

PLATTSMOUTH CITY COUNCIL

June 19, 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 June 19, 2023 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, Stockton Graham and James Forrest. Council Members Absent: None. Also present: City Administrator Emily Bausch, City Attorney Stephen Q. Preston and City Clerk Sandra J. Meyer.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on June 8, 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 PROCLAMATION

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 June 5, 2023 City Council Meeting Minutes
- B Receive Treasurer's Report
- C Consider approval of claims

Claims Register Report as of 6/19/23

Pay Date: 6/16/23 162770.77

Com Ctr 23446.66

EMS 24478.73

General 20098.63

Library 9077.69

Parks and Cemetery 7869.58

Police 48351.15

Senior Center 3415.79

Street 13512.93

Water and Sewer 12519.61

Various

Vendor Name

ACCREDITED COLLECTION SERVICE 379.63
AMERITAS 17682.56
FIRST STATE BANK NEBRASKA 211.54
FRATERNAL ORDER OF POLICE 195
INTERNAL REVENUE SERVICE 36263.55
NEBRASKA DEPARTMENT OF REVENUE 5712.16
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 10226.12
TX CHILD SUPPORT SDU 150

Department : 01 - GENERAL ADMINISTRATION

AMAZON.COM SALES INC 69.96
BLACK HILLS ENERGY 38.6
CASS COUNTY REGISTER OF DEEDS 20
CHARTER BUSINESS 63.13
EGAN SUPPLY CO 215.88
IRINA A HARRINGTON 75
MELVEN SUDBECK HOMES INC 9018.71
MENARDS 27.92
MICROFILM IMAGING SYSTEMS 75
NEBRASKA PUBLIC POWER DISTRICT 350.61
NEXT GENERATION PROPERTIES OF NEBRASKA LLC 20311.94
OFFICE DEPOT INC 221.55
OMAHA WORLD HERALD 1033.62
OXEN TECHNOLOGY 1133.5
SHELL FLEET PLUS 55.2
STEPHEN Q PRESTON 4800
STERICYCLE SHRED IT 64.67
VERIZON WIRELESS 85.5
WASTE CONNECTIONS OF NEBRASKA INC 8722.18
WESTSIDE DEVELOPMENT INC 81860.29
WINDSTREAM 235.5

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 57.74
SHELL FLEET PLUS 46.46

Department : 03 - EMS

AMAZON.COM SALES INC 289.85
BLACK HILLS ENERGY 29.49
BOUND TREE MEDICAL LLC 2473.65
CHARTER BUSINESS 20.85
IDEAL PURE WATER 28
MATHESON TRI-GAS INC 267.7
METRO BILLING SERVICES LLP 1008

NEBRASKA PUBLIC POWER DISTRICT 263.84
REBECCA L GRAF 19.3
ROLLINS INC 34.5
SHELL FLEET PLUS 1237.87
SMA ENTERPRISE INC 146.57
THE TROPHY GUY INC 1795.7
UNMC PHYSICIANS CORPORATION 2222.52
VERIZON WIRELESS 171.39
WASTE CONNECTIONS OF NEBRASKA INC 39.65
WINDSTREAM 179.24

Department : 04 - POLICE
AMAZON.COM SALES INC 266.7
CASS COUNTY SHERIFF 3615
H & H SALES INC 76.38
LEROY LEWIS 54
MENARDS 222.1
SHELL FLEET PLUS 2955.01
VERIZON WIRELESS 320.87
WEX HEALTH INC 16.67
WINDSTREAM 340.72

Department : 05 - STREET
ALLIED OIL & TIRE CO 95.64
AMAZON.COM SALES INC 125.5
BLACK HILLS ENERGY 66.87
CINTAS CORPORATION #749 327.05
MULLENAX AUTO SUPPLY 59.12
NEBRASKA PUBLIC POWER DISTRICT 5157.67
NIJOSK INC 550
SHELL FLEET PLUS 788.61
SIGNEX INC 69.2
VERIZON WIRELESS 85.5
WASTE CONNECTIONS OF NEBRASKA INC 323.68
WILBUR-ELLIS HOLDINGS II INC 2463.01
WINDSTREAM 125.04

Department : 06 - LIBRARY
ABCREATIVE INC 3587.65
BAKER & TAYLOR BOOKS 1593.66
BLACK HILLS ENERGY 38.6
CHARTER BUSINESS 65
NATASHA BASHUS 44.88
NEBRASKA PUBLIC POWER DISTRICT 226.87
NEBRASKA STATE FIRE MARSHAL 120
OCLC ONLINE COMPUTER LIBRARY CENTER INC 178.81
WASTE CONNECTIONS OF NEBRASKA INC 39.65

Department : 07 - PARKS
ALPHA ELECTRICAL CONTRACTORS LLC 324.6

BLACK HILLS ENERGY 38.6
EGAN SUPPLY CO 145.41
HD SUPPLY INC 125.16
MULLENAX AUTO SUPPLY 115.79
NEBRASKA PUBLIC POWER DISTRICT 237.11
OREILLY AUTOMOTIVE INC 5.29
SHELL FLEET PLUS 337.94
SIGNEX INC 69.2
VERIZON WIRELESS 53.51
WALKERS INC 14.6
WASTE CONNECTIONS OF NEBRASKA INC 282.97

Department : 08 - CEMETERY

BLACK HILLS ENERGY 39.44
MULLENAX AUTO SUPPLY 194.4
SHELL FLEET PLUS 82.53
STEPHEN C WARGA 26
VERIZON WIRELESS 42.75
WASTE CONNECTIONS OF NEBRASKA INC 136.2

Department : 10 - FIRE

BLACK HILLS ENERGY 29.48
CHARTER BUSINESS 20.85
IDEAL PURE WATER 28
NEBRASKA PUBLIC POWER DISTRICT 263.83
ROLLINS INC 34.49
WASTE CONNECTIONS OF NEBRASKA INC 39.64
WINDSTREAM 179.25

Department : 11 - SENIOR CITIZEN CTR

AAA SEWER & DRAIN CLEANING CO 240.25
BLACK HILLS ENERGY 29.79
NEBRASKA PUBLIC POWER DISTRICT 629.79
REINHART FOODSERVICE LLC 3909.75
SHELL FLEET PLUS 49.72
WALKERS INC 155.19

Department : 17 - COMMUNITY CENTER

ANGLEA DIAZ 64
BLACK HILLS ENERGY 268.07
CHESTERMAN CO 287
NEBRASKA PUBLIC POWER DISTRICT 5668.09
NEBRASKA STATE FIRE MARSHAL 120
WALKERS INC 53.33
WASTE CONNECTIONS OF NEBRASKA INC 253

Department : 18 - AQUATIC

AQUA CHEM INC 1914.15
BLACK HILLS ENERGY 549.06
CHESTERMAN CO 597.6

LAURA LINGLE 104.33
NEBRASKA PUBLIC POWER DISTRICT 816.31
REINHART FOODSERVICE LLC 2357.68
WASTE CONNECTIONS OF NEBRASKA INC 120.94

Department : 20 - WATER
BLACK HILLS ENERGY 43.1
DPC INDUSTRIES INC 80
MENARDS 431.37
MISSISSIPPI LIME COMPANY 6800.64
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 965.35
NEBRASKA PUBLIC POWER DISTRICT 80.63
OFFICE DEPOT INC 171.55
OLMSTED & PERRY ENGINEERING 5500
ONE CALL CONCEPTS INC 48.73
OREILLY AUTOMOTIVE INC 80.76
PETTY CASH WATER DEPARTMENT 621.18
SHELL FLEET PLUS 421.79
STEPHEN Q PRESTON 1600
TRANSWOOD LOGISTICS INC 1024.2
VERIZON WIRELESS 168.26
WEX HEALTH INC 33.33
WINDSTREAM 131.45

Department : 24 - DRUG FORFEITURE
H & H SALES INC 800

Department : 30 - SEWER
BLACK HILLS ENERGY 571.67
EGAN SUPPLY CO 51.15
HD SUPPLY INC 1020.08
IOWA PUMP WORKS INC 4440.71
MIDWEST LABORATORIES INC 623.57
NEBRASKA PUBLIC POWER DISTRICT 61.6
OFFICE DEPOT INC 156.97
OLMSTED & PERRY ENGINEERING 13365
ONE CALL CONCEPTS INC 48.73
OREILLY AUTOMOTIVE INC 80.76
STEPHEN Q PRESTON 1600
VERIZON WIRELESS 82.76
WASTE CONNECTIONS OF NEBRASKA INC 120.68
WINDSTREAM 64.34

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

ITEM 8 - UNFINISHED BUSINESS

ITEM 8 A

Emily Bausch, City Administrator informed Council the Engineers, Technical Staff and City Staff reviewed the Application for Payment No. 1 submitted by Hawkins Construction Co. for the New Wastewater Treatment Plant Contract No. 2 in the amount of \$664,200.00 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant). Motion by Brookhouser seconded by Riese to authorize payment of Application for Payment No. 1 submitted by Hawkins Construction Co. for the New Wastewater Treatment Plant Contract No. 2 in the amount of \$664,200.00 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Application for Payment No. 1.

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

ITEM 9 - NEW BUSINESS

ITEM 9 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:06 p.m. to hear and consider public comments on the acquisition of the following real property and easements, each to be acquired pursuant to the terms of a purchase agreement with the property owner and in connection with the City's 2019 Flood Recovery - New Relocated Wastewater Treatment Plant & Conveyance Project PW#88688:

1. Lots 101 and 102, On-The-Green Phase II Subdivision, Cass County, Nebraska.
2. A portion of, and a construction easement located on, Lot 183, On The Green Plat II, a Subdivision in Cass County, Nebraska.
3. A permanent sidewalk easement and a temporary construction easement located on Lot 2, Lyckberg's 2nd Subdivision, Cass County, Nebraska.
4. A temporary construction easement located over parts of the NW $\frac{1}{4}$ Section 30, T12N, R14E, 6th PM and the NE $\frac{1}{4}$ Section 25, T12N, R13E, 6th PM of Cass County, Nebraska.
5. A permanent sidewalk easement and a temporary construction easement located on Lots 3, 4, and 5, Block 8, O'Neill's Addition, Cass County, Nebraska.

Mayor Lambert again stated the reason for the public hearing and with no one coming forward to speak, closed the public hearing at 7:08 p.m.

ITEM 9 B

Emily Bausch, City Administrator stated this is the first batch of properties the council will see for consideration. All acquisitions were voluntary. All property owners were informed of their rights. There will be no displacement of individuals, families or businesses due to the proposed acquisitions. Council member Forrest questioned the paying of the SID fees if the city acquires property within the SID. Following discussion, Motion by Forrest seconded by Riese to separate

Item 9 B (1)-Total Acquisition Contract between the City of Plattsmouth and Sanitary and Improvement District No. 7 of Cass County, Nebraska, for the acquisition of Lots 101 and 102 On-The-Green Phase II Subdivision, Cass County, Nebraska, from the other 4 properties to be considered independently. ROLL CALL: Yes-Kerns, Muller, Clark, Graham, Riese, Forrest, Brookhouser and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Motion by Riese seconded by Forrest to approve the following agreements (ITEM 9 B 2, 3, 4 & 5) for the acquisition of certain property and easements, each agreement having been negotiated and prepared by Midwest Right of Way Services, Inc. as directed by the City pursuant to the terms of the Right of Way Acquisition Services Agreement between the City and Midwest and in connection with the City's 2019 Flood Recovery - New Relocated Wastewater Treatment Plant & Conveyance Project PW#88688 and authorize the Mayor to execute the agreements and such other documents as may be necessary to close each of the real estate purchase transactions described therein:

2. Purchase Agreement between the City of Plattsmouth and On-the-Green Homeowners Association for the acquisition of certain property and a temporary construction easement located on Lot 183, On The Green Plat II, a Subdivision in Cass County, Nebraska.
3. Purchase Agreement between the City of Plattsmouth and Pure Investments I, LLC, for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lot 2, Lyckberg's 2nd Subdivision, Cass County, Nebraska.
4. Purchase Agreement between the City of Plattsmouth and Wiles Investment Company, LTD for the acquisition of a temporary construction easement located over parts of the NW¹/₄ Section 30, T12N, R14E, 6th PM and the NE¹/₄ Section 25, T12N, R13E, 6th PM of Cass County, Nebraska.
5. Purchase Agreement between the City of Plattsmouth and GM Construction Inc. for the acquisition of a permanent sidewalk easement and a temporary construction easement located on Lots 3, 4, and 5, Block 8, O'Neill's Addition, Cass County, Nebraska.

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

Motion by Forrest seconded by Riese to approve ITEM 9 B (1)- Total Acquisition Contract between the City of Plattsmouth and Sanitary and Improvement District No. 7 of Cass County, Nebraska, for the acquisition of Lots 101 and 102 On-The-Green Phase II Subdivision, Cass County, Nebraska subject to satisfactory resolution by city staff of the purchased property taxable status within the SID. ROLL CALL: Yes-Kerns, Brookhouser, Forrest, Minahan, Clark, Riese, Graham and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED

ITEM 9 C

Emily Bausch, City Administrator, reviewed the request to solicit for Request for Proposals (RFP) for the right-of-way acquisition services for the 2019 Flood Recovery Project PW#88690- Relocated Drinking Water Facility. Motion by Muller seconded by Brookhouser to authorize solicitation for Request for Proposals (RFP) for the right-of-way acquisition services for the 2019 Flood Recovery Project PW#88690- Relocated Drinking Water Facility. ROLL CALL: Yes-Riese, Forrest, Minahan, Muller, Clark, Kerns, Graham and Brookhouser. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 D

Emily Bausch, City Administrator briefly reviewed the EMS Ambulance and Equipment ARPA Funding Attestation between The Nebraska Department of Health and Human Services and Plattsmouth EMS in an award amount not to exceed \$75,000.00 for the purchase of an ambulance. This was submitted as an ambulance remount and was awarded for that purpose. Motion by Kerns seconded by Forrest to approve the EMS Ambulance and Equipment ARPA Funding Attestation between The Nebraska Department of Health and Human Services and Plattsmouth EMS in an award amount not to exceed \$75,000.00 for the purchase of an ambulance and authorize the Mayor to execute the Attestation. ROLL CALL: Yes-Brookhouser, Kerns, Muller, Forrest, Minahan, Graham, Clark and Riese. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Emily Bausch, City Administrator referenced Nate Taylor, Public Works Director's memorandum regarding the claim and asked if there were any questions. Following discussion, Motion by Brookhouser seconded by Muller to receive claim from Brad Sitzman for services rendered by Major Drain (Invoice #776500) in the amount of \$211.86 and authorize payment of the claim. ROLL CALL: Yes-Forrest, Muller, Kerns, Brookhouser, Clark, Riese, Minahan and Graham. No-None. Absent-None. Abstain-None. MOTION CARRIED.

Council member Riese stated he would be abstaining from any discussion or action on ITEM 9 F and ITEM 9 G due to a conflict of interest.

ITEM 9 F

Motion by Brookhouser seconded by Clark to recommend approval of a Special Designated License application submitted by Knights of Columbus Council 1966 for a Golf Tournament Awards Banquet being held at St. John the Baptist School Gym, 518 S. 18th St., Plattsmouth, NE August 5, 2023 from 4:00 p.m. to 9 p.m. ROLL CALL: Yes-Minahan, Graham, Kerns, Brookhouser, Muller, Clark and Forrest. No-None. Absent-None. Abstain-Riese. MOTION CARRIED.

ITEM 9 G

Motion by Forrest seconded by Clark to recommend approval of a Special Designated License application submitted by Knights of Columbus Council 1966 for a wedding reception being held

at St. John the Baptist School Gym, 518 S. 18th St., Plattsmouth, NE August 12, 2023 from 4:00 p.m. to 11:00 p.m. ROLL CALL: Yes-Clark, Brookhouser, Minahan, Muller, Forrest, Graham and Kerns. No-None. Absent-None. Abstain-Riese. MOTION CARRIED.

ITEM 9 H

Motion by Forrest seconded by Riese to approve the appointment of Jonathan Kirkland as a new volunteer member to the Plattsmouth Emergency Medical Services Department and the addition of his name to the Plattsmouth Emergency Medical Services Department roster. ROLL CALL: Yes-Brookhouser, Graham, Clark, Kerns, Minahan, Muller, Riese and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

7:50 p.m. Motion by Brookhouser seconded by Graham 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