

PLATTSMOUTH CITY COUNCIL

July 19, 2021

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:06 o'clock p.m. on July 19, 2021 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Morgan Muller, Terry Kerns, Bryan Clark, James Forrest, Doug Derby and Jeanie Brookhouser. Council Members Absent: Sean Minahan. Also present: City Administrator Ervin Portis, Assistant City Administrator Emily Bausch, 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 8, 2021 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 4-CITIZEN DELEGATION

Shane Jensen, 16580 Dock Road (Plattsmouth Boat Club)-Mr. Jensen made reference to Agenda Item 7 D and informed the Council the Boat Club does not recall any threat of litigation. Felt the proposal the Boat Club received was one-sided. The Interlocal Agreement between the City of Plattsmouth and Cass County was not being upheld. The Boat Club does have a receipt for impact fees paid. The Boat Club is open to fair and constructive discussion.

ITEM 5-MAYORAL PROCLAMATION

There were no Mayoral Proclamations.

ITEM 6-CONSENT AGENDA

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

- A Consider approval of the July 6, 2021 City Council Meeting Minutes
- B Receive Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 7/19/21

Pay Date: 7/16/21                      156037.34  
Com Ctr 17125.91

EMS 25490.24  
General 16256.45  
Library 7647  
Parks and Cemetery 8614.91  
Police 44013.89  
Senior Center 2553.04  
Street 13897.32  
Water and Sewer 20438.58  
Various  
Vendor Name  
AMERITAS 17464.08  
COLLECTION SERVICES CENTER 208.8  
FIRST STATE BANK NEBRASKA 136.16  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 35020.71  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 115.39  
NEBRASKA DEPARTMENT OF REVENUE 5491.46  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 12078.54

Department : 01 - GENERAL ADMINISTRATION

BELLINO FIREWORKS INC 2000  
BLACK HILLS ENERGY 6.4  
CHARTER BUSINESS 53.89  
IDEAL PURE WATER 24.1  
IRINA A HARRINGTON 75  
JOHN MASTERS 1000  
KA BOOMER ENTERPRISES INC 1000  
KATHRYN SHARP 125  
KONICA MINOLTA BUSINESS SOLUTIONS 281.93  
MICHAEL LENNEN 300  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 443.41  
OFFICE DEPOT INC 126.06  
STAZNUR LLC 9278.17  
STEPHEN Q PRESTON 4800  
STERICYCLE SHRED IT 60.89  
VERIZON WIRELESS 82.24  
WASTE CONNECTIONS OF NEBRASKA INC 83.25  
WILD WILLY'S FIREWORKS LLC 1000  
WINDSTREAM 247.1

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 45.59  
VERIZON WIRELESS 40.01

Department : 03 - EMS

BLACK HILLS ENERGY 58.95  
BOUND TREE MEDICAL LLC 2236.76  
CHARTER BUSINESS 18.2  
CUMMINS CENTRAL INC 1021.55  
IDEAL PURE WATER 22.13  
KONICA MINOLTA BUSINESS SOLUTIONS 18.71  
MATHESON TRI-GAS INC 134.95  
NEBRASKA PUBLIC POWER DISTRICT 226.35  
PREMIER HEALTH CARE SERVICES INC 2500  
ROLLINS INC 28  
STANDARD HEATING & AIR CONDITIONING INC 2013.48  
STRYKER SALES CORPORATION 607.02  
VERIZON WIRELESS 167.91  
WALKERS INC 17.38  
WASTE CONNECTIONS OF NEBRASKA INC 25.2  
WINDSTREAM 184.22

Department : 04 - POLICE

ARROWHEAD SCIENTIFIC INC 1469.55  
CASS COUNTY REGISTER OF DEEDS 130  
GSK LLC 400  
H & H SALES INC 160.05  
JACKS UNIFORMS & EQUIPMENT 92.84  
KONICA MINOLTA BUSINESS SOLUTIONS 55.8  
MICHAEL D BRIGHT 1657.4  
MULLENAX AUTO SUPPLY 32.29  
T & N ACQUISITION COMPANY 300  
VERIZON WIRELESS 310.55  
WEX HEALTH INC 25  
WINDSTREAM 340.58

Department : 05 - STREET

ALLIED OIL & TIRE CO 428  
BADGER BODY & TRUCK EQUIPMENT 74  
BLACK HILLS ENERGY 29.86  
CINTAS CORPORATION #749 280.6  
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 53.22  
HOTSY EQUIPMENT CO 181.52  
INDEPENDENT AUTO REPAIR 41.25  
MULLENAX AUTO SUPPLY 412.99  
NEBRASKA PUBLIC POWER DISTRICT 4929.86  
READY MIX CONCRETE CO 1474.97  
VERIZON WIRELESS 123.36  
WASTE CONNECTIONS OF NEBRASKA INC 210.15  
WINDSTREAM 128.91

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 797.06  
CHARTER BUSINESS 65  
KONICA MINOLTA BUSINESS SOLUTIONS 263  
NEBRASKA PUBLIC POWER DISTRICT 352.97  
OCLC ONLINE COMPUTER LIBRARY CENTER INC 170.93  
WASTE CONNECTIONS OF NEBRASKA INC 25.19

Department : 07 - PARKS  
BLACK HILLS ENERGY 12.75  
DAN KOEHLER 8  
MULLENAX AUTO SUPPLY 33.98  
NEBRASKA PUBLIC POWER DISTRICT 246.85  
OREILLY AUTOMOTIVE INC 49.13  
SUSPENSION SHOP INC 24.74  
WALKERS INC 13.36  
WASTE CONNECTIONS OF NEBRASKA INC 179.85

Department : 08 - CEMETERY  
BLACK HILLS ENERGY 14.61  
J & J SMALL ENGINE SERVICE 39.03  
NEBRASKA IOWA SUPPLY CO INC 1138.27  
VERIZON WIRELESS 82.24  
WASTE CONNECTIONS OF NEBRASKA INC 85.56

Department : 10 - FIRE  
BLACK HILLS ENERGY 58.95  
CHARTER BUSINESS 18.2  
CUMMINS CENTRAL INC 1021.56  
IDEAL PURE WATER 22.12  
KONICA MINOLTA BUSINESS SOLUTIONS 18.72  
MULLENAX AUTO SUPPLY 399.63  
NEBRASKA FIRE CHIEFS ASSOCIATION 75  
NEBRASKA PUBLIC POWER DISTRICT 226.35  
NEBRASKA STATE VOLUNTEER FIREFIGHTERS 920  
ROLLINS INC 28  
STANDARD HEATING & AIR CONDITIONING INC 2013.47  
WALKERS INC 17.37  
WASTE CONNECTIONS OF NEBRASKA INC 25.2  
WINDSTREAM 184.23

Department : 11 - SENIOR CITIZEN CTR  
BLACK HILLS ENERGY 19.22  
H & H SALES INC 227.99  
NEBRASKA PUBLIC POWER DISTRICT 468.49  
OFFICE DEPOT INC 113.86

REINHART FOODSERVICE LLC 1339.68

Department : 17 - COMMUNITY CENTER

AQUA CHEM INC 235.05  
BLACK HILLS ENERGY 172.94  
CHAD WEHRBEIN 122.52  
JAISA POPPLETON 550.82  
KONICA MINOLTA BUSINESS SOLUTIONS 45.91  
NEBRASKA PUBLIC POWER DISTRICT 4216.4  
WALKERS INC 84  
WASTE CONNECTIONS OF NEBRASKA INC 160.8

Department : 18 - AQUATIC

AQUA CHEM INC 1090.65  
BLACK HILLS ENERGY 120.13  
NEBRASKA PUBLIC POWER DISTRICT 2142.05  
REINHART FOODSERVICE LLC 834.9  
WASTE CONNECTIONS OF NEBRASKA INC 130

Department : 20 - WATER

ACCELERATED GRAPHX LLC 89.25  
BLACK HILLS ENERGY 89.98  
CORE & MAIN LP 315.72  
DPC INDUSTRIES INC 480.75  
H & H SALES INC 874.15  
MY STAFF INC 974.88  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 934.6  
NEBRASKA PUBLIC POWER DISTRICT 77.77  
ONE CALL CONCEPTS INC 93.08  
STEPHEN Q PRESTON 1600  
VERIZON WIRELESS 122.25  
WATER & SEWER DEPARTMENT 198.63  
WEX HEALTH INC 25  
WINDSTREAM 191.41

Department : 24 - DRUG FORFEITURE

H & H SALES INC 400  
VERIZON WIRELESS 41.14

Department : 30 - SEWER

ACCELERATED GRAPHX LLC 89.25  
BLACK HILLS ENERGY 420.19  
HYDRO OPTIMIZATION AND AUTOMATION SOLUTIONS INC 396.4  
MIDWEST LABORATORIES INC 1530  
MY STAFF INC 974.87  
NEBRASKA PUBLIC POWER DISTRICT 93.95

ONE CALL CONCEPTS INC 93.07  
OREILLY AUTOMOTIVE INC 4.96  
STEPHEN Q PRESTON 1600  
VERIZON WIRELESS 81.13  
WASTE CONNECTIONS OF NEBRASKA INC 76.7  
WEST E CON 1792.87  
WINDSTREAM 51.77

Department : 40 - PLATTSMOUTH KENO  
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 15149

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

#### ITEM 7-UNFINISHED BUSINESS

##### ITEM 7 A

Steve Perry, PE and James Olmsted, PE-Olmsted & Perry Consulting Engineers Inc. along with Keith Hobson, PE and Matt Hawes, PE-Fox Engineering gave a presentation on the 2019 Flood Recovery Project-New Relocated Wastewater Treatment Plant & Conveyance. The scope of the project was reviewed along with the treatment plant processes.

##### ITEM 7 B

Steve Perry, PE and Jim Olmsted, PE- Olmsted & Perry Consulting Engineers Inc. briefly reviewed the Engineering Services Agreement with Olmsted & Perry Consulting Engineers Inc. for the New Relocated Wastewater Treatment Plant & Conveyance Project and the Notice to Proceed with the Preliminary Engineering 30% Design Services with a fixed fee of \$1,229,000.00. Motion by Forrest seconded by Derby to approve the Engineering Services Agreement with Olmsted & Perry Consulting Engineers Inc. for the New Relocated Wastewater Treatment Plant & Conveyance Project and authorize the Notice to Proceed with the Preliminary Engineering 30% Design Services. ROLL CALL: Yes-Brookhouser, Clark, Muller, Forrest, Riese, Kerns and Derby. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

##### ITEM 7 C

Council Member Forrest presented the report of the City Council Subcommittee regarding the City's preliminary proposal to lease municipal property to the Plattsmouth Boat Club. The Committee recommended no further action. NO ACTION TAKEN

##### ITEM 7 D

The council did NOT convene in to closed session.

## ITEM 8-NEW BUSINESS

### ITEM 8 A

Erv Portis, City Administrator reviewed the Public Improvement Contribution Agreement and informed Council the Masonic Home has already approved 50% funding for paving of North 15<sup>th</sup> Street between the intersections of Webster Blvd. and Avenue D. He recommended approval. Motion by Riese seconded by Brookhouser to approve a Public Improvement Contribution Agreement by and between City of Plattsmouth, a Nebraska municipal corporation and The Nebraska Masonic Home, a Nebraska nonprofit corporation and authorize the Mayor to execute the agreement. Following discussion, ROLL CALL: Yes-Riese, Kerns, Brookhouser, Derby, Muller, Forrest and Clark. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

### ITEM 8 B

Motion by Derby seconded by Riese to approve a Construction Services Agreement for storm cleanup and tree removal at Oakhill Cemetery; and authorize the Mayor to execute the Agreement. Following discussion, ROLL CALL: Yes-Clark, Brookhouser, Derby, Kerns, Riese, Forrest and Muller. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

### ITEM 8 C

Pursuant to publication Mayor Lambert opened a public hearing at 7:58 p.m. to hear and consider public comments regarding a redevelopment plan entitled: "New Age Real Estate Holdings, LLC, Redevelopment Plan" for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within a portion of an existing community redevelopment area designated as blighted and substandard and in need of redevelopment; such portion being legally described as follows: LOT 2A OF CURTIS HEIGHTS SUBDIVISION, SUCH LOT BEING IN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼), SECTION 24, TOWNSHIP 12, RANGE 13, CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA. Erv Portis, City Administrator stated he had heard from David Wood, one of the principals for New Age, he had intentions of attending the meeting but had a conflict in his schedule and asked for the City's support. No one else spoke in favor, opposition or of a neutral nature. Mayor Lambert closed the public hearing at 8:00 p.m.

### ITEM 8 D

Motion by Muller seconded by Brookhouser to approve RESOLUTION NO. 21-015: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN (NEW AGE MANUFACTURING REDEVELOPMENT PROJECT) by title only.

## **RESOLUTION NO. 21-015**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, APPROVING A REDEVELOPMENT PLAN ENTITLED "REDEVELOPMENT PLAN (NEW AGE MANUFACTURING REDEVELOPMENT PROJECT)".

**WHEREAS**, pursuant to the Nebraska Community Development Law, Nebraska Revised Statutes Sections 18-2101 et. seq. (the "Act"), the Mayor and City Council of the City of Plattsmouth, Nebraska (the "City") designated a portion of the City, commonly referred to as the "South 15<sup>th</sup> Corridor Redevelopment Area" as blighted, substandard, and in need of redevelopment under the Act; and

**WHEREAS**, the Mayor and City Council finds based on substantial evidence in the record of this proceeding that redevelopment of the South 15th Corridor Redevelopment Area will result in the elimination and prevention of blight and aligns with the purposes of the Act and the City's comprehensive plan for land use and development (the "Comprehensive Plan"); and

**WHEREAS**, attached hereto as Exhibit "A" is a redevelopment plan setting forth a redevelopment project within the South 15th Corridor Redevelopment Area entitled "Redevelopment Plan (New Age Manufacturing Redevelopment Project)" (the "Redevelopment Plan"); and

**WHEREAS**, in conformance with the Act, the Planning Commission of the City of Plattsmouth, Nebraska, previously provided written findings on and recommended the Mayor and City Council's adoption and approval of the Redevelopment Plan; and

**WHEREAS**, in conformance with the Act, on July 19, 2021, the Community Development Agency of the City previously provided written findings on and recommended adoption and approval of the Redevelopment Plan by the Mayor and City Council; and

**WHEREAS**, on July 19, 2021, the Mayor and City Council held a duly noticed public hearing on the Redevelopment Plan, in conformance with the Act; and

**WHEREAS**, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the Redevelopment Plan complies with the Comprehensive Plan of the City and will result in the elimination and prevention of blight; and

**WHEREAS**, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the redevelopment contemplated in the Redevelopment Plan would not occur and would not be economically feasible without the use of tax-increment financing.



NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA:

Section 1. The Redevelopment Plan attached as Exhibit "A" complies with the Comprehensive Plan of the City.

Section 2. Based on the substantial evidence in the record of this proceeding, the Mayor and City Council finds as follows:

(a) The proposed land uses and building requirements in the redevelopment area as described in the Redevelopment Plan are designed with the general purpose of accomplishing, in conformance with the City's Comprehensive Plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; that under the Redevelopment Plan adequate provision is made for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations, the provision of adequate transportation, water, sewage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the elimination of, or prevention of the recurrence of, insanitary or unsafe dwelling accommodations or conditions of blight.

(b) The Redevelopment Plan contains a satisfactory statement of the proposed method and estimated cost of acquisition and preparation for redevelopment of the redevelopment area; that no public improvements are required to be provided except as set forth in the Redevelopment Plan with respect to the redevelopment project set forth therein; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to the redeveloper; that the Redevelopment Plan sets forth a satisfactory method of financing for the proposed redevelopment consisting of direct payment for public improvements or grant assistance to the redeveloper for the redevelopment area, as designated in the Redevelopment Plan which method of financing is the issuance by the City of its tax increment revenue bond to provide funds to pay for the costs of certain eligible improvements by grant assistance and that there are no families currently living within the redevelopment area, as set forth in the Redevelopment Plan, which are currently expected to be displaced from such area.

(c) The cost-benefit analysis prepared in conjunction with the Redevelopment Plan and attached thereto sets forth the factors required under section 18-2113 of the Nebraska Revised Statutes and supports the Mayor and City Council's adoption and approval of the Redevelopment Plan.

Section 4. The redevelopment set forth in the Redevelopment Plan would not be economically feasible without the use of tax-increment financing; would not occur in the redevelopment area described in the Redevelopment Plan without the use of tax-increment financing; and the costs and benefits of the Redevelopment Plan, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of all those impacted by the Redevelopment Plan.

Section 5. Based on the foregoing and substantial evidence in the record of this proceeding, the Mayor and City Council hereby approves and adopts the Redevelopment Plan.

INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_

PASSED AND ADOPTED THIS 19TH DAY OF JULY, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**EXHIBIT "A"**  
**Redevelopment Plan**

(See attached)

DOCS/2664685.1

Stephen Q. Preston, City Attorney read RESOLUTION NO. 21-015 in to the record by title only. ROLL CALL: Yes-Kerns, Muller, Riese, Clark, Derby, Brookhouser and Forrest. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 8 E

Erv Portis, City Administrator reviewed a timeline of meetings with the Harvest Festival Club. The insurance coverage requirements were given to council members at the meeting. Mr. Portis recommended approval. Motion by Brookhouser seconded by Forrest to approve a License and Management Agreement (Harvest Festival) by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and Plattsmouth Harvest Festival Club, a Nebraska nonprofit corporation for an annual festival scheduled to be held September 9, 2021 through September 12, 2021. ROLL CALL: Yes-Forrest, Riese, Muller, Kerns, Clark, Derby and Brookhouser. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 8 F

Motion by Riese seconded by Brookhouser to receive the Plattsmouth Airport Authority Fiscal Year 2021-2022 Property Tax Request and refer to the City Administrator and the City Treasurer. Following discussion, ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Muller, Riese and Forrest. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 11

8:24 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