

Ralston City Council Regular Meeting  
Tuesday, November 5, 2019

The Ralston City Council met in regular session on Tuesday, November 5, 2019 at 5:30 PM at Ralston City Hall. The Pledge of Allegiance was recited. Roll was called with the following present: Mayor Groesser and Council members Konwinski, Fideline, Krause, Sanchez, and Preis. Council member Kavanaugh was absent. The agenda was available at City Hall for public inspection and posted prior to the meeting. The legal notice for the meeting was published in the Ralston Recorder. Claims listed are approved and part of these minutes.

Pastor Jim Haack, Beautiful Savior Lutheran Church, gave the invocation. Mayor Groesser welcomed the press and guests. Groesser said the meeting is subject to the Nebraska Open Meetings Act and a copy of the Act is posted at the rear of the Council Chambers.

The City Council reviewed the following items under the consent agenda:

1. Minutes from the October 15, 2019 regular city council meeting;
2. Claims; and
3. Department Head and/or Commission Reports.

Konwinski moved and Fideline seconded to approve the Consent Agenda. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Freshman reported Jon Speichinger has turned in his resignation and his last day was November 4, 2019. He will be greatly missed and the Public Works Department does need a replacement for him.

Leonardo reported the Police Department and Library have started the Food for Fines program. This is where canned goods or boxed food donations will be accepted to pay for parking tickets or overdue fines. All the food will go to the Ralston High School "R-Pantry". Leonardo reported on "No Shave October/November" where officers can donate money to a fund. Money has been donated to the "Scare Away Cancer Foundation" and Project Harmony. Leonard reported the 14<sup>th</sup> officer, Christopher Jepson, is finishing his FTO on Friday and then will be out on his own.

Krajewski reported on arena events. Dancing with the Stars has had 750 tickets sold thus far. Blippi is 8 percent sold and no marketing being spent so far. Chris Janson tickets went on sale October 25<sup>th</sup> and currently 525 tickets have been sold. This week is the craft fair week. Krajewski thanked the Public Works Department for getting the holes patched at the back of the arena. Zamora will be held on November 16<sup>th</sup>. There is currently a country show in May pending. There is a family show on March 15<sup>th</sup> and that will be announced on November 19<sup>th</sup>. They are still holding four dates in October for an unnamed country show. Krajewski reported the glycol leak has been resolved.

Groesser opened discussion on a resolution to establish a policy for employee recognition dinners and awards. Russell indicated that in 2018, the Legislature passed a law increasing the amount for employee dinners from \$25.00 to \$50.00. After discussion, it was suggested to place this on the agenda for the next meeting for action as there will need to be a public hearing to pass a resolution increasing the amount.

Groesser opened discussion on re-purchasing the arena side-room. Bohling indicated the side room was originally sold to house a clothing/retail store in the arena. There has not been a store in that space in a number of years. The agreement that was signed in 2013 is a lease buyback. The amount of lease and tax payments over the next four years is approximately \$368,000. The lease agreement allows the City to convert the current buyback to a loan and the buyback is \$700,000. By doing this early the City will save the \$368,000 in payments and put that toward the loan. The projected saving on conversion is approximately \$250,000. Bohling is currently in discussions with one of the local banks to provide the loan. Bohling is also inquiring with the bond counsel and bond advisor to ensure the City doesn't fall afoul of the IRS regulations. Groesser said this is a good financial move.

Krause inquired about the original lease and Bohling indicated it is a 10 year lease that was signed in 2013. The City currently pays about \$6,900 a month for that space and \$10,000 a year in real estate taxes because it is owned by a private party. There is an escalative clause in the lease to go up 3 percent every September. The loan payments would go to debt service as opposed to operating costs. The last payment for the ICON settlement was recently paid off as well as the MUD work that was done for the original construction. It was suggested this be presented at the next council meeting for action.

Groesser read a proclamation declaring November 30, 2019 as Small Business Saturday in the City of Ralston.

Krause introduced Ordinance No. 1240. Russell read Ordinance No. 1240 by title only: AN ORDINANCE AMENDING SECTION 622 OF CHAPTER 5 OF THE RALSTON MUNICIPAL CODE DEALING WITH STORAGE AND PARKING OF INOPERABLE AND OPERABLE AUTOMOBILES; TO REPEAL ORDINANCE NO. 1236 AND ANY PROVISIONS IN CONFLICT THEREWITH AND TO PROVIDE AN EFFECTIVE DATE.

Groesser opened the public hearing and first reading of Ordinance 1240 at 5:47 PM. Ficenc said this Ordinance is to correct an error in a previous Ordinance. It prohibits parking of unregistered or inoperable vehicles and parking vehicles in grass and dirt. There is a five day notice period that has to be provided before the Police can take action against a vehicle for being unlicensed or unregistered. Ficenc neglected to include the exception that vehicles parked on grass or dirt could be ticketed immediately.

There being no further discussion, Groesser closed the public hearing at 5:48 PM. Krause moved and Konwinski seconded to approve Ordinance 1240 on first reading. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Krause moved and Konwinski seconded to waive second and third readings of Ordinance 1240. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Konwinski introduced Ordinance No. 1241. Russell read Ordinance No. 1241 by title only: AN ORDINANCE TO REVISE AND AMEND ARTICLE 12, SECTION 6(d), CHAPTER 11, OF THE RALSTON MUNICIPAL CODE, ZONING-CERTIFICATES OF OCCUPANCY; TO PROVIDE FOR THE REPEAL OF ALL PROVISIONS OF THE RALSTON MUNICIPAL CODE WHICH ARE IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

Groesser opened the public hearing and first reading of Ordinance 1241 at 5:49 PM. Ficenc commented on the previous version in the Zoning Ordinance which included a certificate of zoning compliance. Surrounding jurisdictions have combined the certificate of zoning compliance with a certificate of occupancy which provides that businesses also have to meet certain building standards. Any time a new business owner comes into the City and purchases a building and wants to reopen a business, they have to apply for a certificate of occupancy to insure the building meets the zoning requirements as well as give the building inspector an opportunity to inspect the building. Ficenc indicated this ordinance is not retroactive.

There being no further discussion, Groesser closed the public hearing at 5:52 PM. Konwinski moved and Fideline seconded to approve Ordinance 1241 on first reading. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Sanchez moved and Fideline seconded to waive second and third readings of Ordinance 1241. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Fideline introduced Ordinance No. 1235. Russell read Ordinance No. 1235 by title only: AN ORDINANCE AMENDING SECTION 10-8 OF ARTICLE TEN OF THE RALSTON ZONING ORDINANCE DEALING WITH PARKING FOR PERSONAL AND RECREATIONAL VEHICLES; TO REPEAL PROVISIONS IN CONFLICT THEREWITH AND TO PROVIDE AN EFFECTIVE DATE.

Groesser opened the public hearing and third reading of Ordinance 1235 at 5:54 PM. Ficenc indicated this is the section of the Zoning Ordinance that was amended to prohibit parking on grass and dirt in rear yards. There were several residents that spoke with regard to the length restrictions on recreational vehicles and the City Council sent the ordinance back to the Planning Commission.

The Planning Commission noted that as it is currently written, the ordinance only restricted length of recreational vehicles in front yards or a street side yard. There were no

restrictions on lengths of vehicles in rear yards. Ficenec indicated that a Planning Commissioner pointed that the longer a recreational vehicle, the taller it is and there were some concerns about that in the front yards and the street side yards.

Therefore, the Planning Commission recommended to leave that section as is and to add a restriction that in the rear yard there be a maximum length of 45 feet. Ficenec said it is in front of the City Council to accept the Planning Commission's recommendations and pass it on third reading subject to amending it according to the recommendation. Council can also reject the recommendations and leave the ordinance as is.

There being no further discussion, Groesser closed the public hearing at 5:57 PM. Krause moved and Konwinski seconded to approve Ordinance 1235 on third reading. There being no discussion, Krause moved and Konwinski seconded to amend Ordinance 1235 to incorporate the Planning Commission's recommendations. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried. Krause moved and Konwinski seconded to approve Ordinance 1235 as amended. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Groesser opened consideration of the sixth addendum to the contract for refuse collection and removal service. Bohling indicated that MUD has requested that the increase be memorialized in a contract addendum before the rates are changed for on customers' bills. The \$13.50 that is in the contract was approved last year and the .71 increase was approved by the City Council earlier this year. This addendum includes the increase.

There being no further discussion, Krause moved and Sanchez seconded to approve the sixth addendum to the contract for refuse collection and removal service. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Groesser opened consideration of the bid for the Ralston Arena trench drain system upgrade from Lueder Construction. Krajewski indicated the cost for this project will come out of the investment from Spectra out of the capital improvement program. The current sump pump does not carry water out from the back of the arena loading dock area and that area floods when there is any type of significant rainfall. The bid from Lueder Construction includes removing the existing trench drain and sump pump and installing two new pumps. One pump will run constantly and the other pump will be turned on as needed.

There being no further discussion, Krause moved and Konwinski seconded to approve the bid for the Ralston Arena trench drain system upgrade from Lueder Construction for \$38,290.00 from Spectra capital improvement funds. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Groesser opened consideration of the proposal for the City of Ralston parking study. There have been several meetings with business owners and the council members with regard to

the parking and it was requested that an official parking study be done. Groesser said that a preliminary parking study was done earlier this year in April. Two proposals have been received and both companies have been recommended by the City of Omaha. Walker Consultants' proposal is \$28,000 plus expenses and the proposal from Desman Design Management is \$25,000 plus expenses. Bohling indicated that Walker Consultants has a team in Omaha on a regular basis and Ralston would be able to piggy-back on their costs to save money on travel costs.

Groesser and Krause interviewed both companies and recommended accepting the proposal from Walker Consultants. This company does a lot of work in the area already and knows the City and can complete the parking study fairly quickly. Groesser indicated the study will be funded by the Ralston Community Foundation. There being no further discussion, Krause moved and Sanchez seconded to accept the proposal for the Ralston parking study from Walker Consultants. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Groesser opened consideration of the engagement letter from BKD, CPA's for the Keno Audit for fiscal year 2018-2019. Bohling explained this is for the quarterly and year-end audits for the Keno activity. The prices are comparable to last year's. There being no further discussion, Sanchez moved and Konwinski seconded to approve the engagement letter from BKD, CPA's for the Keno Audit for fiscal year 2018-2019. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Krause commented that since Bohling has been the City's Finance Director, the City has saved a lot of money on the audits.

Groesser opened consideration of the engagement letter from BKD, CPA's for the City Audit for fiscal year 2018-2019. There being no discussion, Sanchez moved and Konwinski seconded to approve the engagement letter from BKD, CPA's for the City Audit for fiscal year 2018-2019. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Krause, Sanchez, and Preis. Nay: None. Absent: Kavanaugh. Motion carried.

Groesser opened consideration of discontinuing the Tall Grass Program. Preis moved and Fideline seconded to discontinue the Tall Grass Program. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Sanchez, and Preis. Nay: Krause. Absent: Kavanaugh. Motion carried.

Public comment: Rich Shively, 7505 Washington Street, inquired about the parking study period.

Amy Roeder, Chamber President, thanked the City Council for agreeing to the parking study. She reminded everyone of the annual award banquet next Thursday, November 14<sup>th</sup>. She also reminded everyone of the Holiday Magic event on December 1, 2019.

David Cotton, 8825 M Street, owns and operates Small Engine Services on 77<sup>th</sup> Street and has been in business at that location for over 40 years. Mr. Cotton spoke regarding the sale of the City-owned parking lot. He thinks it is a bad idea and he has a number of concerns. Selling the parking lot will make the parking issues in Ralston worse and is going to have the potential to cause friction between neighbors. Mr. Cotton suggested that the City Council not let the parking study be the deciding factor on whether to sell the parking lot or not. Mr. Cotton suggested to close the parking lot during the period of time that the parking study will be done and provide an opportunity for people to leave their comments.

Paul Shimerdla, 5035 S. 83<sup>rd</sup> Street, commented on the parking lot being used as a helicopter landing pad during special events. He said that the apartments won't bring anything positive to the City of Ralston except residents.

Council comment: Konwinski likes the idea of closing down the parking lot while the parking study is being done. Fidelity agreed. Groesser reminded everyone of the soup and pie at the Methodist Church.

There being no further business to come before the Council, the meeting adjourned at 6:15 PM.

The next regular meeting is Tuesday, November 19, 2019 at 5:30 PM.

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Rosemarie D. Russell  
City Clerk

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Donald A. Groesser  
Mayor

CLAIMS – 11-05-2019 – AFLAC, 1,192.50, Insurance; American United Life Insurance Company, 942.10, Life Insurance; Ameripride Services, Inc., 210.46, Building Maint/Rugs; Asphalt & Concrete Materials, 316.02, Asphalt; Black Hills Energy, 264.05, Utilities; Blue Cross & Blue Shield of NE, 41,740.56, Health Insurance; BMI Janitorial Group, 325.00, Janitorial; CCL Supply, LLC, 51.55, Building Maint; Cengage Learning, Inc., 226.64, Books; Center Point Large Print, 89.28, Books; Century Certified Services, 157.00, Pest Management; City of LaVista, 1,068.70, Special Services Bus; City of Ralston-General Fund, 94.90, Reimburse City-Petty Cash; City of Ralston Lottery Jackpot Fund, 3,386.85, Transfer to Lottery Jackpot Fund; Coded Systems, 3,465.00, Codification-Municipal Code; Cox Business Services, 575.59, Phones; Dons Pioneer Uniform, 54.00, Equipment; DXP Enterprises, Inc., 150.84, Supplies; Eakes Office Solutions, 526.10, Supplies; Engineered Controls, 1,250.00, Agreement; Experian, 27.00, Services; Fireguard, Inc., 198.00, Fire Alarm Monitoring; First State Bank, 3,478.85, Promissory Note; Fleek, Brianna, 180.00, Janitorial; Fraternal Order of Police, 990.00, FOP Dues; Global Spectrum, 58,570.57, Spectra Deductions; Great Plains Uniforms, LLC, 73.00, Uniforms; Great Western Bank-Pension, 27,688.60, Pension; Great Western Bank Wealth Management, 11,057.98, Pension; Great Western Bank-Visa, 2,500.30–Supplies/Conferences/Misc; Groesser, Donald, 58.00, Reimbursement; Humana Insurance

Co., 2,079.39, Insurance; Industrial Sales Co., Inc., 18.53, Supplies; Integrated Solutions, Inc., 11,788.00, Computer Support/Services; J.P. Cooke Company, 34.70, Supplies; JEO Consulting Group, Inc., 5,225.75, Professional Services; Jones Automotive, Inc., 235.50, Parts & Labor; Klinker, Mark, 1,000.00, Retainer; Kustom Signals, Inc., 137.00, Supplies; League of Nebraska Municipalities, 634.00, Annual Conference; Logan Contractors Supply, Inc., 3,465.00, Parts; Lueders Lock & Key, Inc., 85.00, Services; Menards-Ralston, 137.44, Supplies; Metro, 535.00, Service Contract; MidAmerica Books, 41.90, Books; Midwest Plastics, Inc., 32.04, Misc. Supplies; MUD-Utilities, 2,314.72, Utilities; Nebraska Iowa Supply Co., 2,569.09, Fuel; OCB Plumbing, 214.00, Services; Omaha Compound Company, 459.07, Supplies; Omaha Douglas Publ Bldg., 22.75, Parking; Omaha Lancers, 38,000.00, Agreement; Omaha Public Power District, 13,369.61, Utilities; O'Malley, Margaret, 396.50, Janitorial; Papillion Sanitation, 26,961.07, Trash Collection; Pitney Bowes-PA, 1,393.00, Postage Machine; Quill Corporation, 49.93, Supplies; Ralston Area Chamber of Commerce, 15.00, Luncheon; Ralston Automotive, 1,191.95, Repairs; Ralston Volunteer Fire Dept., 16,737.00, Fire Protection Agreement; Ralston-Byers Insurance Agency, 350.00, Bonds; Randy Lanoha, 600.00, CDL Testing; Recorded Books, Inc., 44.85, Books; Russell, Rosemarie, 64.96, Reimbursement; Sarpy County, 1,824.00, Animal Control; Showcases, 169.56, DVD Cases; Sirchie, 94.55, Evidence Collection Kits; Site One Landscape Supply, 523.29, Supplies; T.N.T. Cleaning, 500.00, Janitorial; Talx UC Express, 151.94, Supplies; The Daily Record, 75.20, Legal Publications; Tractor Supply Credit Plan, 55.26, Parts; Unique Management Services, Inc., 17.90, Placements; Verizon Wireless, 1,095.72, Cell Phones; Voya Institutional Trust Company, 3,900.00, Pension; Western Engineering Co., Inc., 7,200.00, Mill & Overlay 2018; WEX Bank/Shell, 183.82, Fuel.