

PLATTSMOUTH CITY COUNCIL

June 17, 2019

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 June 17, 2019 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Wanda Wiemer, Sean Minahan, Terry Kerns, Cheryl Grimshaw and Jeanie Brookhouser. Council Members Absent: Steve Riese, Morgan Muller and Doug Derby. 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 June 6, 2019 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-CONSENT AGENDA

Motion by Brookhouser seconded by Grimshaw to approve the consent agenda as presented:

- A Consider approval of the June 3, 2019 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 6/17/19

Pay Date: 6/7/19 132000.65
Com Ctr 12698.86
EMS 12969.29
General 21600.11
Library 7631.18
Parks and Cemetery 6919.58
Police 42018.57
Senior Center 2206.96
Street 10187.55

Water and Sewer 15768.55
Various
Vendor Name
AMERITAS 16401.49
EYE MED VISION CARE 402.23
FRATERNAL ORDER OF POLICE 180
HARTFORD LIFE INSURANCE COMPANY 207.35
INTERNAL REVENUE SERVICE 28448.84
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
NEBRASKA DEPARTMENT OF REVENUE 4173.45
PLATTSMOUTH COMMUNITY CENTER 3041.26
PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION
BIG RED LOCKSMITH INC 418.4
CASS COUNTY REGISTER OF DEEDS 60
CHARTER BUSINESS 66.19
IDEAL PURE WATER 36.35
IRINA A HARRINGTON 75
KONICA MINOLTA BUSINESS SOLUTIONS 293.68
MICROFILM IMAGING SYSTEMS 75
NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS 50
NEBRASKA PUBLIC POWER DISTRICT 150.55
OFFICE DEPOT INC 16.84
SCHNEIDER AGENCY INC 9724
THE COLUMBUS TELEGRAM 177
VERIZON WIRELESS 82.78
WASTE CONNECTIONS OF NEBRASKA INC 6958.15
WINDSTREAM 245.15

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA PUBLIC POWER DISTRICT 75.17
SOFTCHOICE CORPORATION 35.53
VERIZON WIRELESS 40.01

Department : 03 - EMS
ARROW INTERNATIONAL 1115.5
BLACK HILLS ENERGY 22.75
BOUND TREE MEDICAL LLC 821.91
CHARTER BUSINESS 8.45
IDEAL PURE WATER 28
INTERSTATE POWER SYSTEMS INC 1620.15
KONICA MINOLTA BUSINESS SOLUTIONS 12.23
MATHESON TRI-GAS INC 71.18
NEBRASKA PUBLIC POWER DISTRICT 246.32
VERIZON WIRELESS 168.07
WALKERS INC 16.38
WINDSTREAM 181.08

YANT TESTING SUPPLY & EQUIPMENT 579.7

Department : 04 - POLICE

CASS COUNTY REGISTER OF DEEDS 100
CASS COUNTY SHERIFF 3615
DIGITAL ALLY INC 4055
H & H SALES INC 32.5
JACKS UNIFORMS & EQUIPMENT 981.88
JOHN TARGY 152.18
KONICA MINOLTA BUSINESS SOLUTIONS 98.35
L SCOT UPTAIN 650
OFFICE DEPOT INC 76.35
OXEN TECHNOLOGY 1216
ROBERT SORENSON 151.21
SOFTCHOICE CORPORATION 170.82
TURF CARS LTD 150
VERIZON WIRELESS 161.42
WINDSTREAM 328.16

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 160.47
BLACK HILLS ENERGY 58.63
BOO INC DBA BOBCAT OF OMAHA 209.09
CINTAS CORPORATION #749 367.75
CLAY D LINCOLN 116.3
IMPACT MANUFACTURING 190.17
MENARDS 19.96
MULLENAX AUTO SUPPLY 873.37
NEBRASKA IOWA SUPPLY CO INC 3882.75
NEBRASKA PUBLIC POWER DISTRICT 5485
OLD DOMINION BRUSH 4305
OMAHA DOOR & WINDOW COMPANY 79.9
VERIZON WIRELESS 82.78
WASTE CONNECTIONS OF NEBRASKA INC 173.68
WICKS STERLING TRUCKS INC 816.22
WINDSTREAM 95.94
WOODHOUSE FORD SOUTH INC 352.37

Department : 06 - LIBRARY

ACCUCUT LLC 125.5
BAKER & TAYLOR BOOKS 732.71
BLACK HILLS ENERGY 24.52
CHARTER BUSINESS 65
EGAN SUPPLY CO 94.91
KONICA MINOLTA BUSINESS SOLUTIONS 99.49
NEBRASKA PUBLIC POWER DISTRICT 320.84
OCLC ONLINE COMPUTER LIBRARY CENTER INC 161.51
WINDSTREAM 147.63

Department : 07 - PARKS
BLACK HILLS ENERGY 37.03
CLAY D LINCOLN 2400
J & J SMALL ENGINE SERVICE 449
LINDER TIRE & AUTO INC 135
MULLENAX AUTO SUPPLY 119.99
NEBRASKA PUBLIC POWER DISTRICT 268.86
OREILLY AUTOMOTIVE INC 146.38
STEPHEN C WARGA 40
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 162.4
WILBUR-ELLIS HOLDINGS II INC 158.88

Department : 08 - CEMETERY
AUDIO VIDEO SOLUTIONS 2723.55
MULLENAX AUTO SUPPLY 138.13
TEDS MOWER SALES AND SERVICE 46.58
VERIZON WIRELESS 41.39
VERKAMP ENTERPRISES INC 850
WINDSTREAM 135.77

Department : 10 - FIRE
BLACK HILLS ENERGY 22.75
CHARTER BUSINESS 8.46
IDEAL PURE WATER 28
KONICA MINOLTA BUSINESS SOLUTIONS 12.24
NEBRASKA PUBLIC POWER DISTRICT 246.31
WALKERS INC 16.37
WINDSTREAM 181.09
YANT TESTING SUPPLY & EQUIPMENT 579.7

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 41.52
CAROL GRAY 44.08
HYVEE 20.46
NEBRASKA PUBLIC POWER DISTRICT 631.88
THE THOMPSON COMPANY 4706.82
TRI MARK HOCKENBERGS 2206
WALKERS INC 133

Department : 16 - ECONOMIC DEVELOPMENT
PLATTSMOUTH CHAMBER OF COMMERCE 2000

Department : 17 - COMMUNITY CENTER
ACCELERATED GRAPHX LLC 439.5
AMERICAN MARKETING AND PUBLISHING LLC 795
BLACK HILLS ENERGY 373.64

CHRISTIE HARVEY 64
KONICA MINOLTA BUSINESS SOLUTIONS 75.76
LINCOLN JOURNAL STAR 400
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 40
NEBRASKA PUBLIC POWER DISTRICT 5686.94
SILVA POUTRE 208.25
STEPHEN C WARGA 60
THE WALDINGER CORPORATION 5184.46
VERIZON WIRELESS 41.39
WALKERS INC 80
WASTE CONNECTIONS OF NEBRASKA INC 132.89

Department : 18 - AQUATIC
AQUA CHEM INC 603.75
BLACK HILLS ENERGY 1462.57
CHESTERMAN CO 164.09
LINCOLN JOURNAL STAR 100
NEBRASKA PUBLIC POWER DISTRICT 562.11
THE THOMPSON COMPANY 1923.17
WASTE CONNECTIONS OF NEBRASKA INC 241.45

Department : 20 - WATER
AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA 4001
BLACK HILLS ENERGY 44.89
CASS COUNTY RURAL WATER DISTRICT NO 1 42700.8
GEORGE STOUT AND GREAT PLAINS CREDIT UNION 13500
NEBRASKA PUBLIC POWER DISTRICT 92.7
ONE CALL CONCEPTS INC 44.56
PETTY CASH WATER DEPARTMENT 379.52
THE COLUMBUS TELEGRAM 81.64
VERIZON WIRELESS 65.41
WINDSTREAM 173.95

Department : 24 - DRUG FORFEITURE
H & H SALES INC 400
VERIZON WIRELESS 43.78

Department : 30 - SEWER
HACH COMPANY 49.02
JUSTIN A MARSH 34.85
MIDWEST PLASTICS INC 98.64
NEBRASKA MACHINERY CO 272.88
NEBRASKA PUBLIC POWER DISTRICT 34.21
ONE CALL CONCEPTS INC 44.57
RAILROAD MANAGEMENT COMPANY III LLC 235.41
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 63.39
WINDSTREAM 50.07

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council Member Kerns stated that he would be abstaining from any discussion or action on this item as his company was a bidder and there is a conflict of interest.

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the Water Treatment Plant Filter Media Replacement Project and the bids. Recommended award and contract to Judds Brothers Construction. Following discussion, Motion by Wiemer seconded by Brookhouser to approve the bid award and contract for the Water Treatment Plant Filter Media Replacement Project to Judds Brothers Construction, for a Lump Sum Bid Price contract award of \$129,500.00 and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Brookhouser, Wiemer, Grimshaw, Minahan and Mayor Lambert. No-None. Absent-Riese, Muller and Derby. Abstain-Kerns. MOTION CARRIED.

ITEM 8 B

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. stated they have completed the final plans, specifications and bidding documents for the 9th Avenue Asphalt Overlay Project and recommended authorization for the solicitation of bids, with a bid date for July 11, 2019 and a construction cost estimate of \$115,500.00. Motion by Grimshaw seconded by Wiemer to authorize the solicitation of bids for the 9th Avenue Asphalt Overlay Project. ROLL CALL: Yes-Brookhouser, Grimshaw, Kerns, Minahan and Wiemer. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 C

Motion by Kerns seconded by Grimshaw to approve a Ground Lease by and between the City of Plattsmouth and USCOC Nebraska/Kansas, LLC, a Delaware limited liability company for non exclusive right of pedestrian and vehicular access to place, use, repair, replace, modify, and upgrade utility lines and related infrastructure and equipment on real property as described on Exhibit D of the Ground Lease for an initial five (5) year term at a Base Rent of \$1,100 per month, with a signing fee of \$3,000 to offset the City's cost in engaging a consulting engineer and other professionals, and with a base rent adjustment of 3% annually each year of the lease agreement; and authorize the Mayor to execute the Agreement upon receipt of an executed Ground Lease Agreement from USCOC. ROLL CALL: Yes-Grimshaw, Kerns, Minahan, Wiemer and Brookhouser. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 8 D

Council Member Wiemer introduced an ordinance numbered and titled as follows:

ORDINANCE NO. 1957: AN ORDINANCE TO AMEND THE CITY OF PLATTSMOUTH LAND DEVELOPMENT ORDINANCE BY CHANGING THE ZONING DISTRICT OF CERTAIN REAL PROPERTY LOCATED NEAR THE INTERSECTION OF NORTH 9TH STREET AND WASHINGTON AVENUE, FORMERLY KNOWN AS THE BLUE DEVIL FOOTBALL STADIUM, FROM URBAN RESIDENTIAL MEDIUM-DENSITY DISTRICT (R-2) TO URBAN RESIDENTIAL MEDIUM-DENSITY DISTRICT (R-2) SUBJECT TO PLANNED UNIT DEVELOPMENT 1 OVERLAY (PUD-1); TO AMEND THE CITY'S OFFICIAL ZONING MAP; TO REPEAL ALL ORDINANCES OF THE CITY IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE

Motion by Wiemer seconded by Brookhouser to approve second reading of ORDINANCE NO. 1957 by title only. ROLL CALL: Yes-Minahan, Wiemer, Brookhouser, Kerns and Grimshaw. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1957 in to the record by title only.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Erv Portis, City Administrator stated that this approval is required for FEMA eligibility and we have used the plan in the past. Motion by Grimshaw seconded by Brookhouser to approve RESOLUTION NO. 19-005: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING THE 2019 CASS COUNTY LOCAL EMERGENCY OPERATIONS PLAN AND RESCINDING APPROVAL OF ALL PRIOR CASS COUNTY LOCAL EMERGENCY OPERATIONS PLANS by title only.

RESOLUTION NO. 19-005

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING THE 2019 CASS COUNTY LOCAL EMERGENCY OPERATIONS PLAN AND RESCINDING APPROVAL OF ALL PRIOR CASS COUNTY LOCAL EMERGENCY OPERATIONS PLANS.

WHEREAS, the City, Cass County, and other cities and villages within Cass County desire to provide for coordinated responses to disasters or emergencies; and

WHEREAS, the City deems it advisable and in the best interests of the City, Cass County, and other cities and villages within Cass County to adopt a Local Emergency Operations Plan.

NOW THEREFORE, BE IT RESOLVED that the 2019 Cass County Local Emergency Operations Plan attached to this Resolution is hereby approved; and

BE IT FURTHER RESOLVED that the City's approval of all prior Cass County Local Emergency Operations Plans is hereby rescinded.

PASSED AND APPROVED this ___ day of _____ 2019.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk

Erv Portis, City Administrator read RESOLUTION NO. 19-005 in to the record by title only. ROLL CALL: Yes-Wierner, Kerns, Brookhouser, Grimshaw and Minahan,. No-None. Absent-Riese, Muller and Derby. 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 has a conflict of interest.

Motion by Brookhouser seconded by Grimshaw to approve Invoice #15153 submitted by Kerns Excavating Company in the amount of \$1,730.00 (Repair Leak: 524 S. 6th Street-\$780.00; 3rd Ave. and 11th Street-\$430.00; and excavate ditch at Boat Ramp-\$520.00) and authorize payment. ROLL CALL: Yes-Minahan, Wierner, Brookhouser, Grimshaw and Mayor Lambert. No-None. Absent-Riese, Muller and Derby. Abstain-Kerns. MOTION CARRIED.

ITEM 9 C

Patti Jo Petersen, Plattsmouth Chamber of Commerce representative stated that the end times on the Event Permit App and the SDL do not match as the SDL allows an hour for clean up and removal of alcohol. Motion by Brookhouser seconded by Wierner to approve a Street Closing/Event Permit Application submitted by Plattsmouth Chamber of Commerce for Friday Night Out-Taste of the 80's on July 26, 2019 from 4:00 p.m. to 11:00 p.m. at the Entertainment Plaza and Main Street-N. 3rd St to N. 5th St.; N. 5th St.-1st Ave north to the east/west alley ½ block north of Main Street; 4th St.-1st Ave. north to east/west alley ½ block north of Main St.; and N. 3rd St.- 1st Ave north to the east/west alley ½ block north of Main Street. ROLL CALL: Yes-Wierner, Minahan, Kerns, Grimshaw and Brookhouser. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Grimshaw seconded by Wierner to approve a Special Designated License application submitted by Plattsmouth Chamber of Commerce for a Business Promotion (Friday Night Out-Taste of the 80's) being held at the Entertainment Plaza and Main Street-N. 3rd St to N. 5th St.; N. 5th St.-1st Ave north to the east/west alley ½ block north of Main Street; 4th St.-1st Ave. north to east/west alley ½ block north of Main St.; and N. 3rd St.- 1st Ave north to the east/west alley ½

block north of Main Street on July 26, 2019 from 4:00 p.m. to midnight. ROLL CALL: Yes-Grimshaw, Kerns, Minahan, Brookhouser and Wiemer. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 E

Erv Portis, City Administrator stated different vendors were asked to submit proposals but we only received a proposal from Nebraska Furniture Mart. The difference in the two proposals from NFM is the type and number of microphones. Motion by Brookhouser seconded by Grimshaw to authorize the purchase of an Audio/Video System quoted at \$17,664.58 which includes installation from Nebraska Furniture Mart. Following discussion, ROLL CALL: Yes-Kerns, Minahan, Grimshaw, Wiemer and Brookhouser. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 F

Erv Portis, City Administrator stated Mr. Wood planned on being present but is ill. He has done a very good job for the City as the EMS Director and will remain on the department as a shift Paramedic. Motion by Grimshaw seconded by Wiemer to receive, with regrets, the resignation of the Emergency Medical Services Director, Mike Wood. ROLL CALL: Yes-Brookhouser, Grimshaw, Kerns, Minahan and Wiemer. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Wiemer seconded by Grimshaw to approve the appointment of Shane Lohmeier as the Emergency Medical Services Director. ROLL CALL: Yes-Minahan, Wiemer, Brookhouser, Kerns and Grimshaw. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED. Mayor Lambert introduced Shane Lohmeier.

ITEM 9 H

Council member Kerns introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 1958: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS JULY 3, 2019; TO REPEAL ORDINANCE NO. 1956 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Motion by Kerns seconded by Wiemer to approve first reading of Ordinance No. 1958 by title only. ROLL CALL: Yes-Grimshaw, Kerns, Wiemer, Brookhouser and Minahan. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED. Erv Portis, City Administrator read Ordinance No. 1958 in to the record by title only.

ITEM 9 I

Motion by Brookhouser seconded by Grimshaw to declare the EMS Department 2011 Chevrolet Ambulance VIN#1GB6G5CL6B1105507 as surplus property with the intent to sell. Following discussion, ROLL CALL: Yes-Brookhouser, Wiemer, Minahan, Kerns and Grimshaw. No-None. Absent-Riese, Muller and Derby. Abstain-None. MOTION CARRIED.

ITEM 12

7:46 p.m. Motion by Brookhouser seconded by Grimshaw to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk