

PLATTSMOUTH CITY COUNCIL

July 15, 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 July 15, 2019 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Wanda Wiemer, Steve Riese, Morgan Muller, Sean Minahan, Terry Kerns, Doug Derby and Jeanie Brookhouser. Council Members Absent: Cheryl Grimshaw . 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 July 4, 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

Mayor Lambert played a video from the Water Plant Security Cameras taken prior to shutting down the back-up generator. The video showed the outstanding efforts of three volunteer firefighters crimping the fuel line to the back-up generator to shut down power in an attempt to minimize any additional damage to the electrical system within the Water Plant. The individuals who were recognized and presented the "Pride of Plattsmouth" commendations are: Greg Clifton-Volunteer Firefighter; Chris Kerns-Volunteer Firefighter; and Drew Wampler-Public Works Employee and Volunteer Firefighter.

ITEM 7-CONSENT AGENDA

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

- A Consider approval of the July 1, 2019 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 7/15/19

Pay Date: 7/5/19 129520.4
Com Ctr 18804
EMS 11309.42
General 16880.13

Library 7615.77
Parks and Cemetery 7260.47
Police 38615.07
Senior Center 2239.59
Street 10375.88
Water and Sewer 16420.07

Various

Vendor Name

AMERITAS 15443.64
EYE MED VISION CARE 402.23
FRATERNAL ORDER OF POLICE 180
HARTFORD LIFE INSURANCE COMPANY 207.35
INTERNAL REVENUE SERVICE 27577.33
NEBRASKA CHILD SUPPORT PAYMENT CENTER 196.16
NEBRASKA DEPARTMENT OF REVENUE 4021.11
PLATTSMOUTH COMMUNITY CENTER 2570.46
PLATTSMOUTH STATE BANK 136.16

Department : 01 - GENERAL ADMINISTRATION

BELLINO FIREWORKS INC 1000
CHARTER BUSINESS 66.19
IDEAL PURE WATER 23.35
IRINA A HARRINGTON 75
JOHN MASTERS 1000
KA BOOMER ENTERPRISES INC 1000
KONICA MINOLTA BUSINESS SOLUTIONS 206.07
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 364.32
OFFICE DEPOT INC 173.36
SCHNEIDER AGENCY INC 87509
THE COLUMBUS TELEGRAM 341.3
VERIZON WIRELESS 82.99
WASTE CONNECTIONS OF NEBRASKA INC 67.51
WILD WILLY'S FIREWORKS LLC 1000
WINDSTREAM 240.7

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 82.73
VERIZON WIRELESS 40.01

Department : 03 - EMS

BOUND TREE MEDICAL LLC 287.74
IDEAL PURE WATER 14
KATHRYN SHARP 300
KONICA MINOLTA BUSINESS SOLUTIONS 11.83
MATHESON TRI-GAS INC 90.13
NEBRASKA PUBLIC POWER DISTRICT 212.21

PREMIER HEALTH CARE SERVICES INC 2500
ROLLINS INC 27.5
STERICYCLE INC 247.22
TODD K HINTZE 14.23
VERIZON WIRELESS 2418.04
WALKERS INC 16.38
WASTE CONNECTIONS OF NEBRASKA INC 21.25
WINDSTREAM 181.06

Department : 04 - POLICE

CASS COUNTY REGISTER OF DEEDS 90
CASS COUNTY SHERIFF 3615
DISCOVERY BENEFITS INC 25
EDWARD NOYES 675
H & H SALES INC 601.48
KONICA MINOLTA BUSINESS SOLUTIONS 64.98
L SCOT UPTAIN 1231.71
LYNN PEAVEY COMPANY 89.75
OFFICE DEPOT INC 77.6
SOFTCHOICE CORPORATION 937.74
VERIZON WIRELESS 161.42
WINDSTREAM 330.5

Department : 05 - STREET

AARON JAMES MEYER 22261.71
BLACK HILLS ENERGY 45.24
BOO INC DBA BOBCAT OF OMAHA 850
CINTAS CORPORATION #749 294.2
DULTMEIER SALES LLC 101
ECHO GROUP INC 57.47
LINDER TIRE & AUTO INC 16
MULLENAX AUTO SUPPLY 536.04
NEBRASKA PUBLIC POWER DISTRICT 5601.01
OLMSTED & PERRY ENGINEERING 447.4
ROSE EQUIPMENT INC 87.09
THE COLUMBUS TELEGRAM 58.06
VERIZON WIRELESS 82.78
WASTE CONNECTIONS OF NEBRASKA INC 173.68
WINDSTREAM 94.55
WOODHOUSE FORD SOUTH INC 75.4

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1120.75
BLACK HILLS ENERGY 21.08
CHARTER BUSINESS 65
GRAYBAR ELECTRIC COMPANY INC 184.32
INNOVATIVE INTERFACES INC 12738.19
KONICA MINOLTA BUSINESS SOLUTIONS 120.43

LINCOLN JOURNAL STAR 95.24
NEBRASKA PUBLIC POWER DISTRICT 484.68
OCLC ONLINE COMPUTER LIBRARY CENTER INC 161.51
WASTE CONNECTIONS OF NEBRASKA INC 21.26
WINDSTREAM 145.68

Department : 07 - PARKS
BLACK HILLS ENERGY 20.54
CLAY D LINCOLN 1200
J & J SMALL ENGINE SERVICE 64.47
MULLENAX AUTO SUPPLY 38.56
NEBRASKA PUBLIC POWER DISTRICT 366.45
THE COLUMBUS TELEGRAM 6.74
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 162.4

Department : 08 - CEMETERY
BLACK HILLS ENERGY 0.03999999999999991
MULLENAX AUTO SUPPLY 294.84
VERIZON WIRELESS 41.39
WINDSTREAM 135.82

Department : 10 - FIRE
CASS COUNTY MUTUAL AID ASSN 25
DANKO EMERGENCY EQUIPMENT 2510
IDEAL PURE WATER 14
KATHRYN SHARP 300
KONICA MINOLTA BUSINESS SOLUTIONS 11.84
MULLENAX AUTO SUPPLY 172.39
NEBRASKA PUBLIC POWER DISTRICT 212.21
ROLLINS INC 27.5
TODD K HINTZE 14.22
WALKERS INC 16.37
WASTE CONNECTIONS OF NEBRASKA INC 21.25
WINDSTREAM 181.05

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 12.37
H & H SALES INC 94.64
NEBRASKA PUBLIC POWER DISTRICT 1351.58
WALKERS INC 116.2

Department : 16 - ECONOMIC DEVELOPMENT
CASS COUNTY NEBRASKA ECONOMIC DEV 3750

Department : 17 - COMMUNITY CENTER
ACCELERATED GRAPHX LLC 391
BLACK HILLS ENERGY 111.38

EGAN SUPPLY CO 595.99
KONICA MINOLTA BUSINESS SOLUTIONS 97.06
NEBRASKA AIR FILTER INC 288.04
NEBRASKA PUBLIC POWER DISTRICT 4054.74
VERIZON WIRELESS 41.39
WALKERS INC 80
WASTE CONNECTIONS OF NEBRASKA INC 132.89

Department : 18 - AQUATIC

AQUA CHEM INC 773.52
BLACK HILLS ENERGY 635.92
NEBRASKA PUBLIC POWER DISTRICT 1991.58
WASTE CONNECTIONS OF NEBRASKA INC 120

Department : 20 - WATER

BLACK HILLS ENERGY 20.54
CASS COUNTY RURAL WATER DISTRICT NO 1 48609.6
CORE & MAIN LP 3531.44
DISCOVERY BENEFITS INC 25
LINDER TIRE & AUTO INC 1015.38
MIDWEST LABORATORIES INC 13
MULLENAX AUTO SUPPLY 26.22
NEBRASKA PUBLIC POWER DISTRICT 765.45
OLMSTED & PERRY ENGINEERING 30583.65
OMAHA ELECTRIC SERVICE INC 24069
ONE CALL CONCEPTS INC 42.26
OREILLY AUTOMOTIVE INC 17.79
PETTY CASH WATER DEPARTMENT 485.1
RICHARD A COMI 300
SAVAGE PLUMBING INC 2300
STEPHEN C WARGA 150
TYLER TECHNOLOGIES 90
VERIZON WIRELESS 65.41
WINDSTREAM 173.78
YANT TESTING SUPPLY & EQUIPMENT 199.73

Department : 24 - DRUG FORFEITURE

VERIZON WIRELESS 44.21

Department : 30 - SEWER

HACH COMPANY 249.98
NEBRASKA PUBLIC POWER DISTRICT 824.58
OFFICE DEPOT INC 35.64
OLMSTED & PERRY ENGINEERING 2018.02
ONE CALL CONCEPTS INC 42.25
TYLER TECHNOLOGIES 90
VERIZON WIRELESS 41.39
WASTE CONNECTIONS OF NEBRASKA INC 63.39

WINDSTREAM 50.07

Department : 40 - PLATTSMOUTH KENO
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 12582

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:18 p.m. to hear and receive public comments on the review, progress and findings of the City of Plattsmouth Economic Development Citizen's Advisory Review Committee. With no one coming forward to speak in favor, opposition or of a neutral nature, Mayor Lambert closed the public hearing at 7:19 p.m.

Motion by Brookhouser seconded by Riese to receive the Economic Development (LB840) Citizens Advisory Review Committee June 25, 2019 meeting minutes and a detailed Account listing as received in the Council Packets. ROLL CALL: Yes-Brookhouser, Wiemer, Derby, Riese, Kerns, Muller and Minahan. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 8 B

Council member Kerns stated that he would be abstaining from any discussion or action on ITEM 8 B and ITEM 8 C as he has a conflict of interest.

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No.4 submitted by Kerns Excavating Inc. for the Highway 75 Utility Relocations project for an increase to the contract amount of (+)\$5,327.00 and recommended approval. Motion by Riese seconded by Wiemer to approve Change Order No.4 submitted by Kerns Excavating Inc. for the Highway 75 Utility Relocations project for an increase to the contract amount of (+)\$5,327.00 and authorize the Mayor to execute Change Order No.4. ROLL CALL: Yes-Brookhouser, Wiemer, Minahan, Derby, Muller and Riese. No-None. Absent-Grimshaw. Abstain-Kerns. MOTION CARRIED.

ITEM 8 C

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.5 submitted by Kerns Excavating Company for the Highway 75 Utility Relocations in the amount of \$52,562.77 which reflects approximately 95% completion and recommended approval. Motion by Brookhouser seconded by Wiemer to approve Contractor's Application for Payment No.5 submitted by Kerns Excavating Company for the Highway 75 Utility Relocations in the amount of \$52,562.77 and authorize the Mayor to execute Pay Application No. 5. ROLL CALL: Yes-Brookhouser, Derby, Wiemer, Riese, Muller and Minahan. No-None. Absent-Grimshaw. Abstain-Kerns. MOTION CARRIED.

ITEM 8 D

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the bids for the 9th Avenue Asphalt Overlay Project. Made a recommendation to approve the bid award and contract for the 9th Avenue Asphalt Overlay Project to Oldcastle Materials Midwest Co. dba Omni Engineering Inc. on a Unit Bid Price contract award of \$112,174.50. Motion by Muller seconded by Brookhouser to approve the bid award and contract for the 9th Avenue Asphalt Overlay Project to Oldcastle Materials Midwest Co. dba Omni Engineering Inc. on a Unit Bid Price contract award of \$112,174.50 and authorize the Mayor to execute the construction contract. ROLL CALL: Yes-Wiemer, Muller, Kerns, Derby, Brookhouser, Minahan and Riese. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 8 E

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the Water Treatment Plant Clearwells and Backwash Tank Cleaning Project and stated that 5 contractors were contacted and received one proposal today. The 4 contractors that did not submit were contacted and due to other work schedules and ability were reasons for not submitting. Mr. Perry recommended approval of the proposal award and contract for the Water Treatment Plant Clearwells and Backwash Tank Cleaning Project to Judds Bros. Construction Co. with a Lump Sum Proposal Price of \$137,500.00. Motion by Brookhouser seconded by Derby to approve the proposal award and contract for the Water Treatment Plant Clearwells and Backwash Tank Cleaning Project to Judds Bros. Construction Co. with a Lump Sum Proposal Price of \$137,500.00 and authorize the Mayor to execute the construction contract. Following discussion, ROLL CALL: Yes-Derby, Riese, Brookhouser, Kerns, Minahan, Wiemer and Muller. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 8 F

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the Restore Main Electrical Service to the Water Treatment Plant Project and stated that four contractors were contacted and one bid was received. Mr. Perry recommended bid award and contract for the Restore Main Electrical Service to the Water Treatment Plant Project to Omaha Electric Co. with a Lump Sum Bid Price of \$241,100.00. Motion by Brookhouser seconded by Wiemer to approve the bid award and contract for the Restore Main Electrical Service to the Water Treatment Plant Project to Omaha Electric Co. on a Lump Sum Bid Price of \$241,100.00 and authorize the Mayor to execute the construction contract. Following discussion, ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Derby and Brookhouser. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 8 G

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the need for a replacement standby generator at the City's Water Treatment Plant and that the bids would be for a diesel unit and their estimate is \$115,000.00 which is purchase and installation. At this time the delivery dates are 120 days out. The bid date would be August 1, 2019. Motion by Muller seconded by

Riese to authorize the solicitation of bids for a replacement standby generator at the City's Water Treatment Plant. Following discussion, ROLL CALL: Yes-Riese, Minahan, Derby, Brookhouser, Wiemer, Kerns and Muller. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 8 H

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the need for a replacement standby generator at the City's Wastewater Treatment Plant and that the bids would be for a natural gas unit and their estimate is \$140,000.00 which is purchase and installation. At this time the delivery dates are 120 days out. The bid date would be August 1, 2019. Following discussion, Motion by Derby seconded by Kerns to authorize the solicitation of bids for a replacement standby generator at the City's Wastewater Treatment Plant. ROLL CALL: Yes-Muller, Wiemer, Kerns, Riese, Brookhouser, Minahan and Derby. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

ITEM 9 – NEW BUSINESS

ITEM 9 A

Council member Kerns stated that he would be abstaining from any discussion or action on this item as he is President and majority shareholder in Kerns Excavating Company which is a conflict of interest.

Motion by Brookhouser seconded by Wiemer to approve Invoice No. 15197 submitted by Kerns Excavating Company for Emergency Repair Work-June 2019 in the amount of \$4,900.00 for: Water leaks-3rd Ave & 10th, 4th St & Ave C, Sewer Leak Lincoln Ave & 4th Ave-\$570.00; Water leak at Oakmont Drive-\$190.00; Water leak N. 4th & Ave C-\$360.00; Water leak 900 blk of 3rd Ave-\$1,340.00; Water leak 200 blk of S 6th St-\$285.00; Water leak 630 Oakmont Dr-\$567.00; Water leak 217 6th St-\$567.00; Remove silt from Rhylander Structure-\$190.00; and Water leak at 22nd and Ave C-\$831.00 and authorize payment. Following discussion, ROLL CALL: Yes-Brookhouser, Derby, Minahan, Muller, Riese and Wiemer. No-None. Absent-Grimshaw. Abstain-Kerns. 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.

Council member Riese introduced an ordinance numbered and titled as follows: ORDINANCE NO. 1959: AN ORDINANCE AUTHORIZING THE ISSUANCE OF COMBINED UTILITIES REVENUE BONDS, 2019B/C SERIES, OF THE CITY OF PLATTSMOUTH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION ONE HUNDRED THOUSAND DOLLARS (\$6,100,000) IN THE FORM OF TWO PROMISSORY NOTES ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND

ENERGY; APPROVING THE FORM OF SAID BONDS (ISSUED AS TWO PROMISSORY NOTES) AND RELATED CONTRACTS FOR LOANS THERETO; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM OWNED OR TO BE OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE ISSUANCE AND SALE OF SAID BONDS; AUTHORIZING THE DELIVERY OF SAID BONDS AND RELATED CONTRACTS FOR LOAN THERETO TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SAID BOND; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Motion by Riese seconded by Muller that the statutory rule requiring reading an ordinance on three different days be suspended and that ORDINANCE NO. 1959 be adopted on first reading by title only. ROLL CALL: Yes-Minahan, Brookhouser, Muller, Derby, Wiemer and Riese. No-None. Absent-Grimshaw. Abstain-Kerns. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1959 in to the record by title only. Motion by Brookhouser seconded by Wiemer to approve final passage of ORDINANCE NO. 1959 by title only. ROLL CALL: Yes-Derby, Brookhouser, Minahan, Muller, Riese and Wiemer. No-None. Absent-Grimshaw. Abstain-Kerns. MOTION CARRIED. Erv Portis, City Administrator read ORDINANCE NO. 1959 in to the record by title only.

ITEM 9 C

Representatives of the Plattsmouth Conservancy who stepped up to the podium to present information on the Street Closing or Event Permit Application submitted by Plattsmouth Conservancy for an event-Steamship Landing Exposition on June 13 and 14, 2020 at Main Street from 6th to 4th Street, Entertainment Plaza, City Parking Lot-corner of S. 4th Street and 1st Ave and 4th Street between 1st Avenue and Entertainment Plaza from 7:00 a.m. Saturday, June 13, 2020 through 4:00 p.m. Sunday, June 14, 2020 and answer questions were Shannon Lewis, Mike Bowman and Jay Reinholt. Some of the concerns Council Members voiced were: Concern for the businesses as it is a really large section of town to close for two days; was there a need to have the approval a year ahead of the event. Following further discussion, Motion by Kerns seconded by Riese to approve the Street Closing or Event Permit Application submitted by Plattsmouth Conservancy for an event-Steamship Landing Exposition on June 13 and 14, 2020 at Main Street from 6th to 4th Street, Entertainment Plaza, City Parking Lot-corner of S. 4th Street and 1st Ave and 4th Street between 1st Avenue and Entertainment Plaza from 7:00 a.m. Saturday, June 13, 2020 through 4:00 p.m. Sunday, June 14, 2020. Before the Roll Call Vote Ms. Lewis stated that she could give intermittent updates as to the planning of the event and report back as to the response of business owners and the 2 day street closing. Council felt that would be good. ROLL CALL: Yes-Wiemer, Riese, Muller, Minahan, Kerns, Derby and Brookhouser. No-None. Absent-Grimshaw. Abstain-None. MOTION CARRIED.

Mike Wilson, Chief of the Plattsmouth Volunteer Fire Department reported:

The ISO rating effective September 1, 2019 is Class 5 fire District. The rating did not change from previous years.

Thanked the Mayor for recognizing 3 volunteer firefighters and stated that 2 are young and very active within the department and are the future of the department.

Made reference to the 1993 Floods and the donations that were used to purchase Trevor 1.

2020 Preparedness Trainings

ITEM 12

8:25 p.m. Motion by Brookhouser seconded by Derby to adjourn. MOTION CARRIED, on a voice vote.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk