

# PLATTSMOUTH CITY COUNCIL

August 15, 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 15, 2022 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Sean Minahan, Terry Kerns, Bryan Clark, Jeanie Brookhouser and James Forrest. Council Members Absent: Doug Derby and Morgan Muller. 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 August 4, 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 Riese to approve the Consent Agenda as presented.

- A Consider approval of the August 1, 2022 City Council Meeting Minutes
- B Consider setting the next regular City Council meeting for Tuesday, September 6, 2022 due to the Labor Day Holiday
- C Receive Treasurer's Report
- D Consider approval of claims

Claims Register Report as of 8/15/22

Pay Date: 8/12/22                      150630.05

Com Ctr 20611.22

EMS 24824.18

General 17447.46

Library 8145.4

Parks and Cemetery 9004.58

Police 41263.87

Senior Center 3220.08  
Street 12168.79  
Water and Sewer 13944.47

Various

Vendor Name

AMERITAS 15342.64  
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 33005.7  
MUTUAL OF OMAHA 11029.59  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 69.24  
NEBRASKA DEPARTMENT OF REVENUE 5204.92  
NEBRASKA UNEMPLOYMENT COMP FUND 1.68  
PETTY CASH CITY 5  
PLATTSMOUTH COMMUNITY CENTER 2322.48

Department : 01 - GENERAL ADMINISTRATION

A F P CORPORATION 180.5  
CASS COUNTY REGISTER OF DEEDS 226  
CHARTER BUSINESS 56.4  
DANA F COLE & COMPANY LLC 14700  
EGAN SUPPLY CO 175.71  
HISTORIC DOWNTOWN PLATTSMOUTH ASSOCIATION 1000  
IDEAL PURE WATER 9.5  
IRINA A HARRINGTON 75  
KATHRYN SHARP 375  
MICROFILM IMAGING SYSTEMS 75  
MULLENAX AUTO SUPPLY 11.21  
NEBRASKA PUBLIC POWER DISTRICT 743.69  
OFFICE DEPOT INC 52.72  
PITNEY BOWES INC 11.89  
SHELL FLEET PLUS 88.47  
STEPHEN Q PRESTON 4800  
STERICYCLE SHRED IT 63.04  
WASTE CONNECTIONS OF NEBRASKA INC 331.45  
WINDSTREAM 249.65

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 62.68  
SHELL FLEET PLUS 80.49

Department : 03 - EMS

BOUND TREE MEDICAL LLC 1292.33  
EGAN SUPPLY CO 123.38  
IDEAL PURE WATER 30.75  
MATHESON TRI-GAS INC 254.56

METRO BILLING SERVICES LLP 322  
NEBRASKA PUBLIC POWER DISTRICT 396.86  
ROLLINS INC 30  
SHELL FLEET PLUS 1785.38  
STRYKER SALES CORPORATION 872.87  
WALKERS INC 19.38  
WASTE CONNECTIONS OF NEBRASKA INC 34.58  
WEX HEALTH INC 13.5  
WINDSTREAM 180.4

Department : 04 - POLICE

AMAZON.COM SALES INC 401.07  
CASS COUNTY REGISTER OF DEEDS 30  
CASS COUNTY SHERIFF 3615  
GSK LLC 250  
H & H SALES INC 80  
JACKS UNIFORMS & EQUIPMENT 2035.92  
LEE ENTERPRISES 4.62  
MULLENAX AUTO SUPPLY 112.47  
SHELL FLEET PLUS 2644.08  
WEX HEALTH INC 26  
WINDSTREAM 339.83

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 2611.59  
HD SUPPLY CONSTRUCTION & INDUSTRIAL WHITE CAP 214.19  
HENDERSON PRODUCTS INC 2774.22  
HOTSY EQUIPMENT CO 308  
MARK HYDRAULIC CO INC 13.94  
MENARDS 940.14  
MICHAEL TODD & COMPANY INC 177.09  
NEBRASKA PUBLIC POWER DISTRICT 5339.61  
SAFETY-KLEEN CORPORATION 362.37  
SHELL FLEET PLUS 823.59  
VAN WINKLE CONSTRUCTION SERVICES LLC 8296  
VOGEL WEST INC 2326.03  
WASTE CONNECTIONS OF NEBRASKA INC 284.99  
WINDSTREAM 129.02

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 937.67  
CHARTER BUSINESS 65  
NEBRASKA PUBLIC POWER DISTRICT 512.4  
OCLC ONLINE COMPUTER LIBRARY CENTER INC 178.82  
PITNEY BOWES INC 47.6  
WASTE CONNECTIONS OF NEBRASKA INC 34.58  
WINDSTREAM 154.82

Department : 07 - PARKS

EGAN SUPPLY CO 86.06

J & J SMALL ENGINE SERVICE 499.21  
MULLENAX AUTO SUPPLY 35.98  
NEBRASKA IOWA SUPPLY CO INC 1487.08  
NEBRASKA PUBLIC POWER DISTRICT 240.55  
OREILLY AUTOMOTIVE INC 4.99  
SAMUEL C MCCANDLESS 1850  
SHELL FLEET PLUS 655.78  
WALKERS INC 14.1  
WASTE CONNECTIONS OF NEBRASKA INC 246.81

Department : 08 - CEMETERY  
MULLENAX AUTO SUPPLY 9  
SAMUEL C MCCANDLESS 500  
SHELL FLEET PLUS 253.76  
TILSON AUTOMOTIVE 531.55  
WASTE CONNECTIONS OF NEBRASKA INC 117.42  
WINDSTREAM 142.76

Department : 10 - FIRE  
EGAN SUPPLY CO 123.38  
IDEAL PURE WATER 30.75  
NEBRASKA PUBLIC POWER DISTRICT 396.86  
ROLLINS INC 30  
THOMAS MYERS 1275  
WALKERS INC 19.37  
WASTE CONNECTIONS OF NEBRASKA INC 34.58  
WINDSTREAM 180.41

Department : 11 - SENIOR CITIZEN CTR  
NEBRASKA PUBLIC POWER DISTRICT 805.22  
OFFICE DEPOT INC 158.39  
REINHART FOODSERVICE LLC 2417.52  
SHELL FLEET PLUS 153.48

Department : 16 - ECONOMIC DEVELOPMENT  
PLATTSMOUTH HARVEST FESTIVAL CLUB INC 6500

Department : 17 - COMMUNITY CENTER  
AQUA CHEM INC 177  
EGAN SUPPLY CO 578.53  
NEBRASKA PUBLIC POWER DISTRICT 7246.95  
PLATTSMOUTH EDUCATION FOUNDATION 100  
WALKERS INC 98.2  
WASTE CONNECTIONS OF NEBRASKA INC 220.67

Department : 18 - AQUATIC  
AQUA CHEM INC 2094.3  
NEBRASKA PUBLIC POWER DISTRICT 2246.56  
PLATTSMOUTH EDUCATION FOUNDATION 100  
WASTE CONNECTIONS OF NEBRASKA INC 163.98

Department : 20 - WATER  
DANA F COLE & COMPANY LLC 5880  
H & H SALES INC 575.97  
HD SUPPLY FACILITIES MAINTENANCE LTD 440.99  
MISSISSIPPI LIME COMPANY 6000  
NEBRASKA PUBLIC POWER DISTRICT 1214.44  
ONE CALL CONCEPTS INC 43.89  
PETTY CASH WATER DEPARTMENT 441.17  
SHELL FLEET PLUS 540.17  
STEPHEN Q PRESTON 1600  
TRANSWOOD LOGISTICS INC 1216.21  
WEX HEALTH INC 10.5  
WINDSTREAM 133.37

Department : 24 - DRUG FORFEITURE  
H & H SALES INC 400

Department : 30 - SEWER  
DANA F COLE & COMPANY LLC 3920  
EGAN SUPPLY CO 161.03  
MIDWEST LABORATORIES INC 548  
NIJOSK INC 31286.54  
ONE CALL CONCEPTS INC 43.89  
SHELL FLEET PLUS 237.47  
STEPHEN Q PRESTON 1600  
WASTE CONNECTIONS OF NEBRASKA INC 105.26  
WINDSTREAM 116.83

ROLL CALL: Yes-Minahan, Riese, Forrest, Brookhouser, Clark and Kerns. No-None. Absent-Derby and Muller. 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. reviewed 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). Issues have been worked through and recommended award of contract to Steve Harris Construction, Inc. at a bid amount of \$849,577.03. Motion by Brookhouser seconded by Clark to approve 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 Steve Harris Construction, Inc. at a bid amount of \$849,577.03 and authorize the Mayor to execute the construction contract. Following discussion, ROLL CALL: Yes-Clark, Minahan, Riese, Brookhouser and Forrest. No-None. Absent-Derby and Muller. Abstain-Kerns. MOTION CARRIED.

## ITEM 8 B

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. reviewed the 2022 Street Repair Project Bids and asked council to consider laying over bid award and contract to give staff additional time to review the bids to make sure all items were covered. Motion by Kerns seconded by Brookhouser to lay over consideration of bid award and contract for the 2022 Street Repair Project to allow for additional review by staff. Following discussion, ROLL CALL: Yes-Forrest, Minahan, Clark, Brookhouser, Kerns and Riese. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

## ITEM 8 C

Council member Kerns stated he would be abstaining from any discussion or action on this item as his company was the apparent low bidder when the project was originally bid.

Steve Perry, PE, Olmsted & Perry Consulting Engineers Inc. asked council to consider rejecting all bids for the Oakmont Drive Water Main Improvement Project (one of the FEMA Alternate Projects) as it has been 14 months and FEMA has not released the funds. Perry indicated the project would be rebid when the FEMA funds are available. Motion by Brookhouser seconded by Clark to reject the bids for the Oakmont Drive Water Main Improvement Project. ROLL CALL: Yes-Brookhouser, Clark, Forrest, Riese and Minahan. No-None. Absent-Derby and Muller. Abstain-Kerns. MOTION CARRIED.

## ITEM 8 D

Emily Bausch, City Administrator reviewed the request to solicit for RFPs for the right-of-way acquisition services for the 2019 Flood Recovery Project PW#88688- Relocated Wastewater Treatment Facility and Conveyance System. There will be a number of temporary construction easements needed on a majority of Lincoln Avenue, so the situation warrants the request for professional consulting services. Steve Perry indicated this is outside the Scope of Work for Olmsted & Perry Consulting Engineers, Inc. RFPs are due by 9/6/2022. Following discussion, Motion by Brookhouser seconded by Forrest to authorize to solicit Request for Proposals for the right-of-way acquisition services for the 2019 Flood Recovery Project PW#88688- Relocated Wastewater Treatment Facility and Conveyance System. ROLL CALL: Yes-Riese, Brookhouser, Kerns, Minahan, Forrest and Clark. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

## ITEM 9-NEW BUSINESS

### ITEM 9 A

Emily Bausch, City Administrator referenced the council packet staff memorandum recommending denial of alley vacation based on lack of "Clear Public Benefit". Following discussion on options and uniformity, Motion by Minahan seconded by Kerns to approve the vacation of an alley located adjacent to 1315 1<sup>st</sup> Avenue, Plattsmouth NE 68048 legally described as YOUNG & HAYS ADD LOTS 3 & 4 BLK 37, and 1305 1<sup>st</sup> Avenue, Plattsmouth, NE 68048 legally described as YOUNG & HAYS ADD LOT 2 BLK 37 alley runs north and south between 1315 1<sup>st</sup> Avenue and 1305 1<sup>st</sup> Avenue south of 1<sup>st</sup> Avenue between 13<sup>th</sup> and 14<sup>th</sup> Street, in Plattsmouth, Nebraska) and direct staff to prepare an ordinance for the same. ROLL CALL: Yes-Forrest, Minahan, Kerns, Clark and Brookhouser. No-Riese. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 B

Emily Bausch, City Administrator reviewed the License and Management Agreement by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and the Plattsmouth Harvest Festival Club, Plattsmouth, Nebraska, a Nebraska nonprofit corporation and high lighted some of the changes from last year. Insurance requirements were discussed. Motion by Forrest seconded by Brookhouser 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 8, 2022 through September 11, 2022 contingent on receipt of required Certificates of Insurance. Following further discussion, ROLL CALL: Yes-Clark, Minahan, Forrest, Brookhouser, Kerns and Riese. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Forrest seconded by Clark to approve a Special Designated License application submitted by Mayden Layne Enterprises d/b/a DC's Waterhole for the Plattsmouth Harvest Festival Beer Garden being held Main St. from 4<sup>th</sup> St. to 5<sup>th</sup> St. and the Entertainment Plaza on 4<sup>th</sup> and Main, Plattsmouth NE (sidewalks included) on September 9, 2022 from 4:00 p.m. to 12:00 a.m. ROLL CALL: Yes-Minahan, Forrest, Riese, Kerns, Brookhouser and Clark. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 D

Motion by Forrest seconded by Clark to approve a Special Designated License application submitted by Mayden Layne Enterprises d/b/a DC's Waterhole for the Plattsmouth Harvest Festival Beer Garden being held at South 4<sup>th</sup> Street and Main Street-Entertainment Plaza on September 10, 2022 from 11:00 a.m. to 12:00 a.m.. ROLL CALL: Yes-Kerns, Clark, Brookhouser, Riese, Forrest and Minahan. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Forrest seconded by Clark to approve a License and Management Agreement (Cruisin' Main) by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and Plattsmouth Chamber of Commerce, a Nebraska nonprofit corporation for an annual festival scheduled to be held September 16, 2022 with an alternate date of September 23, 2022. Following discussion, ROLL CALL: Yes-Brookhouser, Clark, Kerns, Minahan, Riese and Forrest. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 F

Motion by Brookhouser seconded by Clark to approve a Special Designated License application submitted by Mayden Layne Enterprises d/b/a DC's Waterhole for the Plattsmouth Chamber of Commerce Car Show & Shine being held at Downtown Main St. East to West from 3<sup>rd</sup> to 7<sup>th</sup> Sts. Including side streets 1<sup>st</sup> Ave. to Ave. A on September 16, 2022 from 5:00 p.m. to 9:00 p.m. with an alternate date of September 23, 2022 at same location and same times. ROLL CALL: Yes-Forrest, Minahan, Clark, Brookhouser, Kerns and Riese. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 9 G

Motion by Forrest seconded by Brookhouser to adopt RESOLUTION NO. 22-012: AUTHORIZE THE MAYOR TO SIGN THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2022 by title only. ROLL CALL: Yes-Riese, Forrest, Brookhouser, Kerns, Clark and Minahan. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-012 in to the record by title only.

ITEM 9 H

Motion by Brookhouser seconded by Clark to approve a Special Designated License application submitted by Knights of Columbus Council 1966 for the Class of 2002 Reunion being held at St. John's Gymnasium, 518 So. 18<sup>th</sup> Street, Plattsmouth on September 11, 2022 from 3:00 p.m. to 11:00 p.m. ROLL CALL: Yes-Minahan, Clark, Kerns, Riese, Brookhouser and Forrest. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

ITEM 12

7:51 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Forrest, Riese, Minahan, Kerns, Clark and Brookhouser. No-None. Absent-Derby and Muller. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk