

PLATTSMOUTH CITY COUNCIL

August 1, 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 August 1, 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, Doug Derby, Jeanie Brookhouser and James Forrest. 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 July 21, 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

There were no Mayoral Proclamations.

ITEM 7-CONSENT AGENDA

Motion by Brookhouser seconded by Clark to approve the Consent Agenda as presented.

- A Consider approval of the July 18, 2022 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 8/1/22

Pay Date: 7/29/22                      152100.49

Com Ctr 20469.46  
EMS 24966.36  
General 16802.46  
Library 8576.42  
Parks and Cemetery 9257.98  
Police 41063.88  
Senior Center 6599.53  
Street 11467.43

Water and Sewer 12896.97

Various

Vendor Name

AMERICAN FAMILY LIFE 675.58  
AMERITAS 14609.2  
AMERITAS LIFE INSURANCE CORP 148.12  
BLUE CROSS BLUE SHIELD 53695.43  
CASS COUNTY COURT 77.54  
COLLECTION SERVICES CENTER 174  
COUNTY COURT OF LANCASTER COUNTY NE 25.6  
FIRST STATE BANK NEBRASKA 186.16  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 34001.02  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 69.24  
NEBRASKA DEPARTMENT OF REVENUE 5349.82  
NEBRASKA UNEMPLOYMENT COMP FUND 645.3

Department : 01 - GENERAL ADMINISTRATION

ALL COPY PRODUCTS INC 201.27  
BAIRD HOLM LLP 1045.5  
BLACK HILLS ENERGY 35.02  
CHARTER BUSINESS 134.99  
DAN KOEHLER 46  
FIRST BANKCARD 1073.25  
OLMSTED & PERRY ENGINEERING 2653.88  
STEPHEN C WARGA 156  
WALKERS INC 159.2  
WASTE CONNECTIONS OF NEBRASKA INC 218.67

Department : 02 - HUMANE/CODE ENFORCEMENT

H & H SALES INC 36.79

Department : 03 - EMS

ALL COPY PRODUCTS INC 9.35  
BLACK HILLS ENERGY 26.63  
BOUND TREE MEDICAL LLC 80.34  
CHARTER BUSINESS 18.3  
FIRST BANKCARD 610.38  
FORT DEARBORN LIFE INSURANCE CO 51.6  
MATHESON TRI-GAS INC 142.44  
METRO BILLING SERVICES LLP 851  
OVERHEAD DOOR COMPANY OF OMAHA 2297  
WALKERS INC 19.38

Department : 04 - POLICE

ALL COPY PRODUCTS INC 88.9  
FIRST BANKCARD 571.68

H & H SALES INC 35.96  
JACKS UNIFORMS & EQUIPMENT 1157.98  
MIDLAND PRINTING AND BUSINESS FORMS INC 825.3  
NEBRASKA LAW ENFORCEMENT TRAINING CENTER 19.25  
OREILLY AUTOMOTIVE INC 85.87  
R & R AUTO BODY 458

Department : 05 - STREET  
AMERICAN AUTO GLASS 275  
BIG RED DRAINAGE PIPE SUPPLY INC 741.24  
BLACK HILLS ENERGY 70.47  
BOMGAARS SUPPLY 451.62  
CHARLES S SCHREIBER 4582.34  
FIRST BANKCARD 383.4  
MULLENAX AUTO SUPPLY 789.92  
NEBRASKA IOWA SUPPLY CO INC 2601.33  
OLMSTED & PERRY ENGINEERING 6075  
OREILLY AUTOMOTIVE INC 44.61  
WILBUR-ELLIS HOLDINGS II INC 639.86

Department : 06 - LIBRARY  
ALL COPY PRODUCTS INC 127.67  
BAKER & TAYLOR BOOKS 693.61  
BLACK HILLS ENERGY 35.02  
FIRST BANKCARD 1712.32  
INNOVATIVE INTERFACES INC 14746.04  
STEPHEN C WARGA 30  
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 216.15

Department : 07 - PARKS  
BLACK HILLS ENERGY 35.02  
BOMGAARS SUPPLY 304.77  
CHARTER BUSINESS 38.13  
FIRST BANKCARD 38.99  
SHERWIN WILLIAMS 336  
WALKERS INC 14.1

Department : 08 - CEMETERY  
BLACK HILLS ENERGY 35.02  
BOMGAARS SUPPLY 237.51  
NEBRASKA PUBLIC POWER DISTRICT 45.48  
STEPHEN C WARGA 20

Department : 10 - FIRE  
ALL COPY PRODUCTS INC 9.34  
BLACK HILLS ENERGY 26.63  
CHARTER BUSINESS 18.29  
DANKO EMERGENCY EQUIPMENT 338.71

FIREBLADE LASER ENGRAVERS LLC 429.11  
FIRST BANKCARD 637.65  
FORT DEARBORN LIFE INSURANCE CO 144.48  
JACKS UNIFORMS & EQUIPMENT 133.99  
JERRYS TRANSMISSION SERVICE INC 69.86  
WALKERS INC 19.37  
WITMER PUBLIC SAFETY GROUP INC 358.36

Department : 11 - SENIOR CITIZEN CTR  
ADAM KAFFENBERGER 2700  
BLACK HILLS ENERGY 15.34  
CHARTER BUSINESS 158.12  
HYVEE 446.69  
OFFICE DEPOT INC 59.89  
REINHART FOODSERVICE LLC 1176.8  
STRATUS BUILDING SOLUTION OF ARIZONA 219  
WALKERS INC 123.14

Department : 16 - ECONOMIC DEVELOPMENT  
RMDX LLC 100000

Department : 17 - COMMUNITY CENTER  
ALL COPY PRODUCTS INC 94  
AQUA CHEM INC 1047.4  
BARONI ENTERPRISES 2393.79  
BLACK HILLS ENERGY 138.06  
BOMGAARS SUPPLY 24.57  
CHARTER BUSINESS 474.36  
FIRST BANKCARD 27.81  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 216.15  
WALKERS INC 95.1

Department : 18 - AQUATIC  
APRIL WARREN 60  
AQUA CHEM INC 1838  
BLACK HILLS ENERGY 220.8  
CHARTER BUSINESS 38.13  
CHESTERMAN CO 426.66  
FIRST BANKCARD 466.89  
REINHART FOODSERVICE LLC 992.37

Department : 20 - WATER  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 73.61  
BOMGAARS SUPPLY 91.35  
CORE & MAIN LP 1272.62  
DPC INDUSTRIES INC 140

FIRST BANKCARD 40.4  
HD SUPPLY FACILITIES MAINTENANCE LTD 171.55  
MUNICIPAL SUPPLY INC 5535  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 138  
NEBRASKA PUBLIC POWER DISTRICT 5122.97  
TYLER TECHNOLOGIES 90  
WATER & SEWER DEPARTMENT 189.48

Department : 30 - SEWER  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 649.83  
BOMGAARS SUPPLY 342.1  
CORE & MAIN LP 373.32  
FIRST STATE BANK NEBRASKA 72249  
HD SUPPLY FACILITIES MAINTENANCE LTD 171.56  
HYDRO OPTIMIZATION AND AUTOMATION SOLUTIONS INC 1017  
MACQUEEN EQUIPMENT LLC 1160.13  
NEBRASKA PUBLIC POWER DISTRICT 2432.09  
OLMSTED & PERRY ENGINEERING 115406.25  
PHONETICS INC 420  
TYLER TECHNOLOGIES 90

ROLL CALL: Yes-Forrest, Muller, Kerns, Derby, Riese Minahan, Clark and Brookhouser. No-None. Absent-None. 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 item as he is a potential subcontractor.

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. stated development of alternate mitigation measures in the project area as required by the United States Army Corp of Engineers needs to be completed and asked the Council to consider referring the item back to staff for further development before council action. Motion by Muller seconded by Forrest to refer consideration of the approval of the bid award and contract for the Vireo Parkway Paving Improvements at the Fourmile Industrial Park (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Facility) to staff for further development. Following discussion, ROLL CALL: Yes-Brookhouser, Forrest, Derby, Riese, Clark, Muller and Minahan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

##### ITEM 8 B

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed the proposed plans, specifications and bidding documents for the 2022 Street Repair Project as well as the major repair areas. This is in line with the One & Six Year Street Plan. If approved for solicitation, the

bid opening date would be August 15, 2022. Motion by Forrest seconded by Derby to approve authorization to solicit bids for the 2022 Street Repair Project with a bid opening date of August 15, 2022. Following discussion, ROLL CALL: Yes-Kerns, Clark, Derby, Brookhouser, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 C

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed proposed Amendment No. 3 to the Engineering Services Agreement with Olmsted & Perry Consulting Engineers Inc. for the New Relocated Wastewater Treatment Plant & Conveyance Project for the Construction Phase Services for Contract No. 1 Site Pre-grading Project and Vireo Parkway Paving Improvements at the Fourmile Industrial Park (2019 Flood Recovery Project PW#88688). Following discussion, Motion by Brookhouser seconded by Forrest to approve Amendment No. 3 to the Engineering Services Agreement with Olmsted & Perry Consulting Engineers Inc. for the New Relocated Wastewater Treatment Plant & Conveyance Project for the Construction Phase Services for Contract No. 1 Site Pre-grading Project and Vireo Parkway Paving Improvements at the Fourmile Industrial Park (2019 Flood Recovery Project PW#88688). ROLL CALL: Yes-Riese, Minahan, Brookhouser, Kerns, Forrest, Derby, Muller and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 D

Emily Bausch, City Administrator informed the Mayor and Council the Termination of Development Agreement by and between The City of Plattsmouth, Nebraska, a municipal corporation and Wiles Development, LLC, a Nebraska limited liability company was executed August 1, 2022. Stephen Q. Preston, City Attorney informed Mayor and Council he had prepared a corrected/redline copy of ORDINANCE NO. 1995 showing changes. Motion by Riese seconded by Brookhouser to approve third (3<sup>rd</sup>) and final reading of ORDINANCE NO. 1995: **AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN REAL PROPERTY LOCATED NORTH OF THE INTERSECTION OF HIGHWAY 75 AND CLUBVIEW DRIVE, LEGALLY DESCRIBED AS 12-12-13 NW1/4 NW1/4 AND PT DB96 SW1/4NW1/4 EXCEPT COUNTY ROAD (40 ACRES) AND 12-12-13 W1/2 NE1/4 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,** with the proposed changes and by title only. ROLL CALL: Yes-Minahan, Derby, Muller, Forrest, Kerns, Riese, Clark and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read ORDINANCE NO. 1995 in to the record by title only.

ITEM 8 E

Emily Bausch, City Administrator gave Mayor and Council background on the process. The current vendor was given verbal notice of Nonrenewal of Lease and Termination of Maintenance Services but they have requested the notice in writing. Following discussion, Motion by Forrest seconded by Clark to approve a Notice of Nonrenewal of Lease and a Notice of Termination of Maintenance Services for five existing copy machines at various City departments and authorize the City Administrator to execute and deliver the same. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 F

Emily Bausch, City Administrator reviewed the submitted proposal. Following discussion, Motion by Forrest seconded by Kerns to accept a proposal submitted by Access Solutions for the lease/purchase of seven (7) copy machines for City Facilities with a five year lease term and with a monthly lease payment of \$611.26 and a monthly service fee (variable based on usage) and authorize the Mayor to finalize and execute, upon consultation with the City Attorney and City Administrator, an equipment lease and service agreement which conforms to the RFP, the proposal submitted by Access Solutions, and follow up discussions between City Staff and Access Solutions. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

There was NO NEW BUSINESS for the Council to consider.

ITEM 12

7:33 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Brookhouser, Clark, Derby, Forrest, Muller, Riese, Minahan and Kerns. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk