

PLATTSMOUTH CITY COUNCIL

January 15, 2024

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 January 15, 2024 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 January 4, 2024 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 PROCLAMATIONS

There were no Mayoral Proclamations.

ITEM 7 – CONSENT AGENDA

Motion by Brookhouser seconded by Clark to approve claims with additional claim correction presented at meeting.

- A Consider approval of the January 2, 2024 City Council Meeting Minutes
- B Consider Application for Payment No. 8 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 \$2,833,174.90 and authorize the Mayor to execute Application for Payment No. 8
- C Consider approval of the Application for Mobile Home License submitted by Jeff and Traci Henry for The Pines Mobile Home Park, 1715 South 15th Street, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025
- D Consider approval of the Application for Mobile Home License submitted by Jeff and Traci Henry for Cottonwood Mobile Home Park, 2405 South 15th Street,

Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

E Consider approval of the Application for Mobile Home License submitted by Tim Podraza for Morning Star Mobile Home Community, 1018 Avenue H and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

F Consider approval of the Application for Mobile Home License submitted by John Jungers, Three Parks LLC for Hill City Mobile Home Park, 504 North 22nd Street, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

G Consider approval of the Application for Mobile Home License submitted by Rob Church for Mac-Church Properties LLC d/b/a South Side Mobile Home Park, 1904 Lincoln Avenue, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

H Consider approval of the Application for Mobile Home License submitted by Mickey Gordon for Gordon’s Court & Apts., 1105 Avenue D, Plattsmouth and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

I Consider approval of the Application for Mobile Home License submitted by Hillside Pointe 2021 MHC, LLC for Hillside Pointe, 1023 N 9th St Lot 74 Plattsmouth, NE 68048 and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

J Consider approval of the Application for Mobile Home License submitted by Summer Grove 2021 MHC, LLC for Summer Grove, 2425 S 15th St, Plattsmouth, NE 68048 and authorize the issuance of a Mobile Home License for a period March 1, 2024 through February 28, 2025

K Receive Treasurer’s Report

L Consider approval of claims

Claims Register Report as of 1/15/24

Pay Date: 1/12/24 165572.28

Com Ctr 7019.57  
EMS 29647.65  
General 21580.02  
Library 8619.02  
Parks and Cemetery 7093.56  
Police 49368.73

Senior Center 3524.22  
Street 23321.6  
Water and Sewer 15397.91

Various

Vendor Name

AMERITAS 19492.5  
BLUE CROSS BLUE SHIELD 59802.65  
FIRST STATE BANK NEBRASKA 465.4  
FRATERNAL ORDER OF POLICE 180  
INTERNAL REVENUE SERVICE 38997.3  
NEBRASKA CHILD SUPPORT PAYMENT CENTER 230.78  
NEBRASKA DEPARTMENT OF REVENUE 6067.89  
NEBRASKA STATE TREASURER 701.04  
NEBRASKA UNEMPLOYMENT COMP FUND 106.65  
PLATTSMOUTH COMMUNITY CENTER 1994.78  
TX CHILD SUPPORT SDU 150

Department : 01 - GENERAL ADMINISTRATION

ACCESS TECHNOLOGIES INC 330.06  
BLACK HILLS ENERGY 915.6  
CASS COUNTY COURT 17  
CASS COUNTY REGISTER OF DEEDS 16  
F S I AGENCY LLC 100  
IRINA A HARRINGTON 75  
KATHRYN SHARP 375  
MICROFILM IMAGING SYSTEMS 75  
NEBRASKA PUBLIC POWER DISTRICT 233.07  
OFFICE DEPOT INC 62.29  
OMAHA WORLD HERALD 639.74  
OXEN TECHNOLOGY 3523.6  
STEPHEN Q PRESTON 4800  
TYLER TECHNOLOGIES 15886.18  
WALKERS INC 145.53  
WASTE CONNECTIONS OF NEBRASKA INC 382.52  
WINDSTREAM 300.35

Department : 02 - HUMANE/CODE ENFORCEMENT

BOMGAARS SUPPLY 64.48  
H & H SALES INC 38.94  
NEBRASKA HUMANE SOCIETY 105  
NEBRASKA PUBLIC POWER DISTRICT 195.26  
SHELL FLEET PLUS 99.42

Department : 03 - EMS

ACCESS TECHNOLOGIES INC 51.09  
BLACK HILLS ENERGY 158.98  
BOUND TREE MEDICAL LLC 7576.22

EGAN SUPPLY CO 48.06  
MATHESON TRI-GAS INC 359.26  
NEBRASKA PUBLIC POWER DISTRICT 305.62  
REBECCA L GRAF 25  
ROLLINS INC 34.5  
SHELL FLEET PLUS 938.37  
STRYKER SALES CORPORATION 4017  
WASTE CONNECTIONS OF NEBRASKA INC 45.6  
WINDSTREAM 198.46

Department : 04 - POLICE

ACCESS TECHNOLOGIES INC 225.69  
AMAZON.COM SALES INC 267.98  
CASS COUNTY REGISTER OF DEEDS 30  
DIGITAL ALLY INC 140  
EMBLEMS INC 268  
JACKS UNIFORMS & EQUIPMENT 136.86  
MULLENAX AUTO SUPPLY 430  
OFFICE DEPOT INC 76.7  
SHELL FLEET PLUS 1813.49  
STANARD & ASSOCIATES INC 59  
WEX HEALTH INC 16.67  
WINDSTREAM 424.31

Department : 05 - STREET

AMAZON.COM SALES INC 29.99  
BLACK HILLS ENERGY 291.44  
BOO INC DBA BOBCAT OF OMAHA 9101.68  
LIFEARTS INTEGRATED HEALTH CENTER PC 110  
NEBRASKA MACHINERY CO 203  
NEBRASKA PUBLIC POWER DISTRICT 5293.63  
SHELL FLEET PLUS 502.67  
WASTE CONNECTIONS OF NEBRASKA INC 373.28  
WINDSTREAM 144.64

Department : 06 - LIBRARY

ACCESS TECHNOLOGIES INC 123.51  
BAKER & TAYLOR BOOKS 296.36  
BIBLIOTHECA INC 1195.54  
BLACK HILLS ENERGY 281.3  
CHARTER BUSINESS 65  
DEMCO 213.68  
NEBRASKA PUBLIC POWER DISTRICT 302.36  
OXEN TECHNOLOGY 381.6  
THREE RIVERS LIBRARY SYSTEM 10  
WASTE CONNECTIONS OF NEBRASKA INC 45.59  
WINDSTREAM 190.03  
TYLER TECHNOLOGIES 2533.02

Department : 07 - PARKS  
BLACK HILLS ENERGY 288.32  
HD SUPPLY INC 41.14  
MULLENAX AUTO SUPPLY 90.88  
NEBRASKA PUBLIC POWER DISTRICT 244.69  
OREILLY AUTOMOTIVE INC 28.32  
SHELL FLEET PLUS 262.44  
TILSON AUTOMOTIVE 849.99  
WALKERS INC 14.6  
WASTE CONNECTIONS OF NEBRASKA INC 325.42

Department : 08 - CEMETERY  
ALLEN-HARVEY INC 30  
AMAZON.COM SALES INC 271.96  
BLACK HILLS ENERGY 169.73  
SHELL FLEET PLUS 73.85  
WASTE CONNECTIONS OF NEBRASKA INC 156.84  
WINDSTREAM 174.81

Department : 10 - FIRE  
ACCESS TECHNOLOGIES INC 51.09  
BLACK HILLS ENERGY 158.98  
NEBRASKA PUBLIC POWER DISTRICT 305.63  
ROLLINS INC 34.49  
WASTE CONNECTIONS OF NEBRASKA INC 45.59  
WINDSTREAM 198.46

Department : 11 - SENIOR CITIZEN CTR  
AMAZON.COM SALES INC 15.7  
BLACK HILLS ENERGY 161.46  
NEBRASKA PUBLIC POWER DISTRICT 684.38  
REINHART FOODSERVICE LLC 1957.92  
SHELL FLEET PLUS 40.84  
WALKERS INC 152.91

Department : 17 - COMMUNITY CENTER  
ACCESS TECHNOLOGIES INC 123.51  
AQUA CHEM INC 305  
BLACK HILLS ENERGY 1453.18  
CARD INTEGRATORS CORPORATION 770  
CHESTERMAN CO 311.52  
MR VINYL LLC 230  
NEBRASKA DEPT OF HEALTH & HUMAN SERVICES LICENSE 80  
NEBRASKA PUBLIC POWER DISTRICT 6159.47  
WALKERS INC 106.66  
WASTE CONNECTIONS OF NEBRASKA INC 290.95

Department : 18 - AQUATIC  
BLACK HILLS ENERGY 39.14  
NEBRASKA PUBLIC POWER DISTRICT 91.26

Department : 20 - WATER  
AMAZON.COM SALES INC 114.97  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 576.99  
CORE & MAIN LP 8913  
HD SUPPLY INC 1401.04  
NEBRASKA PUBLIC POWER DISTRICT 88.48  
OLMSTED & PERRY ENGINEERING 3332.3 (as amended)  
ONE CALL CONCEPTS INC 76.52  
OXEN TECHNOLOGY 686.88  
PETTY CASH WATER DEPARTMENT 631.61  
POWERTECH LLC 238.23  
SHELL FLEET PLUS 473.6  
STEPHEN Q PRESTON 1600  
TYLER TECHNOLOGIES 4559.44  
VESSCO INC 7739.18  
WEX HEALTH INC 33.33  
WINDSTREAM 166.38

Department : 30 - SEWER  
BIG RED COMMUNICATIONS 127  
BLACK HILLS ENERGY 1542.6  
CORE & MAIN LP 199.08  
HD SUPPLY INC 220.47  
NEBRASKA PUBLIC POWER DISTRICT 15.02  
OLMSTED & PERRY ENGINEERING 2522.45  
ONE CALL CONCEPTS INC 76.52  
OXEN TECHNOLOGY 457.92  
POWERTECH LLC 238.23  
STEPHEN Q PRESTON 1600  
TYLER TECHNOLOGIES 3039.62  
WASTE CONNECTIONS OF NEBRASKA INC 65  
WINDSTREAM 118.87

Department : 40 - PLATTSMOUTH KENO  
NEBRASKA DEPARTMENT OF REVENUE CHARITABLE GAMING DIVISION 14000

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

## ITEM 8 – UNFINISHED BUSINESS

### ITEM 8 A

Emily Bausch, City Administrator, reviewed her memo and Fire Chief Mike Wilson's maintenance log for the Unit #850- 1993 Smeal Aerial Fire Apparatus and answered Council's questions. Following discussion, Motion by Clark seconded by Riese to authorize solicitation of proposals to replace Unit #850- 1993 Smeal Aerial Fire Apparatus. ROLL CALL: Yes-Muller, Riese, Kerns, Minahan, Brookhouser, Clark, Forrest and Graham. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### ITEM 8 B

Emily Bausch, City Administrator, reminded council of their November 11, 2023 approval to negotiate an engineering services agreement, reviewed the proposed contract and was available to answer questions. Following discussion, Motion by Forrest seconded by Muller to approve a Master Services Agreement with Olsson for Engineering services for City Engineer and Street Superintendent including Task Order #1 2024 City Engineer (time and material not to exceed \$100,000) and Task Order #2 2024 Street Superintendent (time and material not to exceed \$6,000) and authorize the mayor to execute the agreement. ROLL CALL: Yes-Brookhouser, Clark, Forrest, Graham, Riese, Kerns, Minahan and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED.

### ITEM 8 C

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

Motion by Forrest seconded by Clark to authorize the solicitation of bids for the New Wastewater Treatment Contract No. 4 – River Road and On the Green Lift Stations (2019 Flood Recovery Project PW# 88688 – Relocated Wastewater Treatment Facility) in accordance with plans and specifications. ROLL CALL: Yes-Riese, Minahan, Muller, Clark, Forrest, Graham and Brookhouser. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

### ITEM 8 D

Jim Olmsted, Olmsted & Perry Engineering, reviewed with council the water supply studies that were done in the years leading up to 2019. Each study presented three courses of action with hook-up to Metropolitan Utilities District (MUD) being the most cost effective and sustainable. After the 2019 flood the study was updated for FEMA flood recovery project #88690. Jim Olmsted presented the 30% design for MUD hook-up and John Gade and Keith Hobson, Fox Strand Engineering, lead a presentation and discussion on the proposed project. There will be many moving pieces for this project ranging from easement acquisition, boring under the Platte River, railroad & Hwy 75 crossings and reconstruction of part of Ave B. The estimated completion date is May 2027. Following discussion, NO ACTION TAKEN.

Council member Kerns stated he would be abstaining from any discussion or action on ITEM 8 E and ITEM 8 F due to a conflict of interest.

#### ITEM 8 E

Motion by Muller seconded by Brookhouser to approve Application for Payment No. 3 from Kerns Excavating Co. Inc. for the Oakmont Drive Water Main Improvement Project (FEMA Project No. 101799) in the amount of \$103,505.23 and authorize the Mayor to execute Pay Request No.3. ROLL CALL: Yes-Clark, Forrest, Graham, Brookhouser, Minahan, Muller and Riese. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

#### ITEM 8 F

Motion by Brookhouser seconded by Muller to approve Change Order No. 2 for the Oakmont Drive Water Main Improvement Project (FEMA Project No. 101799) for a contract time extension and quantity adjustments, and authorize the Mayor to execute Change Order No. 2. ROLL CALL: Yes-Graham, Brookhouser, Clark, Forrest, Muller, Riese and Minahan. No-None. Absent-None. Abstain-Kerns. MOTION CARRIED.

#### ITEM 9 – NEW BUSINESS

##### ITEM 9 A

Pursuant to publication, Mayor Lambert opened a public hearing at 8:38 p.m. to hear and consider public comment, oral or written, on the acquisition of a permanent utility easement and a temporary construction easement located on Lot 2, Lumber Subdivision, as surveyed, platted and recorded in the City of Plattsmouth, Cass County, Nebraska, said easements to be acquired pursuant to 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. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert again stated the reason for the public hearing and with no one coming forward, closed the public hearing at 8:39 p.m.

##### ITEM 9 B

Motion by Brookhouser seconded by Riese to approve a Purchase Agreement between the City of Plattsmouth and Mark Morehead Construction, Inc. for the acquisition of a permanent utility easement and a temporary construction easement located on Lot 2, Lumber Subdivision, as surveyed, platted and recorded in the City of Plattsmouth, Cass County, Nebraska, in connection with 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 purchase agreement and such other documents as may be necessary to close the real estate purchase transaction described therein. ROLL CALL: Yes-Forrest, Graham, Riese, Kerns, Minahan, Brookhouser, Clark and Muller. No-None. Absent-None. Abstain-None. MOTION CARRIED.



ITEM 9 C

Pursuant to publication, Mayor Lambert opened a public hearing at 8:41 p.m. to hear and consider public comment, oral or written, regarding the Class C Liquor License Application submitted by Hong Xing Inc. dba Golden China, 828 Chicago Ave., Plattsmouth, NE. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert again stated the reason for the public hearing and with no one coming forward, closed the public hearing at 8:42 p.m.

ITEM 9 D

Motion by Muller seconded by Brookhouser to make a recommendation of approval to the Nebraska Liquor Control Commission regarding a Class C Liquor License Application submitted by Hong Xing Inc. dba Golden China, 828 Chicago Ave., Plattsmouth, NE. ROLL CALL: Yes-Minahan, Muller, Clark, Forrest, Graham, Riese, Brookhouser and Kerns. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 9 E

Pursuant to publication, Mayor Lambert opened a public hearing at 8:43 p.m. to hear and consider public comment, oral or written, regarding the Class C Liquor License Application submitted by Cancun Express Inc. dba Cancun Express, 2202 8<sup>th</sup> Ave., Plattsmouth, NE. No one spoke in favor, opposition or of a neutral nature. Mayor Lambert again stated the reason for the public hearing and with no one coming forward, closed the hearing at 8:44 p.m.

ITEM 9 F

Motion by Forrest seconded by Clark to make a recommendation of approval to the Nebraska Liquor Control Commission regarding a Class C Liquor License Application submitted by Cancun Express Inc. dba Cancun Express, 2202 8<sup>th</sup> Ave., Plattsmouth, NE. ROLL CALL: Yes-Brookhouser, Riese, Muller, Clark, Graham, Kerns, Minahan and Forrest. No-None. Absent-None. Abstain-None. MOTION CARRIED.

ITEM 12

At 8:50 p.m. Motion by Brookhouser seconded by Forrest to adjourn. ROLL CALL: Yes-Muller, Riese, Kerns, Forrest, Minahan, Graham, Brookhouser and Clark. No-None. Absent-None. Abstain-None. MOTION CARRIED.

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R. Paul Lambert, Mayor

ATTEST:

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Sandra J. Meyer, City Clerk