

PLATTSMOUTH CITY COUNCIL

April 3, 2023

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 April 3, 2023 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Sean Minahan, Morgan Muller, Bryan Clark, Jeanie Brookhouser, Stockton Graham and James Forrest. Council Members Absent: Steve Riese and Terry Kerns. Also present: City Administrator Emily Bausch, City Clerk Sandra J. Meyer, City Attorney Stephen Q. Preston and Deputy City Clerk Ryan Vulgamott.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on March 23, 2023 in the Omaha World Herald. 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 March 20, 2023 City Council Meeting Minutes
- B Consider approval of claims

Claims Register Report as of 4/3/23

Dept Name / Vendor Name Amount

| | |
|--------------------|-----------|
| Pay Date: 3/24/23 | 142427.62 |
| Com Ctr | 7535.71 |
| EMS | 25127.57 |
| General | 20174.95 |
| Library | 8836.95 |
| Parks and Cemetery | 3950.01 |
| Police | 45291.16 |
| Senior Center | 4274.13 |
| Street | 13664.94 |

Water and Sewer 13572.2

Various

Vendor Name

AMERITAS 16192.13

BLUE CROSS BLUE SHIELD 55917.26

FIRST STATE BANK NEBRASKA 311.54

FRATERNAL ORDER OF POLICE 180

INTERNAL REVENUE SERVICE 31397.64

MUTUAL OF OMAHA 6213.37

NEBRASKA DEPARTMENT OF REVENUE 5097.64

Department : 01 - GENERAL ADMINISTRATION

ACCESS TECHNOLOGIES INC 410.25

AMERICAN BOILER COMPANY 1025

BOMGAARS SUPPLY 17.97

CHARTER BUSINESS 198.12

F S I AGENCY LLC 70

FIRST BANKCARD 241.78

GOVERNMENT FINANCE OFFICERS ASSOCIATION 170

IDEAL PURE WATER 15

IRINA A HARRINGTON 155

KEARNEY INVESTMENT CORP 574.75

LIBERTY UNIVERSITY 5604

NEBRASKA PUBLIC POWER DISTRICT 261.03

OLMSTED & PERRY ENGINEERING 3441.75

OXEN TECHNOLOGY 382.26

RYAN VULGAMOTT 203.83

WASTE CONNECTIONS OF NEBRASKA INC 571.16

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 272.98

Department : 03 - EMS

ACCESS TECHNOLOGIES INC 37.5

BOMGAARS SUPPLY 189.99

BOUND TREE MEDICAL LLC 309.89

CIACCIO ROOFING 139

FIRST BANKCARD 1206.58

FORT DEARBORN LIFE INSURANCE CO 65.36

IDEAL PURE WATER 26

MATHESON TRI-GAS INC 214.68

NEBRASKA PUBLIC POWER DISTRICT 520.88

OVERHEAD DOOR COMPANY OF OMAHA 63

REBECCA L GRAF 1278.8

SHANE LOHMEIER 360.13

STERICYCLE INC 196.24

STRYKER SALES CORPORATION 494.4

WALKERS INC 21.04

WASTE CONNECTIONS OF NEBRASKA INC 39.65

Department : 04 - POLICE

ACCELERATED GRAPHX LLC 316.5
ACCESS TECHNOLOGIES INC 202.74
AMAZON.COM SALES INC 596.58
FIRST BANKCARD 1098.52
H & H SALES INC 159.91
HOMEFront PROTECTIVE GROUP INC 95
INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE INC 65
JACKS UNIFORMS & EQUIPMENT 252.74
MID-STATES ORGANIZED CRIME INFO 150
OFFICE DEPOT INC 29.64
STANARD & ASSOCIATES INC 114.5
TYLER REIFF 255.73

Department : 05 - STREET

BOMGAARS SUPPLY 171.67
ENVIROTECH SERVICES INC 5756.16
MARK HYDRAULIC CO INC 32.62
MENARDS 44.95
MURPHY TRACTOR AND EQUIPMENT 2603.46
NEBRASKA DEPT OF TRANSPORTATION 5825.4
NEBRASKA PUBLIC POWER DISTRICT 5441.72
OMAHA DOOR & WINDOW COMPANY 230.12
SAFETY-KLEEN CORPORATION 345.9
WASTE CONNECTIONS OF NEBRASKA INC 318.94

Department : 06 - LIBRARY

ACCESS TECHNOLOGIES INC 157.73
BAKER & TAYLOR BOOKS 1811.69
FIRST BANKCARD 2097.17
FONTENELLE FOREST 300
JEREMY J MASID 2780
NEBRASKA PUBLIC POWER DISTRICT 372.15
WASTE CONNECTIONS OF NEBRASKA INC 39.64
WINDSTREAM 143.1

Department : 07 - PARKS

BOMGAARS SUPPLY 28.98
CHARTER BUSINESS 38.35
NEBRASKA PUBLIC POWER DISTRICT 237.11
TILSON AUTOMOTIVE 284.56
WALKERS INC 14.6
WASTE CONNECTIONS OF NEBRASKA INC 282.97

Department : 08 - CEMETERY

ACCESS TECHNOLOGIES INC 37.5
BOMGAARS SUPPLY 41.36
CIACCIO ROOFING 139

Department : 10 - FIRE
FIRST BANKCARD 900
FORT DEARBORN LIFE INSURANCE CO 137.6
IDEAL PURE WATER 26
NEBRASKA PUBLIC POWER DISTRICT 520.87
WALKERS INC 21.05
WASTE CONNECTIONS OF NEBRASKA INC 138.16
WASTE CONNECTIONS OF NEBRASKA INC 39.65
WINDSTREAM 156.41

Department : 11 - SENIOR CITIZEN CTR
BARONI ENTERPRISES 90
FIRST BANKCARD 97.11
HYVEE 838.83
NEBRASKA PUBLIC POWER DISTRICT 775.27
REINHART FOODSERVICE LLC 2596.15
STRATUS BUILDING SOLUTION OF ARIZONA 219

Department : 17 - COMMUNITY CENTER
ACCESS TECHNOLOGIES INC 147.73
AQUA CHEM INC 1577.5
BODY BASICS INC 125
BOMGAARS SUPPLY 10.99
CONTROL LOGIC INC 4210
FIRST BANKCARD 410.65
NEBRASKA PUBLIC POWER DISTRICT 6977.39
STEVEN WHITFIELD 105
STRATUS BUILDING SOLUTION OF ARIZONA 1870
WALKERS INC 106.66
WASTE CONNECTIONS OF NEBRASKA INC 253

Department : 18 - AQUATIC
CHARTER BUSINESS 38.35
FIRST BANKCARD 29.94
NEBRASKA PUBLIC POWER DISTRICT 90.86
STEPHEN C WARGA 120

Department : 20 - WATER
BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 53.4
MISSISSIPPI LIME COMPANY 6911.04
MUNICIPAL SUPPLY INC 6943.39
NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LAB 375
NEBRASKA PUBLIC POWER DISTRICT 6587.82
OFFICE DEPOT INC 9.34
OLMSTED & PERRY ENGINEERING 7431.7
PHONETICS INC 420
STEPHEN C WARGA 143
TRANSWOOD LOGISTICS INC 1067.98
TYLER TECHNOLOGIES 90

UNITED STATES POSTAL SERVICE 145

Department : 30 - SEWER
BIG RED COMMUNICATIONS 127
BOMGAARS SUPPLY 97.77
FIRST BANKCARD 300
MIDWEST LABORATORIES INC 390
MIDWEST RIGHT OF WAY SERVICES INC 75763.13
NEBRASKA PUBLIC POWER DISTRICT 2323.29
OFFICE DEPOT INC 9.34
OLMSTED & PERRY ENGINEERING 85063.12
TYLER TECHNOLOGIES 90
UNITED STATES POSTAL SERVICE 145
WASTE CONNECTIONS OF NEBRASKA INC 120.68

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

ITEM 8-UNFINISHED BUSINESS

ITEM 8 A

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Contractor's Application for Payment No. 5 (Final) submitted by Hendrickson Transportation LLC for Contract No. 1 Site Pre-Grading Project (2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility) in the amount of \$76,904.54. Mr. Perry stated that this is a follow-up payment to Change Order No. 2 and Payment No. 4 that were approved at the March 20, 2023 Council Meeting. The contractor has submitted all the necessary closeout documentation with a statement of completion. Mr. Perry recommends approval. Motion by Brookhouser seconded by Muller to approve Contractor's Application for Payment No. 5 (Final) submitted by Hendrickson Transportation LLC for Contract No. 1 Site Pre-Grading Project (2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility) in the amount of \$76,904.54 and authorize the Mayor to execute Pay Application No. 5 (Final). ROLL CALL: Yes-Forrest, Graham, Brookhouser, Clark, Minahan and Muller. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 B

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Amendment No. 7 to the Engineering Services Agreement dated July 19, 2021 for the 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility. Mr. Perry stated the additional services included in this amendment are: fencing the mitigated wetland at Fourmile Industrial Park, Bidding the Force Main contract, Geotechnical Subsurface Investigation and Floodplain Development analysis. The fee for this additional work is \$97,945.00. Mr. Perry recommends approval. Motion by Brookhouser seconded by Minahan to approve Amendment No. 7 to the Engineering Services Agreement dated July 19, 2021 for the 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility and authorize the Mayor to execute

Amendment No. 7. ROLL CALL: Yes-Minahan, Muller, Forrest, Graham, Clark and Brookhouser. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 C

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed Task Order No. 30 for the City of Plattsmouth's Wastewater Treatment Plant 2019 Flood Recovery Project PW#88688 to approve a Scope of Work and a Not to Exceed Ceiling Price for Construction Phase Services. Mr. Perry stated that Task Order No. 30 is part of the Engineering Services Agreement dated May 28, 2019 and will run parallel with the Fox Strand Contract 2 Construction Services Agreement. Emily Bausch, City Administrator, stated the importance of keeping Olmsted & Perry in an administrative roll during the construction phase so they can monitor project funding, compliance to regulations and report progress to the City and FEMA. These services will be provided on an hourly basis with a ceiling cost of \$45,000.00 and are eligible for FEMA funding. Motion by Muller seconded by Brookhouser to approve Task Order No. 30 for the City of Plattsmouth's Wastewater Treatment Plant 2019 Flood Recovery Project PW#88688 to approve a Scope of Work and a Not to Exceed Ceiling Price for Construction Phase Services and authorize the Mayor to execute Task Order No. 30. ROLL CALL: Yes-Brookhouser, Clark, Minahan, Muller, Forrest and Graham. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 D

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed a Scope of Work to update the Environmental Assessment as Amendment No.1 to Task Order No. 28 for the City of Plattsmouth's Water Supply System 2019 Flood Recovery Project PW#88690 and the Not to Exceed Ceiling Price. Mr. Perry stated the original environmental assessment, completed in 2020 by Terracon, needs to be updated to realign a proposed water transmission main that will be in conflict with the MUD South Water Treatment Plant. Mr. Perry stated Terracon would be used again to perform the updated Environmental Assessment and the cost should not exceed \$17,250.00. Mr. Perry recommends approval. Motion by Brookhouser seconded by Graham to authorize a Scope of Work to update the Environmental Assessment as Amendment No.1 to Task Order No. 28 for the City of Plattsmouth's Water Supply System 2019 Flood Recovery Project PW#88690 and the Not to Exceed Ceiling Price and authorize the Mayor to execute Amendment No. 1 to Task Order No. 28. ROLL CALL: Yes-Graham, Forrest, Clark, Brookhouser, Muller and Minahan. No-None. Absent- Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 E

Steve Perry PE, Olmsted & Perry Consulting Engineers Inc. reviewed the solicitation of bids for the Highway 75 Utility Relocations - Westside Drive Water Main Project (NDOR Project No. 75-2(1072) CN 21209 - Murray to Plattsmouth). Mr. Perry stated this project is part of the widening of Highway 75 which is lowering the grade four feet at the intersection of Westside Drive and Highway 75. This requires 150 feet of watermain to be lowered and replaced at that intersection. Mr. Perry estimates the cost to be \$50,500.00 with 80% being covered by the State and the rest being covered by an existing SRF loan. Mr. Perry recommends bidding the project by May 4, 2023. Motion by Brookhouser seconded by Muller to authorize the solicitation of bids for the Highway 75 Utility Relocations - Westside Drive Water Main Project (NDOR

Project No. 75-2(1072) CN 21209 - Murray to Plattsmouth). ROLL CALL: Yes-Muller, Forrest, Graham, Clark, Minahan and Brookhouser. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 F

Emily Bausch, City Administrator, recommended postponing approval of the Construction Phase Engineering Services Master Agreement with Strand Associates for the 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility to give City Administration more time to review this first Service Agreement the City has had with Strand Associates. Motion by Forrest seconded by Clark to Postpone approval of the Construction Phase Engineering Services Master Agreement with Strand Associates for the 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility until the next regular City Council Meeting. ROLL CALL: Yes-Minahan, Brookhouser, Muller, Graham, Clark and Forrest. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 G

Emily Bausch, City Administrator, stated the Cass County Board of Commissioners has no need to keep 3rd Avenue running north of Oreapolis Road to East Bay Road open to the public. The property to the East will still have two points of access without 3rd Avenue remaining open and Schmidt Transportation, to the West of 3rd Avenue, would like to use it as a private drive. The Cass County Board needs Plattsmouth's approval to vacate the road since it falls within the City's zoning jurisdiction. Motion by Muller seconded by Brookhouser to approve the vacation of 3rd Avenue running north of Oreapolis Road to East Bay Road and authorize the Mayor to execute required documents. ROLL CALL: Yes-Forrest, Clark, Brookhouser, Minahan, Muller and Graham. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9-NEW BUSINESS

ITEM 9 A

Emily Bausch, City Administrator, stated that due to FEMA requirements for the new raw water pumping station at Schilling Road and Main Street it is necessary to have NPPD bury their existing overhead powerlines in that area. This project has an estimated cost of \$68,216.00. This is part of 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility and is eligible for FEMA reimbursement. Burying the power lines is also required to allow the larger construction vehicles into the area. Following discussion, Motion by Forrest seconded by Minahan to Authorize NPPD to relocate the three phase primary feeder located near the site for the new raw water pumping station at Schilling Road and Main Street and to pay the estimated cost of \$68,216.00, this is part of 2019 Flood Recovery Project #88688-Relocated Wastewater Treatment Facility and is eligible for FEMA reimbursement. ROLL CALL: Yes-Graham, Muller, Minahan, Brookhouser, Forrest and Clark. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 B

Emily Bausch, City Administrator, presented an opportunity for the City to install an Electrical Vehicle Charging Station in the city parking lot by the Entertainment Plaza. There have been

requests to have one in the downtown area and the location would show up on charging station apps, potentially drawing more people into the downtown business district. The estimated cost is \$10,000 plus installation costs and would be eligible for 90% reimbursement through the NPPD EnergyWise program. Following discussion, Motion by Brookhouser to Postpone authorizing the solicitation for equipment and installation for a Level 2 Electrical Vehicle Charging Station and utilize NPPD (EnergyWise) program for 90% cost reimbursement until the next regular City Council Meeting. Following further discussion, Brookhouser withdrew the motion to Postpone. Motion by Brookhouser seconded by Clark to Refer the solicitation for equipment and installation for a Level 2 Electrical Vehicle Charging Station and utilize NPPD (EnergyWise) program for 90% cost reimbursement to City Administration for further review. ROLL CALL: Yes-Brookhouser, Forrest, Clark, Muller, Minahan and Graham. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 C

Emily Bausch, City Administrator, and Steve Preston, City Attorney, discussed with council the different parts of liability insurance. They discussed how general liability, aggregate and umbrella coverage work and the need to have uniform insurance requirements from all organizations hosting events on City property. The Professional Disc Golf Association meets the City's requirements and Mrs. Bausch recommends approval. Mrs. Bausch also recommended amending the original agenda item to have an end time of 5:00 p.m. instead of 3:00 p.m. per the Professional Disc Golf Association's request. Following discussion, Motion by Minahan seconded by Forrest to approve a License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Professional Disc Golf Association, a Nebraska nonprofit corporation for a Disc Golf Tournament at Memorial Park scheduled to be held on Sunday, April 30, 2023 from 7:00 a.m. to 5:00 p.m. and authorize the Mayor to execute License Agreement. ROLL CALL: Yes-Clark, Graham, Forrest, Brookhouser, Muller and Minahan. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 D

Emily Bausch, City Administrator, discussed how she has been working with the Chamber of Commerce to clarify the insurance requirements and verify event routes. As of this meeting the Chamber has not met the City's insurance requirements, this coupled with their event's multi-jurisdictional nature and use of roads open to traffic makes the event a high safety risk. Mrs. Bausch does not recommend approving this license until insurance requirements are met. Following discussion, Motion by Forrest seconded by Brookhouser to Postpone approval of License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Plattsmouth Chamber of Commerce, a Nebraska nonprofit corporation for a Bike Ride and 5K Run/Walk scheduled to be held on Sunday, April 30, 2023 from 7 a.m. to 12:00 p.m. until the next regular City Council Meeting so the Chamber insurance policy can be reviewed to see if it meets the City's requirements and confirm the Bike Ride and 5k Run/Walk are covered. Following further discussion, ROLL CALL: Yes-Minahan, Muller, Brookhouser, Forrest, Graham and Clark. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 9 E

Emily Bausch, City Administrator, confirmed that the Plattsmouth Baseball & Softball Association has met the insurance requirements that were given to them in January. They will also be using city property for its intended use, playing baseball on baseball fields, which helps mitigate risk. With these factors in mind Mrs. Bausch recommends approval. Following discussion, Motion by Forrest seconded by Minahan to approve a License and Management Agreement by and between the City of Plattsmouth, a Nebraska municipal corporation and Plattsmouth Baseball & Softball Association, a Nebraska nonprofit corporation for 2023 Softball and Baseball from April 14, 2023 to July 1, 2023. and authorize the Mayor to execute License Agreement. ROLL CALL: Yes-Muller, Graham, Minahan, Clark, Brookhouser, and Forrest. No-None. Absent-Kerns and Riese. Abstain-None. MOTION CARRIED.

ITEM 10-FIRE DEPARTMENT COMMUNICATION

Mike Wilson, Fire Chief - Plattsmouth Fire Department, gave City Council a report on the March 30, 2023 brush fire at the Shilling Wildlife Management Area. Fire personnel were on site for 19 hours and received mutual aid from the Murray, Louisville and Offutt AFP Fire Departments. The 40-mph gusting wind and dry debris caused the fire to surge through the area with estimates of over 100 acres burned. Mr. Wilson thanked the Mutual Aid Fire Departments and all the Volunteer Firefighters for their efficiency and safe handling of this large-scale fire.

ITEM 12

9:15 p.m. Motion by Brookhouser seconded by Forrest to adjourn. ROLL CALL: Yes-Clark, Forrest, Minahan, Graham, Brookhouser and Muller. No-None. Absent-Kerns & Riese. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk