

# PLATTSMOUTH CITY COUNCIL

December 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 December 5, 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, Jeanie Brookhouser, Doug Derby 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 November 24, 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

Erv Portis, 108 Longwood, Papillion-Commended Doug Derby on his choice of Public Service for the past 24 years. Erv Thanked him for being a friend to himself and his family.

## ITEM 6-MAYORAL PROCLAMATIONS

### ITEM 6 A

Mayor Lambert recognized Doug Derby Sr. for 24 years of service as a 3<sup>rd</sup> Ward City Council Member and Thanked him for the sacrifices he and his family have made over the past 24 years. A Certificate of Recognition was presented to Doug.

## ITEM 7-CONSENT AGENDA

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

- A Consider approval of the November 21, 2022 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 12/5/22

Pay Date: 12/2/22	159664.52
Com Ctr 6523.97	
EMS 28051.78	
General 21795.64	
Library 8812.07	
Parks and Cemetery 3721.46	
Police 57956.39	
Senior Center 3379	

Street 12231.35  
Water and Sewer 17192.86

Various

Vendor Name

AMERICAN FAMILY LIFE 541.42  
AMERITAS 22914.36  
AMERITAS LIFE INSURANCE CORP 148.12  
BLUE CROSS BLUE SHIELD 57572.22  
COLLECTION SERVICES CENTER 174  
COUNTY COURT OF LANCASTER COUNTY NE 25.6  
FIRST STATE BANK NEBRASKA 186.16  
FRATERNAL ORDER OF POLICE 210  
INTERNAL REVENUE SERVICE 43272.18  
MUTUAL OF OMAHA 6323.81  
NEBRASKA DEPARTMENT OF REVENUE 7024.65  
PLATTSMOUTH COMMUNITY CENTER 2870.06

Department : 01 - GENERAL ADMINISTRATION

ACCELERATED GRAPHX LLC 225  
AMERICAN BOILER COMPANY 4740.93  
BOMGAARS SUPPLY 17.45  
CHARTER BUSINESS 134.99  
DES MOINES STAMP MFG COMPANY 36.15  
ECHO GROUP INC 124.07  
F S I AGENCY LLC 62993.32  
FIRST BANKCARD 564.45  
KATHRYN SHARP 250  
OFFICE DEPOT INC 118.9  
OLMSTED & PERRY ENGINEERING 2354.4  
OXEN TECHNOLOGY 41  
WALKERS INC 79.6  
WASTE CONNECTIONS OF NEBRASKA INC 6182.19

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 35.96  
J P COOKE COMPANY 135.95  
MELANIE BOEHM 20  
OFFICE DEPOT INC 91.97

Department : 03 - EMS

AMAZON.COM SALES INC 399.8  
BOUND TREE MEDICAL LLC 1673.5  
ERIC PAGNANO 70.63  
FORT DEARBORN LIFE INSURANCE CO 58.48  
REBECCA L GRAF 15  
WALKERS INC 19.38

Department : 04 - POLICE

ALL TRAFFIC SOLUTION INC 1500

AMAZON.COM SALES INC 53.38  
CASS COUNTY EMERGENCY MANAGEMENT AGENCY 40  
CONSOLIDATED MANAGEMENT CO 259.3  
DAVID WALKER 104.33  
FIRST BANKCARD 1135.74  
GREAT PLAINS UNIFORMS 218.99  
H & H SALES INC 120  
JACKS UNIFORMS & EQUIPMENT 729.16  
MELANIE BOEHM 129.04  
OREILLY AUTOMOTIVE INC 285.33  
POLICE OFFICERS ASSOCIATION OF NE 100  
TILSON AUTOMOTIVE 75

Department : 05 - STREET  
ACCELERATED GRAPHX LLC 50  
BOMGAARS SUPPLY 1164.73  
BOO INC DBA BOBCAT OF OMAHA 205.2  
FIRST STATE BANK NEBRASKA 98432.25  
NSG LOGISTICS LLC 2039.01  
OLMSTED & PERRY ENGINEERING 3072  
READY MIX CONCRETE CO 387.37  
STETSON BUILDING PRODUCTS INC 529.44

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 1471.45  
DEMCO 178.35  
FIRST BANKCARD 1546.84  
WINDSTREAM 142.65

Department : 07 - PARKS  
BOMGAARS SUPPLY 69.43  
CHARTER BUSINESS 38.17  
WALKERS INC 14.1

Department : 08 - CEMETERY  
BOMGAARS SUPPLY 54.76  
WINDSTREAM 155.7

Department : 10 - FIRE  
FIRST BANKCARD 1169.74  
FORT DEARBORN LIFE INSURANCE CO 151.36  
NEBRASKA IOWA SUPPLY CO INC 2232.33  
WALKERS INC 19.37

Department : 11 - SENIOR CITIZEN CTR  
CHARTER BUSINESS 153.46  
PETTY CASH CITY 10  
REINHART FOODSERVICE LLC 1867.6  
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 12 - DEBT SERVICE  
FIRST STATE BANK NEBRASKA 106945.25

Department : 16 - ECONOMIC DEVELOPMENT  
CASS COUNTY ECONOMIC DEVELOPMENT 3750  
OLMSTED & PERRY ENGINEERING 185

Department : 17 - COMMUNITY CENTER  
CHARTER BUSINESS 460.36  
ECHO GROUP INC 230.7  
FIRST BANKCARD 107.98  
HILLER ELECTRIC COMPANY 1246.66  
JILLIAN WATERS 599.73  
NEBRASKA AIR FILTER INC 233.64  
STRATUS BUILDING SOLUTION OF ARIZONA 1870  
WALKERS INC 98.2

Department : 18 - AQUATIC  
CHARTER BUSINESS 38.17

Department : 20 - WATER  
BOMGAARS SUPPLY 413.98  
CHARLES S SCHREIBER 300  
CORE & MAIN LP 2067  
DPC INDUSTRIES INC 83  
F S I AGENCY LLC 12657.36  
H & H SALES INC 215.37  
HAWKINS INC 855.94  
MISSISSIPPI LIME COMPANY 5995.2  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 39551.76  
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 138  
NEBRASKA PUBLIC POWER DISTRICT 5180.35  
TYLER TECHNOLOGIES 90  
WATER & SEWER DEPARTMENT 199.23

Department : 30 - SEWER  
AAA SEWER & DRAIN CLEANING CO 972.5  
BOMGAARS SUPPLY 92.5  
F S I AGENCY LLC 12657.36  
NEBRASKA DEPT OF ENVIRONMENTAL QUALITY 153967.89  
NEBRASKA PUBLIC POWER DISTRICT 1989.49  
NORTHWEST ELECTRIC LLC 4810  
OLMSTED & PERRY ENGINEERING 29767  
TYLER TECHNOLOGIES 90

Department : 40 - PLATTSMOUTH KENO  
ADVANCED GAMING TECHNOLOGIES INC 250.55

ROLL CALL: Yes-Minahan, Kerns, Muller, Clark, Riese, Derby, Forrest 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 ITEM 8 A and ITEM 8 B as his company is a subcontractor on both projects.

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.2 submitted by Steve Harris Construction Inc. for the Vireo Parkway Paving Improvements at the Fourmile Industrial Park (2019 Flood Recovery Project PW#88688- Relocated Wastewater Treatment Facility) in the amount of \$365,237.63. This is a progress payment for work complete through November 16, 2022 and Mr. Perry recommended approval. Motion by Brookhouser seconded by Muller to approve Contractor's Application for Payment No.2 submitted by Steve Harris Construction Inc. for the Vireo Parkway Paving Improvements at the Fourmile Industrial Park (2019 Flood Recovery Project PW#88688- Relocated Wastewater Treatment Facility) in the amount of \$365,237.63 and authorize the Mayor to execute Pay Request No. 2. ROLL CALL: Yes-Derby, Clark, Brookhouser, Forrest, Muller, Riese and Minahan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

##### ITEM 8 B

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Change Order No. 1 for Contract No. 1 Site Pre-Grading Project (2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility) in the amount of \$ (-) 27,524.17. The deduct in the contract price is due to the use of RCP drainage pipe in lieu of ductile pipe and the elimination of a 96-inch diameter overflow structure, which will be added to a future contract. Mr. Perry indicated Fox Strand recommends approval as they are providing the construction phase services. Motion by Muller seconded by Riese to approve Change Order No. 1 for Contract No. 1 Site Pre-Grading Project (2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility) in the amount of \$ (-) 27,524.17 and authorize the Mayor to execute Change Order No. 1. Following discussion, ROLL CALL: Yes-Forrest, Muller, Derby, Brookhouser, Minahan, Riese and Clark. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

##### ITEM 8 C

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No.2 submitted by 2 The T Construction Inc. for the 2022 PC Concrete Street Repair Project in the of amount of \$49,752.00. This is a progress payment and should be closing out the project at the next meeting. Mr. Perry recommended approval. Motion by Clark seconded by Brookhouser to approve Contractor's Application for Payment No.2 submitted by 2 The T Construction Inc. for the 2022 PC Concrete Street Repair Project in the of amount of \$49,752.00 and authorize the Mayor to execute Pay Application No. 2. ROLL CALL: Yes-Clark, Minahan, Riese, Brookhouser, Derby, Muller, Kerns and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 8 D

Motion by Forrest seconded by Brookhouser to approve RESOLUTION NO. 22-018: Signing of the Year-End Certification of City Street Superintendent 2022. ROLL CALL: Yes-Forrest, Riese, Minahan, Kerns, Clark, Brookhouser, Derby and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney read RESOLUTION NO. 22-018 in to the record by title only.

ITEM 8 E

Nate Taylor, Public Works Director reviewed the request to purchase a used 2019 Chevrolet Silverado 2500HD work truck from Henry-Hobscheidt Motors of Plattsmouth, Nebraska at a cost of \$28,883.00. Nate stated the off-set of the additional cost on the price (\$27,600) approved at the last regular meeting is due to having the Service Department do a standard check of systems before purchase. Motion by Forrest seconded by Derby to authorize the purchase a used 2019 Chevrolet Silverado 2500HD work truck from Henry-Hobscheidt Motors of Plattsmouth, Nebraska at a cost of \$28,883.00 and authorize the Mayor to sign all required documents. ROLL CALL: Yes-Brookhouser, Derby, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9

7:18 p.m. Motion by Clark seconded by Derby to adjourn. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Derby and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

7:23 p.m. Mayor Lambert called the meeting to order.

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Sandra J. Meyer, City Clerk reported the 2022 General Election results as certified to her by the Cass County Election Commissioner: Mayor: R. Paul Lambert-1262 Votes; City Council Ward 1: Sean Minahan-320 Votes; City Council Ward 2: Jeanie Brookhouser-348 Votes; City Council Ward 3: Douglas Derby, Sr.-137 Votes and Stockton Graham-253 Votes; City Council Ward 4: Morgan Muller-255 Votes.

Stephen Q. Preston, City Attorney administered the OATH OF OFFICE to the following newly elected/reelected individuals: R. Paul Lambert-Mayor; Sean Minahan-City Council Ward 1; Jeanie Brookhouser-City Council Ward 2; Stockton Graham-City Council Ward 3; and Morgan Muller-City Council Ward 4.

Present were Mayor R. Paul Lambert and Council Members: James Forrest, Steve Riese, Morgan Muller, Sean Minahan, Terry Kerns, Bryan Clark, Stockton Graham and Jeanie Brookhouser. Council Members Absent: None. Also present: City Administrator Emily Bausch, City Clerk Sandra J. Meyer and City Attorney Stephen Q. Preston.

#### ITEM 6-CITIZEN DELEGATION

No one spoke at Citizen Delegation.

#### ITEM 7-NEW BUSINESS

##### ITEM 7 A

Motion by Brookhouser seconded by Clark to recommend approval of a Special Designated License filed by Mayden Layne Enterprises, d/b/a DC's Waterhole, 441 Main Street for a Holiday Party being held at Plattsmouth Community Center, 308 S. 18<sup>th</sup> Street, Plattsmouth on January 14, 2023 from 3:00 p.m. to midnight. ROLL CALL: Yes-Riese, Minahan, Clark, Brookhouser, Graham, Kerns, Muller and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 7 B

Motion by Kerns seconded by Graham to approve the appointment of James Olmsted, Olmsted & Perry Consulting Engineers Inc., as the City of Plattsmouth Street Superintendent for calendar year 2023. ROLL CALL: Yes-Kerns, Brookhouser, Forrest, Minahan, Clark, Muller, Graham and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 7 C

Motion by Riese seconded by Minahan to approve the Nebraska Department of Transportation Maintenance Agreement No. 21 Renewal for January 1, 2023 through December 31, 2023 and authorize the Mayor to execute the Agreement. ROLL CALL: Yes-Muller, Forrest, Riese, Clark, Brookhouser, Graham, Minahan and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 7 D

Motion by Brookhouser seconded by Muller to approve the appointment/reappointment of the following officials:

Emily G. Bausch	City Administrator
Stephen Q. Preston	City Attorney
Sandra J. Meyer	City Clerk
Roger Davis	City Treasurer
Steve Perry	City Engineer
Mike Wilson	Fire Chief
Shane Lohmeier	Emergency Medical Services Director
Karen Mier	Library Director
Elizabeth Glup	Recreation Director

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

ITEM 7 E

Mayor Lambert opened the floor for nominations for City Council President for the 2023 term:

Council Member Brookhouser nominated Council Member Bryan Clark  
Council Member Kerns nominated Council Member Sean Minahan

Motion by Riese seconded by Brookhouser to close the nominations for Council President for th 2023 Term. ROLL CALL: Yes-Brookhouser, Graham, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Each Council Member present cast a ballot: 7 votes for Bryan Clark; 1 vote for Sean Minahan.

Mayor Lambert declared Council Member Bryan Clark as the Plattsmouth City Council President for the 2023 Term based on the votes cast by Council Members present.

ITEM 10

7:45 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Forrest, Riese, Muller, Minahan, Kerns, Clark, Graham and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk