

# PLATTSMOUTH CITY COUNCIL

November 20, 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 November 20, 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 Deputy City Clerk Ryan Vulgamott.

This is a regular meeting of the Mayor and City Council of Plattsmouth. Notice of meeting was published on November 9, 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 – CITIZENS 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 Kerns to approve the Consent Agenda as presented.

- A Consider approval of the November 6, 2023 City Council Meeting Minutes
- B Consider Application for Payment No. 6 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 \$2,240,720.09 and authorize the Mayor to execute Application for Payment No. 6
- C Consider approval of the appointment of the following proposed new volunteer member to the Plattsmouth EMS Department: Nicolas Artola
- D Consider approval of the Plattsmouth Emergency Medical Services Roster
- E Receive Treasurer's Report
- F Consider approval of claims

Claims Register Report as of 11/20/23

Pay Date: 11/17/23 155861

Com Ctr 8491.93  
EMS 29874.89  
General 20990.33  
Library 9527.45  
Parks and Cemetery 6644.84  
Police 48797.29  
Senior Center 4285.87  
Street 11616.19  
Water and Sewer 15632.21

Various

Vendor Name

AMERITAS 18804.53  
FIRST STATE BANK NEBRASKA 311.55  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 35822.55  
NEBRASKA DEPARTMENT OF REVENUE 5808.58  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 7189.22  
TX CHILD SUPPORT SDU 150

Department : 01 - GENERAL ADMINISTRATION

ACCELERATED GRAPHX LLC 225  
BLACK HILLS ENERGY 432.45  
CASS COUNTY COURT 20  
CASS COUNTY REGISTER OF DEEDS 70  
CLAY D LINCOLN 135  
IDEAL PURE WATER 15  
IRINA A HARRINGTON 75  
JEREMY J MASID 1580  
MICROFILM IMAGING SYSTEMS 3804.51  
NEBRASKA PUBLIC POWER DISTRICT 404.7  
OFFICE DEPOT INC 83.37  
OMAHA WORLD HERALD 834.96  
OXEN TECHNOLOGY 3523.6  
PITNEY BOWES INC 628.62  
SHELL FLEET PLUS 60.49  
STEPHEN Q PRESTON 4800  
STERICYCLE SHRED IT 195.48  
VERIZON WIRELESS 86.01  
WASTE CONNECTIONS OF NEBRASKA INC 5694.68  
WINDSTREAM 292.73

Department : 02 - HUMANE/CODE ENFORCEMENT

NEBRASKA PUBLIC POWER DISTRICT 64.16  
SHELL FLEET PLUS 122.54

Department : 03 - EMS  
AMAZON.COM SALES INC 169.51  
BLACK HILLS ENERGY 50.5  
BOUND TREE MEDICAL LLC 746.27  
CHARTER BUSINESS 20.86  
IDEAL PURE WATER 33.5  
MATHESON TRI-GAS INC 371.18  
NEBRASKA PUBLIC POWER DISTRICT 321.1  
REBECCA L GRAF 10  
SHELL FLEET PLUS 1228.45  
VERIZON WIRELESS 171.59  
WALKERS INC 21.04  
WASTE CONNECTIONS OF NEBRASKA INC 45.6  
WINDSTREAM 198.36

Department : 04 - POLICE  
ALL TRAFFIC SOLUTION INC 1500  
AMAZON.COM SALES INC 29.4  
CASS COUNTY SHERIFF 3615  
H & H SALES INC 327.11  
NEBRASKA COUNCIL OF SCHOOL ADMINISTRATORS 115  
SHELL FLEET PLUS 2431.69  
TAYLOR LAWN CARE LLC 400  
VERIZON WIRELESS 280.07  
WEX HEALTH INC 16.67  
WINDSTREAM 432.93

Department : 05 - STREET  
AGRIVISION EQUIPMENT GROUP LLC 349.99  
ALLIED OIL & TIRE CO 109.2  
BGNE INC 433.32  
BLACK HILLS ENERGY 199.12  
CINTAS CORPORATION #749 199.25  
FIRST STATE BANK NEBRASKA 180341.5  
MULLENAX AUTO SUPPLY 429.52  
NEBRASKA PUBLIC POWER DISTRICT 5213.4  
NSG LOGISTICS LLC 4210.6  
READY MIX CONCRETE CO 2124.36  
SHELL FLEET PLUS 539.12  
STEPHEN C WARGA 117  
VERIZON WIRELESS 182.25  
VOGEL WEST INC 124.22  
WASTE CONNECTIONS OF NEBRASKA INC 373.28  
WINDSTREAM 144.63  
WOODHOUSE FORD SOUTH INC 130.22

Department : 06 - LIBRARY  
BAKER & TAYLOR BOOKS 1758.62  
BLACK HILLS ENERGY 124.95  
CHARTER BUSINESS 65

EBSCO INDUSTRIES INC 446.5  
NEBRASKA PUBLIC POWER DISTRICT 227.05  
OXEN TECHNOLOGY 381.6  
WASTE CONNECTIONS OF NEBRASKA INC 45.59

Department : 07 - PARKS

AGRIVISION EQUIPMENT GROUP LLC 78.85  
BLACK HILLS ENERGY 140.4  
CLAY D LINCOLN 200  
MULLENAX AUTO SUPPLY 106.74  
NEBRASKA PUBLIC POWER DISTRICT 241.37  
OMAHA WORLD HERALD 34.19  
SHELL FLEET PLUS 344.66  
WALKERS INC 14.6  
WASTE CONNECTIONS OF NEBRASKA INC 325.42

Department : 08 - CEMETERY

AGRIVISION EQUIPMENT GROUP LLC 123.07  
BLACK HILLS ENERGY 82.13  
NEBRASKA PUBLIC POWER DISTRICT 40.84  
SHELL FLEET PLUS 147.71  
VERIZON WIRELESS 42.87  
WASTE CONNECTIONS OF NEBRASKA INC 156.87

Department : 10 - FIRE

ALPHA ELECTRICAL CONTRACTORS LLC 686.37  
AMAZON.COM SALES INC 169.51  
BLACK HILLS ENERGY 50.5  
CHARTER BUSINESS 20.85  
FELD FIRE 800  
IDEAL PURE WATER 33.5  
INTERSTATE POWER SYSTEMS INC 11294.03  
MULLENAX AUTO SUPPLY 1003.96  
NEBRASKA PUBLIC POWER DISTRICT 321.09  
WALKERS INC 21.05  
WASTE CONNECTIONS OF NEBRASKA INC 45.59  
WINDSTREAM 198.36

Department : 11 - SENIOR CITIZEN CTR

BLACK HILLS ENERGY 70.21  
CHARTER BUSINESS 139.82  
NEBRASKA PUBLIC POWER DISTRICT 604.1  
OFFICE DEPOT INC 74.14  
REINHART FOODSERVICE LLC 1128.98  
SHELL FLEET PLUS 49.61

Department : 17 - COMMUNITY CENTER

AQUA CHEM INC 268.77  
BLACK HILLS ENERGY 631.89  
CHARTER BUSINESS 419.47

HUNTEL COMMUNICATIONS 9176.96  
JEREMY J MASID 5188.1  
NEBRASKA PUBLIC POWER DISTRICT 5436.86  
WALKERS INC 106.66  
WASTE CONNECTIONS OF NEBRASKA INC 290.95

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 39.14  
NEBRASKA PUBLIC POWER DISTRICT 95.68

Department : 20 - WATER  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 96.37  
BOO INC DBA BOBCAT OF OMAHA 220.43  
CORE & MAIN LP 6530.85  
NEBRASKA DEPARTMENT OF REVENUE (SALES TAX) 616.96  
NEBRASKA PUBLIC POWER DISTRICT 72.77  
NORTHWEST ELECTRIC LLC 750  
ONE CALL CONCEPTS INC 78.46  
OXEN TECHNOLOGY 686.88  
PETTY CASH WATER DEPARTMENT 665.26  
SHELL FLEET PLUS 498.2  
STEPHEN Q PRESTON 1600  
VAN WINKLE CONSTRUCTION SERVICES LLC 21600  
VERIZON WIRELESS 168.62  
VESSCO INC 3443.01  
WATER & SEWER DEPARTMENT 1171  
WEX HEALTH INC 33.33  
WINDSTREAM 165.89

Department : 24 - DRUG FORFEITURE  
H & H SALES INC 400  
VERIZON WIRELESS 40.95

Department : 30 - SEWER  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 647.02  
MIDWEST LABORATORIES INC 396  
MIDWEST RIGHT OF WAY SERVICES INC 8915.55  
MULLENAX AUTO SUPPLY 92.4  
NEBRASKA PUBLIC POWER DISTRICT 61.6  
NIJOSK INC 867.65  
ONE CALL CONCEPTS INC 78.46  
OXEN TECHNOLOGY 457.92  
STEPHEN Q PRESTON 1600  
STRAND ASSOCIATES INC 206012.5  
TERRACON CONSULTANTS INC 9130.5  
VERIZON WIRELESS 40.01  
WINDSTREAM 66.78

Department : 37 - ECONOMIC DEVELOPMENT - RIVER FRONT  
UMB BANK NA 6665

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

#### ITEM 8 – UNFINISHED BUSINESS

##### ITEM 8 A

Craig Vincent, Account Manager for Nebraska Public Power District, gave a presentation on NPPD's diverse energy portfolio and their goal to be carbon net-zero by 2050. Mr. Vincent also highlighted their community involvement, incentive programs and their state-wide energy network. NO ACTION TAKEN.

##### ITEM 8 B

Craig Vincent, Account Manager for Nebraska Public Power District, provided an update on the Sunwise Community Solar Program that was previously discussed at the January 16, 2023 council meeting. Since then, NPPD has assisted the City with the initial stages of Developer selection, explained the term and scope of contracts associated with the project and scheduled a tour of the solar facility in York, NE. Mr. Vincent cited that increases in supply chain lead time and construction costs have made this project less viable and is seeking Council's input on how to proceed. Following discussion, Motion by Clark to stop the proposed Sunwise Community Solar Program, with no second the motion died. Following further discussion, Motion by Kerns seconded by Forrest to postpone indefinitely the proposed Sunwise Community Solar Program. ROLL CALL: Yes-Graham, Forrest, Clark, Brookhouser, Minahan, Riese, Muller and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 C

Motion by Muller seconded by Riese to approve the Mayor's recommendation of Olsson for City Engineer and authorize staff to negotiate the contract and present the same for council approval. ROLL CALL: Yes-Minahan, Riese, Brookhouser, Graham, Forrest, Clark, Kerns and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED.

##### ITEM 8 D

Motion by Riese seconded by Clark to approve second reading of **ORDINANCE NO. 2011: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO AMEND SECTION 4-101 OF ARTICLE I, CHAPTER IV OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 WHICH SECTION PROVIDES DEFINITIONS FOR VEHICLE AND TRAFFIC REGULATIONS; TO AMEND SECTION 4-313 OF ARTICLE III, CHAPTER IV OF THE PLATTSMOUTH REVISED MUNICIPAL ORDINANCES 2011 WHICH SECTION PROVIDES THE MAXIMUM TIME LIMIT FOR VEHICLE PARKING; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE** by title only. ROLL CALL: Yes-Forrest, Clark, Muller, Kerns, Minahan,

Riese, Brookhouser and Graham. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read ORDINANCE NO. 2011 into the record by title only.

#### ITEM 8 E

Motion by Brookhouser seconded by Minahan to approve bid award to Vrba Construction for the Avenue B Water Main Replacement project and authorize the Mayor to execute Notice of Award. ROLL CALL: Yes-Riese, Brookhouser, Graham, Forrest, Clark, Muller, Kerns and Minahan. No-None. Absent-None. Abstain-None. MOTION CARRIED.

#### ITEM 8 F

Emily Bausch, City Administrator, introduced RESOLUTION NO. 23-011 and highlighted the subcommittee's involvement in getting this package ready for Council decision. Motion by Minahan seconded by Brookhouser to approve RESOLUTION NO. 23-011: A RESOLUTION TO ADOPT AN EVENT LICENSE APPLICATION FOR THE LICENSE OF CERTAIN MUNICIPAL PROPERTY BEGINNING IN 2024; TO APPROVE THE LICENSE AND MANAGEMENT AGREEMENT (USE OF ENTERTAINMENT PLAZA, STREETS, AND/OR OTHER MUNICIPAL PROPERTY 2024) FOR USE BEGINNING IN THE YEAR 2024; AND TO APPROVE CERTAIN INSURANCE REQUIREMENTS FOR THE LICENSE OF MUNICIPAL PROPERTY BEGINNING IN THE YEAR 2024 by title only. ROLL CALL: Yes-Clark, Muller, Kerns, Minahan, Riese, Brookhouser, Graham and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read RESOLUTION NO. 23-011 into record by title only.

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:55 p.m. to hear and consider public comments regarding a proposed Special Use Permit for a General Daycare located at 816 6<sup>th</sup> Ave; legally described as Plattsmouth Lots 10, 11, 12 and 13, block 2 Stadelmanns addition, along with adjacent vacated alley, and lots 1, 2 and 3, block 1, Donelans addition, both additions to the City of Plattsmouth, Cass County Nebraska.

Adam Denio, City Inspector, briefly reviewed the proposed daycare location and contract with council.

Mayor Lambert again stated the reason for the public hearing and with no one else coming forward to speak, closed the public hearing at 7:58 p.m.

##### ITEM 9 B

Motion by Muller seconded by Forrest to approve RESOLUTION NO. 23-010: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO GRANT A SPECIAL USE PERMIT TO MAGIC LAND MANAGEMENT LLC TO ALLOW FOR THE DAYCARE SERVICES (GENERAL) USE TYPE ON CERTAIN PROPERTY WITHIN AN URBAN RESIDENTIAL MEDIUM-

DENSITY (R-2) DISTRICT AND LOCATED AT 816 6<sup>TH</sup> AVE, SUBJECT TO THE CONDITIONS STATED HEREIN by title only. ROLL CALL: Yes-Muller, Kerns, Minahan, Riese, Brookhouser, Graham, Forrest and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED. Stephen Q. Preston, City Attorney, read RESOLUTION NO. 23-010 into record by title only.

ITEM 9 C

Motion by Brookhouser seconded by Forrest to approve the Nebraska Department of Transportation Maintenance Agreement No. 21 Renewal for January 1, 2024 through December 31, 2024 and authorize the Mayor to execute the Agreement. ROLL CALL: Yes-Muller, Brookhouser, Kerns, Graham, Minahan, Forrest, Riese, Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

8:06 p.m. Motion by Brookhouser seconded by Forrest to adjourn. ROLL CALL: Yes-Clark, Riese, Forrest, Minahan, Graham, Kerns, Brookhouser and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk