

PLATTSMOUTH CITY COUNCIL

September 16, 2024

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:03 o'clock p.m. on September 16, 2024 at Plattsmouth City Hall in Plattsmouth Nebraska. Present were Mayor R. Paul Lambert and Council Members: Jeanie Brookhouser, Bryan Clark, James Forrest, Stockton Graham, Terry Kerns and Morgan Muller. Council Members Absent: Sean Minahan and Steve Riese. Also present: City Administrator Emily Bausch, City Attorney Damien Wright, 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 5, 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 PROCLAMATION

There were no Mayoral Proclamations.

ITEM 6 CONSENT AGENDA

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

- A Consider approval of the September 3, 2024 City Council Meeting Minutes
- B Consider Contractor's Application for Payment No. 16 submitted by Strand Associates on behalf of Hawkins Construction Company in the amount of \$2,884,165.89 for work completed from August 1 to 31, 2024 for the New Wastewater Treatment Plant Contract 2 (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Contractor's Application for Payment No. 16
- C Consider Contractor's Application for Payment No. 11 submitted by Strand Associates on behalf of Valley Corporation in the amount of \$520,036.09 for work eligible for payment for the New Wastewater Treatment Plan Contract 3-Raw Wastewater Force Mains (2019 Flood Recovery Project PW#88688-Relocated Wastewater Treatment Plant) and authorize the Mayor to execute Application for Payment No. 11

- D Consider a License and Management Agreement (PVFFA Spaghetti Feed) by and between the City of Plattsmouth, Nebraska, a Nebraska municipal corporation and the Plattsmouth Volunteer Firefighter Association, a Nebraska nonprofit corporation for an annual Spaghetti Fundraiser on October 10, 2024 at the Plattsmouth Fire Station, 127 N. 5th Street from 12:00 p.m. to 9:00 p.m.
- E Consider the Mayor’s recommendation of the appointment of Steve Rishel to the Plattsmouth Library Board to fill a vacancy
- F Receive Treasurer’s Report
- G Consider approval of claims

Claims Register Report as of 9/16/24

Pay Date: 9/6/24 165120.34

Com Ctr 7335.42
 EMS 29308.09
 General 26986.47
 Library 9356.2
 Parks and Cemetery 8884.25
 Police 52522.5
 Senior Center 3867.98
 Street 13024.4
 Water and Sewer 13835.03

Various

Vendor Name
 AMERITAS 18617.24
 FIRST STATE BANK NEBRASKA 465.4
 FRATERNAL ORDER OF POLICE 180
 INTERNAL REVENUE SERVICE 37803.96
 MUTUAL OF OMAHA 7381.47
 NEBRASKA CHILD SUPPORT PAYMENT CENTER 456.48
 NEBRASKA DEPARTMENT OF REVENUE 5699.81
 PLATTSMOUTH COMMUNITY CENTER 2190.32

Department : 01 - GENERAL ADMINISTRATION

BLACK HILLS ENERGY 40.09
 BLUE VALLEY PUBLIC SAFETY INC 3223.8
 DANA F COLE & COMPANY LLC 18000
 EGAN SUPPLY CO 176.16
 FLYNN INNOVATIONS LLC 571.92
 IDEAL PURE WATER 43.75
 IRINA A HARRINGTON 75
 KATHRYN SHARP 375
 NEBRASKA PUBLIC POWER DISTRICT 457.01
 OFFICE DEPOT INC 50.24

OMAHA WORLD HERALD 735.77
OXEN TECHNOLOGY 3479.66
SHELL FLEET PLUS 57.04
STERICYCLE SHRED IT 69.72
VERIZON WIRELESS 85.86
WALKERS INC 57.6
WASTE CONNECTIONS OF NEBRASKA INC 410.71
WELCH LAW FIRM PC 6600
WINDSTREAM 301.96

Department : 02 - HUMANE/CODE ENFORCEMENT

COVE PRODUCTS LLC 2445.85
NEBRASKA PUBLIC POWER DISTRICT 72.96
POMPS TIRE SERVICE INC 386.96
SHELL FLEET PLUS 98.06

Department : 03 - EMS

BLACK HILLS ENERGY 25.31
BOUND TREE MEDICAL LLC 1806.15
CUMMINS CENTRAL INC 354.52
HEATHER A STAUFFER 544.52
IDEAL PURE WATER 41.25
MATHESON TRI-GAS INC 395.85
NEBRASKA PUBLIC POWER DISTRICT 396.5
ROLLINS INC 39.5
SHELL FLEET PLUS 1153.41
STRYKER SALES CORPORATION 169.6
VERIZON WIRELESS 171.69
WALKERS INC 21.75
WASTE CONNECTIONS OF NEBRASKA INC 45.6
WEX HEALTH INC 12.5
WINDSTREAM 195.48

Department : 04 - POLICE

AMAZON.COM SALES INC 1341.96
AXON ENTERPRISE INC 4796
CASS COUNTY REGISTER OF DEEDS 70
CASS COUNTY SHERIFF 3615
GREAT PLAINS UNIFORMS 790
JACKS UNIFORMS & EQUIPMENT 1312.23
MID-STATES ORGANIZED CRIME INFO 2131.64
MULLENAX AUTO SUPPLY 58.5
SHELL FLEET PLUS 3160.33
STEVE RATHMAN 343.28
TAYLOR LAWN CARE LLC 200
VERIZON WIRELESS 323
WEX HEALTH INC 25

Department : 05 - STREET

AGRIVISION EQUIPMENT GROUP LLC 106.32

AMAZON.COM SALES INC 70.11
BLACK HILLS ENERGY 62.04
CHARLES S SCHREIBER 685.39
CINTAS CORPORATION #749 341.5
HD SUPPLY INC 76.28
MENARDS 47.41
MICHAEL TODD & COMPANY INC 1375.8
MULLENAX AUTO SUPPLY 138.31
NEBRASKA PUBLIC POWER DISTRICT 5486.5
OMAHA WORLD HERALD 86.39
OREILLY AUTOMOTIVE INC 162.35
PRUITT OUTDOOR POWER 160.21
SHELL FLEET PLUS 827.54
TOTAL DRONE SOLUTIONS LLC 1500
VERIZON WIRELESS 182.49
VOGEL WEST INC 474.05
WASTE CONNECTIONS OF NEBRASKA INC 1564.5
WINDSTREAM 160.58

Department : 06 - LIBRARY

BAKER & TAYLOR BOOKS 971.46
BIG RED LOCKSMITH INC 170
BLACK HILLS ENERGY 40.09
CHARTER BUSINESS 65
NEBRASKA PUBLIC POWER DISTRICT 401.11
OXEN TECHNOLOGY 374.45
RED BRICK RESOURCES 113.44
WASTE CONNECTIONS OF NEBRASKA INC 45.59
WINDSTREAM 184.8

Department : 07 - PARKS

BLACK HILLS ENERGY 40.09
CLAY D LINCOLN 450
EGAN SUPPLY CO 222.75
JESSE CLARK 24.79
MULLENAX AUTO SUPPLY 140.62
NEBRASKA PUBLIC POWER DISTRICT 240.3
SHAW HARDWARE STORE 20.64
SHELL FLEET PLUS 258.68
WALKERS INC 30.2
WASTE CONNECTIONS OF NEBRASKA INC 325.42

Department : 08 - CEMETERY

BLACK HILLS ENERGY 40.09
JESSE CLARK 21.44
MULLENAX AUTO SUPPLY 18
SHELL FLEET PLUS 94.31
VERIZON WIRELESS 42.93
WASTE CONNECTIONS OF NEBRASKA INC 154.81
WINDSTREAM 173.74

Department : 10 - FIRE
BLACK HILLS ENERGY 25.31
CUMMINS CENTRAL INC 354.52
IDEAL PURE WATER 41.25
J & J SMALL ENGINE SERVICE 186.99
NEBRASKA PUBLIC POWER DISTRICT 396.51
ROLLINS INC 39.49
WALKERS INC 21.75
WASTE CONNECTIONS OF NEBRASKA INC 45.59
WINDSTREAM 195.47

Department : 11 - SENIOR CITIZEN CTR
BLACK HILLS ENERGY 13.03
NEBRASKA PUBLIC POWER DISTRICT 680.61
PERFORMANCE FOOD GROUP INC 3654.43
SHELL FLEET PLUS 49.56
THOMAS S BARNHART 500
WALKERS INC 185.31
WASTE CONNECTIONS OF NEBRASKA INC 72.74

Department : 17 - COMMUNITY CENTER
BLACK HILLS ENERGY 117.29
CHESTERMAN CO 215.92
KAREN HENDERSON 48.95
NEBRASKA PUBLIC POWER DISTRICT 6125.53
WALKERS INC 110.6
WASTE CONNECTIONS OF NEBRASKA INC 218.21

Department : 18 - AQUATIC
BLACK HILLS ENERGY 281.05
NEBRASKA PUBLIC POWER DISTRICT 1659.79

Department : 20 - WATER
BLACK HILLS ENERGY 40.09
BOMGAARS SUPPLY 73.92
CORE & MAIN LP 3468.16
DANA F COLE & COMPANY LLC 7200
HD SUPPLY INC 2722.47
LAYNE CHRISTENSEN CO 1140
MISSISSIPPI LIME COMPANY 7944.02
MULLENAX AUTO SUPPLY 162.5
MUNICIPAL SUPPLY INC 133.54
NEBRASKA PUBLIC POWER DISTRICT 71.32
NEBRASKA RURAL WATER 150
OFFICE DEPOT INC 26.61
OLMSTED & PERRY ENGINEERING 5118.75
ONE CALL CONCEPTS INC 86.83
OREILLY AUTOMOTIVE INC 26.12
OXEN TECHNOLOGY 674

PETTY CASH WATER DEPARTMENT 704.25
POWERTECH LLC 1068.67
PVS DX INC 150
ROSE EQUIPMENT INC 1875
SHELL FLEET PLUS 710.29
STRAND ASSOCIATES INC 155000
TRANSWOOD LOGISTICS INC 4119.11
VERIZON WIRELESS 168.8
WELCH LAW FIRM PC 2200
WEX HEALTH INC 12.5
WINDSTREAM 163.82

Department : 24 - DRUG FORFEITURE
H & H SALES INC 400
VERIZON WIRELESS 40.99

Department : 30 - SEWER
AMAZON.COM SALES INC 429.09
BLACK HILLS ENERGY 191.1
BOMGAARS SUPPLY 38.02
DANA F COLE & COMPANY LLC 4800
DULTMEIER SALES LLC 47.4
MIDWEST LABORATORIES INC 579.07
MULLENAX AUTO SUPPLY 157.18
NEBRASKA PUBLIC POWER DISTRICT 15.37
NIJOSK INC 900
OLMSTED & PERRY ENGINEERING 2611
ONE CALL CONCEPTS INC 86.83
OREILLY AUTOMOTIVE INC 26.13
OXEN TECHNOLOGY 449.33
PVS DX INC 1650.3
SHELL FLEET PLUS 88.03
STRAND ASSOCIATES INC 351824.5
VERIZON WIRELESS 40.01
WASTE CONNECTIONS OF NEBRASKA INC 70
WELCH LAW FIRM PC 2200
WINDSTREAM 117.24

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

ITEM 7 UNFINISHED BUSINESS

ITEM 7 A

Pursuant to publication Mayor Lambert opened a public hearing at 7:06 p.m. to hear support, opposition, criticism, suggestions or observations of taxpayers regarding the City of Plattsmouth Fiscal Year 2024-2025 proposed Budget.

Emily Bausch, City Administrator, stated that due to scrivener's errors in the published notice and the corresponding agenda item this public hearing will be republished and held at the October 7, 2024 City Council Meeting. The City referred to the State Auditor's website to confirm amended budget timeline requirements.

No one else spoke in favor, opposition or of a neutral nature. Mayor Lambert again stated the purpose of the public hearing and with no one coming forward, closed the public hearing at 7:09 p.m.

ITEM 7 B

Council member Clark introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2020: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, TO REVISE THE BUDGET STATEMENT TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024, WHICH WAS ADOPTED ON SEPTEMBER 18, 2023 AS ORDINANCE NO. 2007; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.** Emily Bausch, City Administrator, discussed the need to postpone this item to the October 7, 2024 City Council Meeting to coincide with the delayed public hearing. Motion by Clark seconded by Muller to postpone consideration of ORDINANCE NO. 2020 to the October 7, 2024 City Council Meeting. ROLL CALL: Yes-Muller, Graham, Kerns, Brookhouser, Forrest and Clark. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 NEW BUSINESS

ITEM 8 A

Council member Kerns introduced a resolution numbered and titled as follows: **RESOLUTION NO. 24-005: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO AUTHORIZE THE PLATTSMOUTH AIRPORT AUTHORITY TO BUDGET \$146,880.00 FOR THE AIRPORT GENERAL FUND AND \$36,720.00 FOR THE AIRPORT BOND FUND, WITH LEVIES OF .035846 AND .008961, RESPECTIVELY.** Following discussion, Motion by Kerns seconded by Brookhouser to adopt RESOLUTION NO. 24-005 by title only. ROLL CALL: Yes-Forrest, Graham, Brookhouser, Muller, Kerns and Clark. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read RESOLUTION NO. 24-005 into the record by title only.

ITEM 8 B

Council member Forrest introduced a resolution numbered and titled as follows: RESOLUTION NO. 24-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ADOPT THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025 AND TO SET THE SAME USING THE BASE LIMITATION PERCENTAGE INCREASE OF 2.5% AND ALSO USING THE ADDITIONAL 1% INCREASE. Emily Bausch, City Administrator, and Roger Davis, City Treasurer, were available to answer questions. Following discussion, Motion by Forrest seconded by Brookhouser to adopt RESOLUTION NO. 24-006 by title only. ROLL CALL: Yes-Clark, Forrest, Muller, Brookhouser, Graham and Kerns. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read RESOLUTION NO. 24-006 into the record by title only.

ITEM 8 C

Council member Kerns introduced an ordinance numbered and titled as follows: ORDINANCE NO. 2021: **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, 2024 THROUGH SEPTEMBER 30, 2025; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.** Roger Davis, City Treasurer, reviewed the City of Plattsmouth Fiscal Year 2024-2025 proposed budget. Emily Bausch, City Administrator, and Roger Davis were available to answer any questions. Following discussion, Motion by Kerns seconded by Brookhouser to approve first reading of ORDINANCE NO. 2021 by title only. ROLL CALL: Yes-Muller, Kerns, Forrest, Clark and Brookhouser. No-Graham. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2021 into the record by title only. Motion by Kerns seconded by Brookhouser to approve ORDINANCE NO. 2021 on third and final reading by title only. ROLL CALL: Yes-Kerns, Clark, Forrest, Graham, Brookhouser and Muller. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

Council member Forrest called a Point of Order stating the previous motion did not call to suspend the statutory rule that an ordinance must be read on three different days. Following discussion, Motion by Kerns seconded by Brookhouser to suspend the statutory rule that ORDINANCE NO. 2021 be read on three different days and to adopt ORDINANCE NO. 2021 on final reading by title only. ROLL CALL: Yes-Kerns, Clark, Forrest, Graham, Brookhouser and Muller. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2021 into the record by title only.

ITEM 8 D

Council member Brookhouser introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2022: 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.** Motion by Brookhouser seconded by Kerns to approve first reading of ORDINANCE NO. 2022 by title only. ROLL CALL: Yes-Forrest, Muller, Kerns, Clark, Graham and Brookhouser. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2022 into the record by title only. Motion by Muller seconded by Forrest to suspend the statutory rule that ORDINANCE NO. 2022 be read on three different days and to adopt ORDINANCE NO. 2022 on final reading by title only. ROLL CALL: Yes-Clark, Graham, Brookhouser, Muller, Kerns and Forrest. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2022 into the record by title only.

ITEM 8 E

Council member Kerns introduced an ordinance numbered and titled as follows: **ORDINANCE NO. 2023: AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH WAGES, SALARIES AND BENEFITS FOR NON-UNION CITY EMPLOYEES AND APPOINTED OFFICIALS OCTOBER 1, 2024; TO REPEAL ORDINANCE NO. 2013 AND ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Emily Bausch, City Attorney, reviewed city wages with council and how they compare to similar sized cities and the Omaha metro area. Following discussion, Motion by Kerns seconded by Brookhouser to approve first reading of ORDINANCE NO. 2023 by title only. ROLL CALL: Yes-Muller, Forrest, Kerns, Graham, Clark and Brookhouser. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright read ORDINANCE NO. 2023 into the record by title only. Motion by Brookhouser seconded by Forrest to suspend the statutory rule that ORDINANCE NO. 2023 be read on three different days and to adopt ORDINANCE NO. 2023 on final reading by title only. ROLL CALL: Yes-Graham, Brookhouser, Muller, Clark, Forrest and Kerns. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED. Damien Wright, City Attorney, read ORDINANCE NO. 2023 into the record by title only.

ITEM 8 F

Shayne Huxoll, Olsson, reviewed the proposed amendment and how it is linked with the contract awarded to Lobato Construction at the September 3, 2024 City Council Meeting. Following discussion, Motion by Forrest seconded by Clark to approve Work Order Amendment No. 4a for Construction Phase Services to Work Order No. 4 with Olsson dated March 29, 2024 in the amount not to exceed \$39,275 for construction phase services of the budgeted 2024 Street Repair Project and authorize Mayor to execute Work Order Amendment No. 4a. ROLL CALL: Yes-Kerns, Clark, Forrest, Brookhouser, Graham and Muller. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 G

Emily Bausch, City Administrator, disclosed that her husband works for Core & Main, but he is not associated with this project and regardless of Council's decision there will be no financial gain for her family.

Zach Hoffman, Core & Main, reviewed this software agreement with Council and was available to answer any questions. Following discussion, Motion by Brookhouser seconded by Forrest to approve a service agreement with Sensus USA Inc. for the Plattsmouth Advanced Metering Infrastructure (AMI) Water Meter Replacement Project and authorize the Mayor to execute the service agreement. ROLL CALL: Yes-Muller, Graham, Kerns, Forrest, Brookhouser and Clark. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

ITEM 8 H

Zach Hoffman, Core & Main, discussed the AMI infrastructure and new meter capabilities with Council and was available to answer any questions. Following discussion, Motion by Forrest seconded by Brookhouser to approve the proposal from Core & Main for meters, tower, software and other infrastructure needed to complete the Plattsmouth Advanced Metering Infrastructure (AMI) Water Meter Replacement Project and authorize the Mayor to sign all documents pertaining to the proposal. ROLL CALL: Yes-Brookhouser, Forrest, Clark, Graham, Muller and Kerns. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

ITEM 11

At 9:01 p.m. Motion by Brookhouser seconded by Clark to adjourn. ROLL CALL: Yes-Forrest, Kerns, Graham, Muller, Clark and Brookhouser. No-None. Absent-Minahan and Riese. Abstain-None. MOTION CARRIED.

R. Paul Lambert, Mayor

ATTEST:

Sandra J. Meyer, City Clerk