

PLATTSMOUTH CITY COUNCIL

September 18, 2023

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:17 o'clock p.m. on September 18, 2023 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Steve Riese, Morgan Muller, Terry Kerns, Bryan Clark, Jeanie Brookhouser, Stockton Graham and James Forrest. Council Members Absent: Sean Minahan. Also present: City Administrator Emily Bausch, City Attorney Stephen Q. Preston, City Clerk Sandra J. Meyer 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 September 7, 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 4 – CITIZENS DELEGATION

No one spoke at Citizens Delegation.

ITEM 5 – MAYORAL PROCLAMATION

There were no Mayoral Proclamations.

ITEM 6 – CONSENT AGENDA

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

- A Consider approval of the September 5, 2023 City Council Meeting Minutes
- B Consider ratification of a Right-of-Entry Access Agreement with LDG Properties LLC
- C Receive Treasurer's Report
- D Consider approval of claims

Claims Register Report as of 9/18/23

Pay Date: 9/8/23 157482.61

Com Ctr 6784.41

EMS 27589.35

General 26005.62

Library 8911.29

Parks and Cemetery 7668.97

Police 52240.33
Senior Center 3424.66
Street 10954.8
Water and Sewer 13903.18

Various

Vendor Name
AMERITAS 18306.14
FIRST STATE BANK NEBRASKA 311.55
FRATERNAL ORDER OF POLICE 195
INTERNAL REVENUE SERVICE 35714.04
NEBRASKA DEPARTMENT OF REVENUE 5672.8
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 7459.88
PLATTSMOUTH COMMUNITY CENTER 2334.24
TX CHILD SUPPORT SDU 150

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 38.6
CASS COUNTY COURT 57
CASS COUNTY REGISTER OF DEEDS 120
CASS COUNTY TREASURER 26575.2
IDEAL PURE WATER 20.5
IRINA A HARRINGTON 75
MELVEN SUDBECK HOMES INC 11353.08
NEBRASKA PUBLIC POWER DISTRICT 789.73
OFFICE DEPOT INC 51.69
OMAHA WORLD HERALD 764.93
OXEN TECHNOLOGY 7337.5
RYAN VULGAMOTT 28.75
SHELL FLEET PLUS 63.06
STAZNUR LLC 9850.66
STEPHEN Q PRESTON 4800
STERICYCLE SHRED IT 65.16
VERIZON WIRELESS 85.68
WASTE CONNECTIONS OF NEBRASKA INC 349.57
WESTSIDE DEVELOPMENT INC 81860.29
WH PLATTSMOUTH LLC 31393.53
WINDSTREAM 301.52

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 69.14
SHELL FLEET PLUS 58.51

Department : 03 - EMS

AMAZON.COM SALES INC 124.99
BLACK HILLS ENERGY 23.07
BOUND TREE MEDICAL LLC 2499.56
CAROLE BUCKEYE 92.24
CUMMINS CENTRAL INC 832.27
IDEAL PURE WATER 20.25

MATHESON TRI-GAS INC 276.09
NEBRASKA PUBLIC POWER DISTRICT 335.12
ROLLINS INC 34.5
SHELL FLEET PLUS 1612.84
STANDARD HEATING & AIR CONDITIONING INC 942.41
STERICYCLE INC 103.03
STRYKER SALES CORPORATION 475
VERIZON WIRELESS 3073.97
WALKERS INC 21.04
WASTE CONNECTIONS OF NEBRASKA INC 39.65
WINDSTREAM 195.54

Department : 04 - POLICE

AMAZON.COM SALES INC 618.68
CASS COUNTY REGISTER OF DEEDS 40
GARY E WHITE JR 2150
GREAT PLAINS UNIFORMS 920
GSK LLC 300
HD ARMS LLC 3060
JACKS UNIFORMS & EQUIPMENT 939.59
MIDLAND PRINTING AND BUSINESS FORMS INC 117.91
PETTY CASH POLICE 15
POLICE OFFICERS ASSOCIATION OF NE 240
SHELL FLEET PLUS 2862.72
TAYLOR LAWN CARE LLC 600
VERIZON WIRELESS 320.97
WEX HEALTH INC 16.67
WINDSTREAM 417.17

Department : 05 - STREET

ALLIED OIL & TIRE CO 63.8
AMAZON.COM SALES INC 257.16
BLACK HILLS ENERGY 187.86
DAN KOEHLER 25
GREGG YOUNG CHEVROLET OF PLATTSMOUTH 860.78
MICHAEL TODD & COMPANY INC 379.75
MULLENAX AUTO SUPPLY 98.48
NEBRASKA IOWA SUPPLY CO INC 6196.81
NEBRASKA PUBLIC POWER DISTRICT 5295.86
OLMSTED & PERRY ENGINEERING 3362.25
SHELL FLEET PLUS 1039.51
VERIZON WIRELESS 134.09
WASTE CONNECTIONS OF NEBRASKA INC 323.68
WILBUR-ELLIS HOLDINGS II INC 664.45
WINDSTREAM 143.75

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 1861.5
BLACK HILLS ENERGY 38.6
CASS COUNTY TREASURER 4429.2

CHARTER BUSINESS 65
NATASHA BASHUS 39.04
NEBRASKA PUBLIC POWER DISTRICT 384.39
WASTE CONNECTIONS OF NEBRASKA INC 39.64

Department : 07 - PARKS

AMAZON.COM SALES INC 87.9
BLACK HILLS ENERGY 115.8
J & J SMALL ENGINE SERVICE 103.31
MULLENAX AUTO SUPPLY 5.33
NEBRASKA PUBLIC POWER DISTRICT 241.92
ODEYS INC 69.65
SHELL FLEET PLUS 275.69
WALKERS INC 14.6
WASTE CONNECTIONS OF NEBRASKA INC 282.97

Department : 08 - CEMETERY

AMAZON.COM SALES INC 25.95
BLACK HILLS ENERGY 38.99
SHELL FLEET PLUS 118.15
VERIZON WIRELESS 42.84
WASTE CONNECTIONS OF NEBRASKA INC 134.62

Department : 10 - FIRE

ALERT-ALL CORPORATION 3480
BLACK HILLS ENERGY 23.06
CUMMINS CENTRAL INC 832.28
FIRST WIRELESS 253
IDEAL PURE WATER 20.25
JACKS UNIFORMS & EQUIPMENT 1416.18
MACQUEEN EQUIPMENT LLC 1719.08
MENARDS 159.99
MULLENAX AUTO SUPPLY 295.92
NEBRASKA IOWA SUPPLY CO INC 2672.22
NEBRASKA PUBLIC POWER DISTRICT 335.13
ROLLINS INC 34.49
WALKERS INC 21.05
WASTE CONNECTIONS OF NEBRASKA INC 39.65
WINDSTREAM 195.55

Department : 11 - SENIOR CITIZEN CTR

BLACK HILLS ENERGY 58.87
KENNETH MILLER 2313.5
NEBRASKA PUBLIC POWER DISTRICT 755.76
OFFICE DEPOT INC 35.54
REINHART FOODSERVICE LLC 1033.07
SHELL FLEET PLUS 88.89

Department : 16 - ECONOMIC DEVELOPMENT

OLMSTED & PERRY ENGINEERING 2173.5

Department : 17 - COMMUNITY CENTER
AQUA CHEM INC 1165
BLACK HILLS ENERGY 529.87
HANNAH VIDO 183.78
NEBRASKA PUBLIC POWER DISTRICT 6801.83
OFFICE DEPOT INC 12.4
STEPHEN C WARGA 80
TK ELEVATOR CORPORATION THYSSENKRUPP ELEVATOR CORPORATION 405
WALKERS INC 106.66
WASTE CONNECTIONS OF NEBRASKA INC 253

Department : 18 - AQUATIC
BLACK HILLS ENERGY 41.47
MENARDS 149.7
NEBRASKA PUBLIC POWER DISTRICT 1395.05
NEBRASKA STATE FIRE MARSHAL 81

Department : 20 - WATER
AMAZON.COM SALES INC 92.8
BLACK HILLS ENERGY 120
CASS COUNTY TREASURER 7972.56
CORE & MAIN LP 3064
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 525.4
NEBRASKA PUBLIC POWER DISTRICT 80.68
OLMSTED & PERRY ENGINEERING 67180
ONE CALL CONCEPTS INC 71.1
PANOLOGY INC 75
PETTY CASH WATER DEPARTMENT 657.21
SHELL FLEET PLUS 803.13
STEPHEN Q PRESTON 1600
TRANSWOOD LOGISTICS INC 1030.43
VERIZON WIRELESS 168.53
WEX HEALTH INC 33.33
WINDSTREAM 162.61

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

Department : 30 - SEWER
BLACK HILLS ENERGY 454.38
CASS COUNTY TREASURER 5315.04
EGAN SUPPLY CO 142.24
MIDWEST LABORATORIES INC 550.5
NEBRASKA PUBLIC POWER DISTRICT 46.6
ONE CALL CONCEPTS INC 71.1
PANOLOGY INC 75
PLATINUM TITLE AND ESCROW LLC 125
STEPHEN Q PRESTON 1600
VERIZON WIRELESS 40.01

WASTE CONNECTIONS OF NEBRASKA INC 93.43
WINDSTREAM 65.28

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

ITEM 7 – UNFINISHED BUSINESS

ITEM 7 A

Emily Bausch, City Administrator, referenced a memo from Steve Perry PE, Olmsted & Perry Consulting Engineers Inc., and was available to answer any questions. Motion by Brookhouser seconded by Graham to approve application for Payment No. 1 from Lakeview Construction for the 2023 PC Concrete Repair Project in the amount of \$109,773.00 and authorize the Mayor to execute Pay Request No.1. ROLL CALL: Yes-Graham, Muller, Forrest, Kerns, Riese, Clark and Brookhouser. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

Council member Kerns stated he would be abstaining from any discussion or action on ITEM 7B and ITEM 7C due to a conflict of interest.

ITEM 7 B

Emily Bausch, City Administrator, pointed out this memo from Steve Perry PE, Olmsted & Perry Consulting Engineers Inc., pertains to ITEM 7B and ITEM 7C. Following discussion, Motion by Riese seconded by Brookhouser to approve Change Order No. 3 for the Ave A and 8th Street South Sanitary Sewer Project for a contract time extension and authorize the Mayor to execute Change Order No. 3. ROLL CALL: Yes-Forrest, Clark, Graham, Muller, Brookhouser and Riese. No-None. Absent-Minahan. Abstain-Kerns. MOTION CARRIED.

ITEM 7 C

Motion by Brookhouser seconded by Riese to approve application for Payment No. 2 from Kerns Excavating Co. Inc. for the Avenue A & 8th Street South Sanitary Sewer Project in the amount of \$18,238.68 and authorize the Mayor to execute Pay Request No.2. ROLL CALL: Yes-Clark, Graham, Riese, Brookhouser, Muller and Forrest. No-None. Absent-Minahan. Abstain-Kerns. MOTION CARRIED.

ITEM 7 D

Motion by Forrest seconded by Clark to approve application for Payment No. 4 from Hawkins Construction Co. for the New Wastewater Treatment Plant Contract No. 2 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) in the amount of \$2,004,450.30 and authorize the Mayor to execute Application for Payment No. 4. ROLL CALL: Yes-Brookhouser, Forrest, Kerns, Muller, Clark, Riese and Graham. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 7 E

Emily Bausch, City Administrator, presented a memo from Steve Soupir PE, Fox Strand, stating this change order represents the final balance of quantities for the project. Motion by Muller seconded by Brookhouser to approve Change Order No. 1 (Final) from Vrba Construction Inc. for the Fourmile Industrial Park Water Main Extension - New Relocated Wastewater Treatment Facility #88688 for a deduct in the amount of (-) \$19,541.65 and authorize the Mayor to execute Change Order No. 1. ROLL CALL: Yes-Forrest, Kerns, Muller, Riese, Graham, Brookhouser and Clark. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 7 F

Emily Bausch, City Administrator, reviewed a memo from Steve Soupir PE, Fox Strand, and recommended council motion include acceptance of the construction, since the project is complete. Motion by Brookhouser seconded by Riese to approve application for Payment No. 2 (Final) from Vrba Construction Inc. for the Fourmile Industrial Park Water Main Extension - New Relocated Wastewater Treatment Facility #88688 in the amount of \$30,458.68 and authorize the Mayor to execute Pay Request No. 2 and all documents pertaining to. ROLL CALL: Yes-Riese, Graham, Brookhouser, Clark, Forrest, Kerns and Muller. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 8 – NEW BUSINESS

ITEM 8 A

Council member Kerns introduced a resolution numbered and titled as follows: RESOLUTION NO. 23-005: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE THE PLATTSMOUTH AIRPORT AUTHORITY TO BUDGET \$78,193.59 FOR THE AIRPORT GENERAL FUND AND \$35,700.00 FOR THE AIRPORT BOND FUND, WITH LEVIES OF .019514 AND .008909, RESPECTIVELY. Motion by Kerns seconded by Brookhouser to adopt RESOLUTION NO. 23-005 by title only. ROLL CALL: Yes-Kerns, Muller, Riese, Graham, Brookhouser, Clark and Forrest. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read RESOLUTION NO. 23-005 into the record by title only.

ITEM 8 B

Emily Bausch, City Administrator, introduced a resolution numbered and titled as follows: RESOLUTION NO. 23-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024 AND TO SET THE SAME USING THE BASE LIMITATION PERCENTAGE INCREASE OF 2.5% AND ALSO USING THE ADDITIONAL 1% INCREASE. Roger Davis, City Treasurer, clarified the 2.5% and additional 1% relate to restricted funds authority. Following discussion, Motion by Brookhouser seconded by Kerns to adopt RESOLUTION NO. 23-006 by title only. Following further discussion, ROLL CALL: Yes-Graham, Brookhouser, Forrest, Clark, Kerns, Muller and Riese. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read RESOLUTION NO. 23-006 into the record by title only.

ITEM 8 C

Emily Bausch, City Administrator, introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2007: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.** Emily stated the time sensitive nature of this ordinance and recommended Council suspend the rule of reading on three different days. Following discussion, Motion by Riese seconded by Forrest to adopt ORDINANCE NO. 2007 on first reading by title only. ROLL CALL: Yes-Muller, Clark, Riese, Brookhouser, Forrest, Graham and Kerns. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2007 into the record by title only.

Motion by Muller seconded by Forrest to suspend the statutory rule that ORDINANCE NO. 2007 be read on three different days and to adopt ORDINANCE NO. 2007 on final reading by title only. ROLL CALL: Yes-Clark, Kerns, Forrest, Muller, Brookhouser, Riese and Graham. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2007 into the record by title only.

ITEM 8 D

Emily Bausch, City Administrator, introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2008: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Emily reviewed the updates to the fee schedule with council and was available to answer questions. Following discussion, Motion by Forrest seconded by Clark to adopt ORDINANCE NO. 2008 on first reading by title only. ROLL CALL: Yes-Brookhouser, Graham, Riese, Clark, Kerns, Muller and Forrest. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2008 into the record by title only.

Motion by Brookhouser seconded by Muller to suspend the statutory rule that ORDINANCE NO. 2008 be read on three different days and to adopt ORDINANCE NO. 2008 on final reading by title only. ROLL CALL: Yes-Kerns, Forrest, Clark, Brookhouser, Graham, Riese and Muller. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2008 into the record by title only.

ITEM 8 E

Emily Bausch, City Administrator, introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2009: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2023; TO REPEAL ORDINANCE NO. 2001 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.**

Emily stated this ordinance reflects a 4% increase and the new minimum wage that goes into effect this fiscal year. The 4% increase is to maintain parity with surrounding cities and attract and retain employees. Motion by Forrest seconded by Riese to adopt ORDINANCE NO. 2009 on first reading by title only. ROLL CALL: Yes-Graham, Muller, Forrest, Kerns, Clark, Riese and Brookhouser. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2009 into the record by title only.

Motion by Forrest seconded by Riese to suspend the statutory rule that ORDINANCE NO. 2009 be read on three different days and to adopt ORDINANCE NO. 2009 on final reading by title only. ROLL CALL: Yes-Riese, Brookhouser, Graham, Forrest, Kerns, Muller and Clark. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2009 into the record by title only.

ITEM 8 F

Motion by Forrest seconded by Clark to approve a License and Management Agreement by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and the Plattsmouth Volunteer Fire Fighters Association, a Nebraska nonprofit corporation as presented. Following discussion, ROLL CALL: Yes-Muller, Clark, Kerns, Riese, Brookhouser, Forrest and Graham. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 8 G

Council member Riese stated he would be abstaining from any discussion or action on ITEM 8G due to a conflict of interest.

Motion by Brookhouser seconded by Clark to recommend approval of Special Designated License application submitted by Knights of Columbus Council 1966 for a Wedding Reception being held at St. John's School Gym, 518 S. 18th Street October 20, 2023 from 6:30 p.m. to 12:00 a.m. ROLL CALL: Yes-Forrest, Graham, Kerns, Clark, Brookhouser and Muller. No-None. Absent-Minahan. Abstain-Riese. MOTION CARRIED.

ITEM 8 H

Motion by Brookhouser seconded by Forrest to approve the appointment of the following proposed new volunteer member to the Plattsmouth EMS Department: Ariana Wise. ROLL CALL: Yes-Muller, Brookhouser, Kerns, Graham, Forrest, Riese and Clark. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 8 I

Motion by Kerns seconded by Forrest to approve the Plattsmouth EMS Roster. ROLL CALL: Yes-Clark, Riese, Forrest, Graham, Kerns, Brookhouser and Muller. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

ITEM 11

At 8:47 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Brookhouser, Graham, Clark, Muller, Riese, Kerns and Forrest. No-None. Absent-Minahan. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk