

PLATTSMOUTH CITY COUNCIL

July 5, 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 July 5, 2022 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Morgan Muller, Terry Kerns, Bryan Clark, Doug Derby, Jeanie Brookhouser and James Forrest. Council Members Absent: Sean Minahan, Also present: City Administrator Emily Bausch, City Inspector Kevin Larson 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 30, 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-MAYORAL PROCLAMATIONS

ITEM 6 A

Mayor Lambert proclaimed July 2022 as Parks and Recreation Month

ITEM 7-CONSENT AGENDA

Motion by Brookhouser seconded by Derby to remove the Kerns Excavating Company claim for Invoice No. 16962 in the amount of \$7,750.00 from the claims list for separate consideration and approve the consent agenda with the removal of Kerns Excavating Company Inv. No. 16962 and the addition of a claim to F S I Agencies LLC in the amount of \$9,427.00 for Flood Insurance-Digester Unit.

- A Consider approval of the June 20, 2022 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 7/5/22

Pay Date: 7/1/22 150852.81

Com Ctr 21812.69
EMS 24850.62

General 17411.46
Library 7435.24
Parks and Cemetery 9666.13
Police 41938.87
Senior Center 3076.43
Street 11830.92
Water and Sewer 12830.45

Various

Vendor Name

AMERICAN FAMILY LIFE 675.58
AMERITAS 14926.2
AMERITAS LIFE INSURANCE CORP 148.12
BLUE CROSS BLUE SHIELD 48130.15
CASS COUNTY COURT 255.77
COLLECTION SERVICES CENTER 174
COUNTY COURT OF LANCASTER COUNTY NE 25.6
F S I AGENCIES LLC 9427
FIRST STATE BANK NEBRASKA 186.16
INTERNAL REVENUE SERVICE 34017.01
MUTUAL OF OMAHA 2020.55
NEBRASKA CHILD SUPPORT PAYMENT CENTER 69.24
NEBRASKA DEPARTMENT OF REVENUE 5405.12
PLATTSMOUTH COMMUNITY CENTER 2386.68

Department : 01 - GENERAL ADMINISTRATION

ALL COPY PRODUCTS INC 0.32
CHARTER BUSINESS 134.99
DAN KOEHLER 676.8
DAVIDS ELECTRIC INC 2325
FIRST BANKCARD 2102.48
KATHRYN SHARP 250
KONICA MINOLTA PREMIER FINANCE 221.16
OFFICE DEPOT INC 230.03
OXEN TECHNOLOGY 8281
WASTE CONNECTIONS OF NEBRASKA INC 426.6

Department : 03 - EMS

EGAN SUPPLY CO 142.84
FIRST BANKCARD 55.43
FORT DEARBORN LIFE INSURANCE CO 65.36
KONICA MINOLTA PREMIER FINANCE 35.78
LIFEARTS INTEGRATED HEALTH CENTER PC 190
REBECCA L GRAF 5
RED RHINO ROOFING 1900
WALKERS INC 19.38

Department : 04 - POLICE

UPSTATE WHOLESALE SUPPLY 7271
ALL COPY PRODUCTS INC 13.78
AMY RICHTER 139.73
BARONI ENTERPRISES 17.57
DIGITAL ALLY INC 670
FIRE GUARD INC 129.73
FIRST BANKCARD 732.34
GSK LLC 9500
H & H SALES INC 264.85
JACKS UNIFORMS & EQUIPMENT 367.69
KONICA MINOLTA PREMIER FINANCE 154.29
LEROY LEWIS 142.45
LIFEARTS INTEGRATED HEALTH CENTER PC 80

Department : 05 - STREET
AGRIVISION EQUIPMENT GROUP LLC 105.01
ALLIED OIL & TIRE CO 42.06
BOMGAARS SUPPLY 541.56
EGAN SUPPLY CO 173.68
FIRST BANKCARD 165.33
LOGAN CONTRACTORS SUPPLY CO 2686.41
ROSE EQUIPMENT INC 1366.71
SANTANDER BANK NA 47184.87
VAN WINKLE CONSTRUCTION SERVICES LLC 39261.5

Department : 06 - LIBRARY
BAKER & TAYLOR BOOKS 1727.71
FIRST BANKCARD 1755.83
FONTENELLE FOREST 160
KONICA MINOLTA PREMIER FINANCE 154.29
LIFEARTS INTEGRATED HEALTH CENTER PC 30
WINDSTREAM 143.28

Department : 07 - PARKS
BOMGAARS SUPPLY 122.68
CHARTER BUSINESS 37.49
CLAY D LINCOLN 375
ECHO GROUP INC 40.86
LIFEARTS INTEGRATED HEALTH CENTER PC 320
MENARDS 176.26
OFFICE DEPOT INC 123
SIGNEX INC 422.28
WALKERS INC 14.18

Department : 08 - CEMETERY
BOMGAARS SUPPLY 79.14
SIGNEX INC 99.3
WINDSTREAM 141.02

Department : 10 - FIRE
FIRST BANKCARD 376.69
FORT DEARBORN LIFE INSURANCE CO 144.48
KONICA MINOLTA PREMIER FINANCE 35.78
SANDRY FIRE SUPPLY LLC 3262.9
WALKERS INC 19.37

Department : 11 - SENIOR CITIZEN CTR
CHARTER BUSINESS 153.3
HYVEE 766.54
LIFEARTS INTEGRATED HEALTH CENTER PC 30
REINHART FOODSERVICE LLC 2337.23
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 17 - COMMUNITY CENTER
A F P CORPORATION 841.88
AQUA CHEM INC 264.95
CHARTER BUSINESS 459.89
CHESTERMAN CO 65.4
FIRST BANKCARD 201
KONICA MINOLTA PREMIER FINANCE 186.7
LIFEARTS INTEGRATED HEALTH CENTER PC 60
STRATUS BUILDING SOLUTION OF ARIZONA 1870
WALKERS INC 92

Department : 18 - AQUATIC
AQUA CHEM INC 1786.4
BOMGAARS SUPPLY 55.96
CHARTER BUSINESS 37.5
CHESTERMAN CO 1039.58
FIRST BANKCARD 600.68
REINHART FOODSERVICE LLC 1393.99

Department : 20 - WATER
BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 88.43
DPC INDUSTRIES INC 110
EGAN SUPPLY CO 55.44
HAWKINS INC 854.94
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 60
NEBRASKA PUBLIC POWER DISTRICT 5989.84
OFFICE DEPOT INC 12.14
OLMSTED & PERRY ENGINEERING 32850
OMAHA MAIL INC 1331.04
SIGNEX INC 99.3

Department : 30 - SEWER
BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 359.03
NEBRASKA PUBLIC POWER DISTRICT 2881.65
OLMSTED & PERRY ENGINEERING 98255
SIGNEX INC 99.3

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Council member Kerns stated he would be abstaining from any discussion or action on this items as he has a conflict of interest.

Motion by Muller seconded by Brookhouser to approve Kerns Excavating Company Invoice No. 16962 in the amount of \$7,750.00 and authorize payment. ROLL CALL: Yes-Riese, Muller, Clark, Derby, Brookhouser and Forrest. No-None. Absent-Minahan. Abstain-Kerns. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Motion by Forrest to table the consideration to approve a Termination of Development Agreement whereby the City and Wiles Development agree to terminate the Development Agreement for property zoned with a mixed use overlay and located northwest of the intersection of Highway 75 and Clubview Drive until after the public hearing, which is the next item. For lack of a second, MOTION FAILED.

Stephen Q. Preston, City Attorney spoke regarding the Development Agreement and recommended the termination be approved and signed prior to the 3rd reading of Ordinance No. 1995.

Motion by Forrest to approve a Termination of Development Agreement whereby the City and Wiles Development agree to terminate the Development Agreement for property zoned with a mixed use overlay and located northwest of the intersection of Highway 75 and Clubview Drive and authorize the Mayor to execute the termination contingent on rezoning approval. For lack of a second, MOTION FAILED.

Motion by Clark seconded by Riese to approve a Termination of Development Agreement whereby the City and Wiles Development agree to terminate the Development Agreement for property zoned with a mixed use overlay and located northwest of the intersection of Highway 75 and Clubview Drive and authorize the Mayor to execute the termination. ROLL CALL: Yes-

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

ITEM 9 B

Pursuant to publication, Mayor Lambert opened a public hearing at 7:21 p.m. to hear and consider public comment regarding an application for rezoning from RR/MUD (Rural Residential/Mixed Use District) to AG (Agriculture) by Wiles Development LLC on property located northwest of the intersection of Highway 75 and Clubview Drive, legally described as 12-12-13 NW1/4 NW1/4 and pt DB96 P558 SW1/4NW1/4 Except County Road (40 acres), and 12-12-13 W1/2 NW1/4 (20 acres). Kevin Larson, City Inspector/Zoning Administrator entered his report in to the record. Annette Wiles, Wiles Development LLC, 19515 Watersedge Circle, Plattsmouth presented documents to the clerk for distribution to the Mayor and Council. Ms. Wiles referenced the documents-content was history of the said property. Mayor Lambert again stated the reason for the public hearing and with no one else coming forward to speak, Mayor Lambert closed the public hearing at 7:34 p.m.

ITEM 9 C

Motion by Kerns seconded by Clark to approve first (1st) reading of ORDINANCE NO. 1995: **AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF HIGHWAY 75 AND CLUBVIEW DRIVE, LEGALLY DESCRIBED AS 12-12-13 NW1/4 NW1/4 AND PT DB96 SW1/4 NW1/4 EXCEPT COUNTY ROAD (40 ACRES) AND 12-12-13 W1/2 NW1/4 (20 ACRES), CASS COUNTY, NEBRASKA, FROM THE RR/MUD (RURAL RESIDENTIAL/MIXED USE DISTRICT) TO AG (AGRICULTURE); 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** by title only. ROLL CALL: Yes-Riese, Forrest, Muller, Brookhouser, Derby, Clark and Kerns. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1995 in to the record by title only.

ITEM 9 D

Motion by Forrest seconded by Riese to adopt RESOLUTION NO. 22-007: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA, TO RECEIVE THE PAY OFF OF A CDBG LOAN FOR PROPERTY LOCATED AT 207 SO. 7TH STREET, PLATTSMOUTH, NEBRASKA; TO REMIT THE SAME TO THE NDEE AS PROGRAM INCOME; AND TO AUTHORIZE THE MAYOR TO EXECUTE A DEED OF RECONVEYANCE AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO EFFECT THE FOREGOING** by title only. Following discussion, ROLL CALL: Yes-Kerns, Derby, Brookhouser, Forrest, Riese, Muller and Clark. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-007 in to the record by title only.

ITEM 9 E

Emily Bausch, City Administrator reviewed the proposed Interlocal Agreement with SID #7 for the City's provision of municipal street sweeping services in the district. Specific contract provisions relating to minimum hours and rates were discussed. Council asked for more information. NO ACTION TAKEN.

ITEM 9 F

Motion by Forrest seconded by Clark to approve a Special Designated License application submitted by Knights of Columbus Council 1966 for a golf tournament award banquet, being held at St. John's School Gym, 518 S. 18th Street, Plattsmouth on August 6, 2022 from 3:00 p.m. to 11:00 p.m. ROLL CALL: Yes-Forrest, Clark, Derby, Kerns, Muller, Riese and Brookhouser. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 12

8:17 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Forrest, Riese, Muller, Kerns, Clark, Derby and Brookhouser. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk