

PLATTSMOUTH CITY COUNCIL

May 16, 2022

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 May 16, 2022 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Sean Minahan, Morgan Muller, Terry Kerns, Bryan Clark, James Forrest, Doug Derby and Jeanie Brookhouser. Council Members Absent: None. Also present: 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 May 5, 2022 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

Pam Siroky, Chief Sales Officer-First State Insurance Agency presented the Mayor and Council two dividend checks totaling \$76,993.40. The checks are issued based off the following lines of coverage: Property, Automobile, Inland Marine and Workers Compensation. The payout is determined based on the profitability of the entire group of municipalities insured with EMC and this year is about 23.5%.

ITEM 7-MAYORAL PROCLAMATIONS

ITEM 7 A

Mayor Lambert proclaimed May 15-21, 2022 as Emergency Medical Services Week in the City of Plattsmouth and presented the proclamation to Shane Lohmeier, Director of EMS and his staff.

ITEM 7 B

Mayor Lambert proclaimed May 15-21, 2022 as Police Week in the City of Plattsmouth and presented the proclamation to Chief Rathman.

ITEM 7 C

Mayor Lambert honored and congratulated the Church of the Holy Spirit on its 50th Anniversary being celebrated June 5, 2022

ITEM 8-CONSENT AGENDA

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

- A Consider approval of the May 2, 2022 City Council Meeting Minutes
- B Receive Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 5/16/22

Pay Date: 5/6/22 144028.19

Com Ctr 6877.74
EMS 24527.43
General 17386.46
Library 8721.11
Parks and Cemetery 7339.2
Police 45223.67
Senior Center 2643.24
Street 16477.23
Water and Sewer 14832.11

Various
Vendor Name
AMERITAS 16281.5
CASS COUNTY COURT 255.77
COLLECTION SERVICES CENTER 208.8
COUNTY COURT OF LANCASTER COUNTY NE 25.6
FIRST STATE BANK NEBRASKA 186.16
FRATERNAL ORDER OF POLICE 195
INTERNAL REVENUE SERVICE 32456.19
NEBRASKA CHILD SUPPORT PAYMENT CENTER 556.16
NEBRASKA DEPARTMENT OF REVENUE 5271.27
PETTY CASH CITY 300
PLATTSMOUTH COMMUNITY CENTER 2554.94

Department : 01 - GENERAL ADMINISTRATION
ALL COPY PRODUCTS INC 202.63
CASS COUNTY TREASURER 8858.4
CHARTER BUSINESS 56.4

CLAY D LINCOLN 100
EGAN SUPPLY CO 59.22
F S I AGENCY LLC 1911
IDEAL PURE WATER 15
IRINA A HARRINGTON 75
KATHRYN SHARP 375
MICROFILM IMAGING SYSTEMS 75
NATIONAL LEAGUE OF CITIES 1202
NEBRASKA INTERACTIVE LLC 100
NEBRASKA PUBLIC POWER DISTRICT 241
OFFICE DEPOT INC 50.67
OXEN TECHNOLOGY 1000.5
PLATINUM TITLE AND ESCROW LLC 75
RICHARD A COMI 475
SHELL FLEET PLUS 60.35
STAZNUR LLC 4795.18
STEPHEN Q PRESTON 4800
STERICYCLE SHRED IT 59.83
THE PITNEY BOWES BANK INC 1005
VERIZON WIRELESS 85.66
WASTE CONNECTIONS OF NEBRASKA INC 282.07
WH PLATTSMOUTH LLC 35202.44
WINDSTREAM 246.17

Department : 02 - HUMANE/CODE ENFORCEMENT
NEBRASKA PUBLIC POWER DISTRICT 145.07
SHELL FLEET PLUS 124.07

Department : 03 - EMS
ALL COPY PRODUCTS INC 17.63
BOUND TREE MEDICAL LLC 1033.24
CASS COUNTY MUTUAL AID ASSN 50
FIRST BANKCARD 853.68
IDEAL PURE WATER 31.5
MATHESON TRI-GAS INC 244.5
NEBRASKA PUBLIC POWER DISTRICT 491.3
ROLLINS INC 30
SHELL FLEET PLUS 1224.97
STERICYCLE INC 504.63
STRYKER SALES CORPORATION 18105.89
VERIZON WIRELESS 171.53
WALKERS INC 19.38
WASTE CONNECTIONS OF NEBRASKA INC 33.17
WINDSTREAM 177.62

Department : 04 - POLICE
AFL LLC 34298
ALL COPY PRODUCTS INC 78.18

AUDREY WILSON 66.69
CASS COUNTY REGISTER OF DEEDS 10
CASS COUNTY SHERIFF 7230
CONSOLIDATED MANAGEMENT CO 97.61
DAVID WALKER 48.13
DIGITAL ALLY INC 180
GREAT PLAINS UNIFORMS 944.46
H & H SALES INC 38.95
JACKS UNIFORMS & EQUIPMENT 311.32
NEBRASKA LAW ENFORCEMENT TRAINING CENTER 122
OREILLY AUTOMOTIVE INC 10.31
SAYLER SCREENPRINTING LLC 98.25
SHELL FLEET PLUS 2544.82
VERIZON WIRELESS 321.06
WINDSTREAM 332.99

Department : 05 - STREET

CINTAS CORPORATION #749 363.24
FERGUSON ENTERPRISES 23.43
FIRST STATE BANK NEBRASKA 16392
MENARDS 41.44
NEBRASKA PUBLIC POWER DISTRICT 5288.01
OLD DOMINION BRUSH 5928.4
SAFETY-KLEEN CORPORATION 354.88
SCHRAM & SONS EXCAVATION CORP 6269.68
SHELL FLEET PLUS 640.35
VERIZON WIRELESS 128.49
WASTE CONNECTIONS OF NEBRASKA INC 275.5
WINDSTREAM 126.59

Department : 06 - LIBRARY

ALL COPY PRODUCTS INC 75.2
CASS COUNTY TREASURER 1476.4
CHARTER BUSINESS 65
NEBRASKA PUBLIC POWER DISTRICT 290.52
OCLC ONLINE COMPUTER LIBRARY CENTER INC 170.93
WASTE CONNECTIONS OF NEBRASKA INC 33.16
WINDSTREAM 144.31

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 5.28
CHARLES S SCHREIBER 3191.79
DENNIS HORN 600
EGAN SUPPLY CO 589.19
FERGUSON ENTERPRISES 163.19
J & J SMALL ENGINE SERVICE 375.15
MENARDS 254.88
MULLENAX AUTO SUPPLY 240.59

NEBRASKA PUBLIC POWER DISTRICT 238.27
SAMUEL C MCCANDLESS 200
SHELL FLEET PLUS 437.01
VERIZON WIRELESS 42.83
WALKERS INC 14.1
WASTE CONNECTIONS OF NEBRASKA INC 237.94

Department : 08 - CEMETERY
BARONI ENTERPRISES 100
J & J SMALL ENGINE SERVICE 681.49
SHELL FLEET PLUS 128.16
VERIZON WIRELESS 42.83
WASTE CONNECTIONS OF NEBRASKA INC 114.71
WILBUR-ELLIS HOLDINGS II INC 89.98
WINDSTREAM 141.02

Department : 10 - FIRE
ALL COPY PRODUCTS INC 17.63
IDEAL PURE WATER 31.5
NEBRASKA PUBLIC POWER DISTRICT 491.29
ROLLINS INC 30
WALKERS INC 19.37
WASTE CONNECTIONS OF NEBRASKA INC 33.16
WINDSTREAM 177.63

Department : 11 - SENIOR CITIZEN CTR
NEBRASKA PUBLIC POWER DISTRICT 700.43
OFFICE DEPOT INC 56.36
REINHART FOODSERVICE LLC 1625.99
SHELL FLEET PLUS 129.73

Department : 12 - DEBT SERVICE
FIRST STATE BANK NEBRASKA 71532.75

Department : 16 - ECONOMIC DEVELOPMENT
OMAHA COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY 58544.46

Department : 17 - COMMUNITY CENTER
ALL COPY PRODUCTS INC 78.61
EGAN SUPPLY CO 699.84
NEBRASKA PUBLIC POWER DISTRICT 6303.88
NEBRASKA STATE FIRE MARSHAL 120
OFFICE DEPOT INC 32.85
WALKERS INC 92
WASTE CONNECTIONS OF NEBRASKA INC 212.74

Department : 18 - AQUATIC
AQUA CHEM INC 951.9

BARONI ENTERPRISES 22
CHESTERMAN CO 581.2
FERGUSON ENTERPRISES 454.01
MENARDS 153.94
NEBRASKA PUBLIC POWER DISTRICT 85.18

Department : 20 - WATER
C A ENTERPRISES INC 2905.77
CASS COUNTY TREASURER 2657.52
CORE & MAIN LP 595
DAVID JAY LAWRENCE 9500
DPC INDUSTRIES INC 582
HAWKINS INC 852.44
IOWA PUMP WORKS INC 1121.52
MISSISSIPPI LIME COMPANY 4900.35
NEBRASKA PUBLIC POWER DISTRICT 76.79
OFFICE DEPOT INC 69.52
ONE CALL CONCEPTS INC 56.12
PETTY CASH WATER DEPARTMENT 544.32
SHELL FLEET PLUS 947.99
STEPHEN Q PRESTON 1600
TRANSWOOD LOGISTICS INC 1401.5
VERIZON WIRELESS 168.5
WINDSTREAM 132.41

Department : 24 - DRUG FORFEITURE
H & H SALES INC 400
VERIZON WIRELESS 42.83

Department : 30 - SEWER
CASS COUNTY TREASURER 1771.68
DAVID AND AMBER PETERS 598
EGAN SUPPLY CO 199.5
IOWA PUMP WORKS INC 635.68
MACQUEEN EQUIPMENT LLC 373.09
MICHAEL TODD & COMPANY INC 186.72
MIDWEST LABORATORIES INC 507
NEBRASKA PUBLIC POWER DISTRICT 31.58
OFFICE DEPOT INC 69.52
ONE CALL CONCEPTS INC 56.12
SHELL FLEET PLUS 109.01
STEPHEN Q PRESTON 1600
VERIZON WIRELESS 82.84
WASTE CONNECTIONS OF NEBRASKA INC 101.48
WINDSTREAM 114.29

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT
UMB BANK NA 182638.75

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

ITEM 9-UNFINISHED BUSINESS

ITEM 9 A

Council member Kerns stated he has a conflict of interest so he will be abstaining from any discussion or action on this item. Matt Dougherty and Ryan Durant, Developers and Brent Beller, Attorney for the Developers were present and explained the structure of the Low Income Tax Credit syndication deal and how the transaction interacts with the LB840 funds. Motion by Forrest seconded by Clark to adopt RESOLUTION NO. 22-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO AUTHORIZE THE TRANSFER OF AN LB840 APPLICATION FOR 814 MAIN STREET TO RMDX, LLC AND TO AUTHORIZE THE NEGOTIATION AND EXECUTION OF AMENDED LB840 LOAN DOCUMENTS by title only. Following further discussion, ROLL CALL: Yes-Forrest, Minahan, Brookhouser, Riese, Clark, Muller and Derby. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-006 in to the record by title only.

ITEM 9 B

Mayor Lambert stated the need for the council to go in to Closed Session for the purpose of protecting the public interest while the Mayor and City Council conduct a strategy session with the city Attorney regarding a complaint filed, *Plattsmouth Boat Club v. City of Plattsmouth*, in Cass County District Court, Case ID CI 22-67.

7:32 p.m. Motion by Brookhouser seconded by Clark to go in to Closed Session for the purpose of protecting the public interest while the Mayor and City Council conduct a strategy session with the city Attorney regarding a complaint filed, *Plattsmouth Boat Club v. City of Plattsmouth*, in Cass County District Court, Case ID CI 22-67. Mayor Lambert again stated the Council will be going in to Closed Session for the purpose of protecting the public interest while the Mayor and City Council conduct a strategy session with the city Attorney regarding a complaint filed, *Plattsmouth Boat Club v. City of Plattsmouth*, in Cass County District Court, Case ID CI 22-67. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Mayor Lambert again stated the Council will be going in to Closed Session for the purpose of protecting the public interest while the Mayor and City Council conduct a strategy session with the City Attorney regarding a complaint filed, *Plattsmouth Boat Club v. City of Plattsmouth*, in Cass County District Court, Case ID CI 22-67.

7:49 p.m. Motion by Riese seconded by Brookhouser to reconvene in Open Session. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 10-NEW BUSINESS

ITEM 10 A

Emily Bausch, City Administrator updated the Mayor and Council on the proposal for 2022 Historic Downtown Plattsmouth Association (HDP) events (Friday night) which will be in the License and Management Agreement between the City of Plattsmouth and HDP Association for 2022. Events with more diverse vendors were discussed as well as more tentative holiday events. An updated (red line) License and Management Agreement for 2022 will be brought back to council for approval.

ITEM 10 B

Emily Bausch, City Administrator reviewed Municipal Code SECTION 6-314: VACATING PUBLIC WAYS; PROCEDURE. One concern is alleys are often used to access existing and potential future utilities. A suggested revision to the process would include a staff report and recommendation to council at time of consideration. Proposed changes to Plattsmouth Municipal Code SECTION 6-314: VACATING PUBLIC WAYS; PROCEDURE will be drafted and brought back to council at a future meeting.

ITEM 13

8:38 p.m. Motion by Brookhouser seconded by Forrest to adjourn. ROLL CALL: Yes-Minahan, Kerns, Muller, Clark, Riese, Derby, Forrest and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk