth, by adding: Washington Avenue and Avenue A between North Sixth Street and North Seventh Street; East Main Street; and changing 21st Street to South 22nd Street. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 7:27 p.m.

ITEM 9 D

Council member Grimshaw introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1935: AN ORDINANCE TO AMEND SECTION 5-3(B) OF THE AUGUST 2006 LAND DEVELOPMENT ORDINANCE, FOR THE CITY OF PLATTSMOUTH, NEBRASKA RELATED TO THE CORRIDORS TO WHICH THE CIVIC CORRIDOR DESIGN OVERLAY DISTRICT APPLIES; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Grimshaw seconded by Brookhouser to approve first (1st) reading of ORDINANCE NO. 1935 by title only. Following discussion, ROLL CALL: Yes-Kerns, Minahan, Derby, Grimshaw, Porter, Riese, Brookhouser and Wiemer. No-None. Absent-None. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1935 in to the record by title only.

ITEM 12

7:39 p.m. Motion by Porter seconded by Grimshaw to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk