

Ralston City Council Regular Meeting
Tuesday, February 5, 2019

The Ralston City Council met in regular session on Tuesday, February 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, Fidelity, Kavanaugh, Krause, Sanchez, and Preis. 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.

Deacon Lonnie Dinneen, St. Gerald Catholic 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 January 15, 2019 regular city council meeting;
2. Claims; and
3. Department Head and/or Commission Reports.

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

Groesser asked to keep the Ralston Fire Department in our prayers.

Frank Petersen reported on arena events including: a church event today, a job fair on Thursday, Lancer's game this weekend, and a Zamora concert on Sunday. It was just announced that George Thorogood will perform on April 26th.

Groesser indicated there has been quite a bit of concern expressed by citizens regarding feral cats and it was decided to put on the agenda for discussion. Groesser introduced Kelly Brown, Director of Field Operations, Nebraska Humane Society. Brown indicated the City of Ralston does have a leash law for dogs and cats. There is no ordinance in Ralston that allows people to feed cats, trap them, neuter them, and release them back into the community. The Humane Society was made aware of a situation with some feral cats in the Park Drive area. Many citizens were complaining that they felt the cats were a nuisance to the community. The Humane Society set out some traps, unfortunately, the cat traps were set off by individuals.

Groesser said there was a feral cat program in Ralston a number of years ago. Brown said the City of Omaha has a fairly successful program where they allow citizens to trap cats. The citizens have to obtain a permit and the permit allows them to feed them, shelter them, trap them and have them spayed or neutered. The cats can then be returned to the

community they came from. There is research that shows that over time that does decrease the size of the colony rather than just trapping and euthanizing cats.

Groesser inquired about statistics on feral cats carrying diseases. Brown commented that there are not too many problems in Omaha as far as cats carrying diseases. Konwinski inquired what is done with the cats when they are neutered and if they are given away. Brown indicated in the City of Omaha the cats are captured and returned to the area they came from. If there are cats captured in Ralston, they are not returned because Ralston doesn't have an ordinance. Brown said the City of Bellevue does have a feral cat ordinance similar to Omaha's.

Lawrence Shackman, 6515 Stones Throw Drive, Omaha, President of Feline Friendz of Nebraska, a cat rescue group, explained the cats are now called community cats. Feral cats are cats that are born outdoors and have no socialization. Abandoned cates are cats abandoned by their owners or they have left their home. Some community cats are friendly, however, others are not. True feral cats are not friendly.

In dealing with an uncontrolled cat population, people must understand the issue. Shackman explained how community cats multiply and how to humanely control community cat populations. The humane way is to trap, neuter, return (TNR) where the cats are trapped in a live trap and are taken to a vet to be altered. Shackman commented on the obsolete and ineffective method of controlling community cat populations, which includes trapping and killing. This method of controlling the cat population does not work because there are not enough of the cats trapped at any one time. Those that aren't trapped reproduce and the cycle starts over. The male cats that are not altered will keep the altered cats out of the area creating a "vacuum effect".

Shackman commented on examples where TNR works. Omaha has a law that allows people to take care of community cats in a colony and Bellevue also has an ordinance. Bakersfield, California recently received a grant from Best Friends Animal Society to TNR 2,000 cats per year for three years. From 2008 to 2018, Feline Friendz had 7,357 cats spayed or neutered in Omaha and the surrounding area. TNR has been successfully used over the years in controlling the community cat population in the Omaha area.

The Nebraska Legislature recently held a hearing on LB 546 which would provide for a low income spay and neuter grant program and for spay and neuter awareness plates. There are other cities that have legalized the community cat program and Shackman suggested individuals contact Alley Cats Allies to find out how many cities across the country have TNR programs.

Shackman said the City Council should allow community cat colony caretakers to continue the work they are doing until the City Council revises the ordinances. These people spend their own money and time trying to do the humane thing. They should not be treated as criminals.

Terry Ryan, 7616 Highland Street, said he probably “started this whole mess”. In December he saw about four cats and a raccoon eating cat food in the pavilion in Ralston Park. He threw the cat food away and visited the park daily and threw the cat food away each day. He commented on individuals digging trenches under the fence so cats could come under the fence and eat. Ryan put snow into the holes so the cats could not come into the park and the individuals kept digging it out. Ryan commented on kids running around the park with the cats in the park. He was concerned about the kids getting bitten or scratched and wondered who would be responsible if that were to happen. The cats are being fed in the pavilion, which is city property.

Ali O’Connor, no address provided, distributed photos of an area in the park by the ballfield near the pavilion along the line of the railroad tracks. She emphasized that the cat caretakers are not digging holes under the fences for the animals. The little dips in the ground exist under the fence line and the cats have capitalized on using them as a pathway.

O’Connor has been active in animal rescue for decades. Her understanding is that in Ralston there is no ordinance against nor for trapping and feeding. Other cities and states have adopted TNR programs and some have adopted SNR (shelter, neuter and return) programs in areas where there is not a strong presence by organizations such as Feline Friendz.

Cat caregivers care about the community cats just as they do their own pets and no one wants the cats to cause problems. When the cats are removed it is only a temporary solution because other cats that are not altered will take their place. The cat caregivers’ goal is to get the community of cats to be depleted. The TNR program keeps the balance and keeps communities happy. Feline Friendz works diligently to trap the cats and get them through the TNR process.

O’Connor commented on the personal issues of this situation and feeling unsafe and being stalked. She commented on the individuals who were pouring water on the snow mounds creating ice so the cats cannot go under the fence line. She also commented on the individuals digging the trash out of the barrels and throwing the trash over the fence as well as pounding rebar into the holes. Klinker reminded O’Connor that every individual has a right to take a stand and asked her not to accuse people of stalking and to stick to the issues. O’Connor said Feline Friendz are trying to control the animals that are living in that area. Feline Friendz would be very happy to work with the City Council to come up with a way that is going to satisfy members of the community and also take care of the existing colony so eventually the numbers decrease. Klinker commented on the City of Omaha’s ordinance stating trap, neuter, vaccinate and release and O’Connor indicated that is what they are doing.

Deb Glazebrook, no address given, spoke about her involvement with Feline Friendz. She has taken on the responsibility to make sure the cats stay healthy by trapping them, getting them vaccinated, fixed and then releasing them. She has taken on the responsibility to make sure the cats are fed and healthy. She goes to the park every day and feeds them, checks on them and picks up the trash. If the cats are not healthy, they will be re-trapped

and given the care they need. When she started this process there were 10 to 12 cats in Ralston Park and now it is down to six. The TNR program is working there. O'Connor commented on having some type of ordinance to help shrink down the unaltered population. Glazebrook said that they really don't feed the cats in the pavilion unless it is winter time. She spoke about different colonies in Ralston and that Ralston really does have a big cat problem.

Shay Ryan, 7616 Highland Street, said that her family is certainly not stalking these individuals and have no hatred towards the cats. She is glad to know that they are spayed/neutered and vaccinated. Ryan said she walks her dogs in that area every morning and afternoon and has had issues with her dogs trying to eat the cat food. They would like to see the cat population decrease and if the TNR program is the safest way to take care of the cats, they certainly agree with doing that. One day when walking her dogs, she came face to face with a raccoon which was worrisome. Ryan expressed concern about the cat houses and the raccoons living there.

Forrest said that now that she knows what the TNR program entails is there anything that would make her feel better about this. Ryan commented that if there were something officially in place it would make her feel better. She feels like the houses may be attracting the raccoons and maybe the food is as well. Ryan would like to see a regulated program.

Rich Shively, 7505 Washington Street, commented on Ralston's rat population in the late 50's and early 60's and the cats were brought in to take care of the rats. He moved back to Ralston in 1992 and he feels the cat population is really bad. Shively believes the population has declined in the last three years. He knows people that feed cats and doesn't have a problem with that but he is against feeding the cats in the park.

Amanda Rice, no address given, wrote a college research paper on this issue. She has taken her child and the dogs to the park and the cats do not come near her child or the dogs. She spoke about the litter coming from people and not the cats. Individuals need to be educated about this issue. The cat caretakers are paying for everything out of their own pockets.

Brown indicated that an ordinance may be the way to go with this issue and the Nebraska Humane Society would be willing to assist with it. It is very important to consider having this done on private property for full accountability. She said that the food will and does attract wildlife. Brown suggested incorporating a public nuisance stipulation in the ordinance as well and added that the City of Omaha's ordinance has been fairly successful. Omaha's ordinance does require the feeding on private property and that cats be vaccinated.

Krause requested Klinker work with the Nebraska Humane Society to draft an ordinance for the City Council to consider. Brown suggested discussing the dangerous dogs issue as well.

Grosser opened the public hearing at 6:22 PM for consideration of the One and Six Year Street Improvement Program 2019-2024 for the City of Ralston. Lucas Billesbach, City

Engineer explained the annual program regulated by the Nebraska Department of Transportation. The state of Nebraska allocates program dollars to communities and the One and Six Year Street Improvement Program is required to be completed to receive those dollars. This report was prepared with the Freshman's assistance.

Billesbach reviewed the maps included with the plan. Within the one year plan, there are two identified projects: the continuation of the viaduct project on 84th Street and a pavement removal program in the northern area of Ralston. Within the six year plan, there have been several projects identified including a pavement panel replacement, a project associated with widening 75th Street, and an intersection on 72nd Street.

There being no further discussion, Groesser closed the public hearing at 6:25 PM. Krause introduced Resolution 2019-02. Russell read Resolution 2019-02 by title only: a resolution adopting the One-and-Six Year plan. Krause moved and Konwinski seconded to approve the following resolution.

RESOLUTION #2019-02
A RESOLUTION ADOPTING THE ONE-AND-SIX YEAR PLAN

WHEREAS, the City of Ralston, Douglas County, Nebraska, is empowered under and by virtue of the laws of Nebraska to adopt a One-and-Six Year Plan to road and street improvements; and

WHEREAS, the City Council of the City of Ralston, Douglas County, Nebraska, has held the necessary public hearing,

NOW, THEREFORE, IT IS RESOLVED that the City of Ralston adopt a One-and-Six Year Plan, Exhibit "A" attached hereto, and made a part hereof.

DATED this 5th day of February, 2019.

CITY OF RALSTON
/s/Donald A. Groesser
Mayor

ATTEST:
/s/Rosemarie D. Russell
City Clerk

On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Kavanaugh, Krause, Sanchez and Preis. Nay: None. Absent: None. Motion carried.

Groesser opened for consideration the Library Automation Service Agreement between the Ralston Baright Public Library and Omaha Public Library. Halbur is requesting a one year extension on the seven year agreement. This agreement stipulates the payment we make to Omaha Public Library to share different software. She is working with the Omaha Public Library on creating another seven year agreement and hopes to have it before the City Council for approval this summer.

There being no further discussion, Konwinski moved and Kavanaugh seconded to approve the one year extension for the Library Automation Service Agreement between the Ralston Baright Public Library and Omaha Public Library. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Kavanaugh, Krause, Sanchez and Preis. Nay: None. Absent: None. Motion carried.

Groesser opened consideration on the bond counsel request for proposal from Kutak Rock. Forrest indicated the City of Ralston does not currently have an engagement letter with a bond counsel. He sent out a request for proposal to three firms in November 2018 and the Finance Committee reviewed the two proposals that were received. Their recommendation was to accept the proposal from Kutak Rock.

There being no further discussion, Krause moved and Kavanaugh seconded to approve the bond counsel engagement letter from Kutak Rock. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Kavanaugh, Krause, Sanchez and Preis. Nay: None. Absent: None. Motion carried.

Klinker extended kudos to the Ralston Police Department for solving the cold case.

Public comment: Amy Roeder, Chamber President, reminded everyone about the inaugural event for the Downtown Ralston Chocolate Walk on Saturday from 1:00 PM to 4:00 PM. There are 16 businesses participating and about 115 individuals pre-registered so far.

Council comment: Fidelity thanked the Ralston Police Department.

There being no further business to come before the Council, the meeting was adjourned at 6:28 PM.

Next regular meeting Tuesday, February 19, 2019 at 5:30 PM.

Rosemarie D. Russell
City Clerk

Donald A. Groesser
Mayor

CLAIMS – 02-05-2019 – Action Signs, 723.00, Signs; AFLAC, 275.52, Insurance; American United Life Insurance Company, 820.21, Life Insurance; Ameripride Services, Inc., 96.53, Building Maint/Rugs; Appetize Technologies, Inc., 458.83, Rental Deposit; Audio Visions, 1,470.50, Rental Agreement; Becker Arena Products, Inc., 572.96, Temp Glass; Benefit Plans, Inc., 362.50, Fees; BKD, LLP, 15,000.00 Audit Services; Black Hills Energy, 6,603.22, Gas; Blue Cross & Blue Shield of Nebraska, 61,558.58, Health Insurance; BMI Janitorial Group, 10,816.25, Janitorial; Boone Brothers Roofing, 750.00, Building Maint; Capital One Commercial, 2,270.33, Supplies; Carbonhouse, Inc., 500.00,

Monthly Website Hosting; Carpenter Paper Co., 1,927.96, Supplies; Center Point Large Print, 89.28, Books; Central States Group, 1,659.33, Supplies; Century Certified Services, 193.50, Pest Control; City of Omaha Cashier, 68,717.70, Sewer Billing; City of Ralston-General Fund, 90,898.23, Reimbursement & Transfer; City of Ralston Restaurant Tax, 3,081.52, Restaurant Tax Transfer; City of Ralston-CDBG Fund, 1,078.12, Transfer; Command Center, 928.70, Contract Labor; CompChoice, 179.00, Testing; Cornhusker International Trucks, 460.03, Parts; Cox Business Services, 571.30, Services; Cummins Sales and Services, 416.01, Maintenance; Data Documents, LLC, 122.50, Signs/Advertising; Demco, 38.49, Office Supplies; Dolphens Design & Sign, 1,333.05, Signs; DXP Enterprises, Inc., 60.10, Supplies; Eakes Office Solutions, 515.85, Office Supplies; EGS Marine & Auto Detailing, 470.00, Detailing; Enviro-Master Services, 37.00, Janitorial; Fast Trac Freight Services, Inc. 475.00, Freight Services; Fireguard, Inc., 58.25, Services; Firespring, 139.01, Business Cards; Fleek, Brianna, 180.00, Janitorial; Frank Peterson, 132.48, Travel Reimbursement; Fraser Stryker, PC LLO, 375.00, Professional Services; Fraternal Order of Police, 600.00, FOP Dues; Gale/Cengage Learning, 292.49, Books; Grainger, 202.80, Supplies; Great Western Bank – Pension, 25,430.90, Pension; Great Western Bank Wealth Management, 9,815.46, Pension; Great Western Bank – VISA, 6,322.42, Supplies/Services; Helget Gas Products, 128.11, Services; Hometown Leasing, 383.96, Services; Humana Insurance Co., 2,423.63, Insurance; Hy Vee Accounts Receivable, 320.32, Supplies; Industrial Sales Co., Inc., 57.07, Supplies; Integrated Solutions, Inc., 4,602.00, Computer Support; Interstate All Battery Center, 219.60, Batteries; Jack Koshick, 1,500.00, Services; JEO Consulting Group, 1,848.75, Professional Services; Johnstone Supply, 256.53, Supplies; Klabunde’s Delivery, Inc., 54.00, Supplies; Klinker, Mark, 1,000.00, Retainer; La Rue Coffee, 98.92, Supplies; M & M Staffing, 330.00, Contract Labor; Marshall, Laurel, 12.76, Reimbursement; Mechanical Sales Parts, Inc., 559.41, Parts; Menards – Ralston, 108.06, Supplies; Metal Logos, 675.80, Sign; Metro, 529.00, Service Contract; Metropolitan Chiefs Association, 75.00, Membership Renewal; MidAmerica Books, 305.30, Books; Mid-American Benefits, Inc., 60.00, Fees; MUD-Utilities, 2,437.43, Utilities; Murphy Tractor & Equipment, 70.12, Parts; National League of Cities, 1,150.51, Membership; Nebraska Air Filter, Inc., 42.84, Supplies; Nebraska Department of Revenue, 120,581.00, Tax; Nebraska Iowa Supply Co., 3,063.41, Fuel; Nebraska Salt & Grain Co., 1,748.44, Salt; Nebraska-Iowa Ind. Fasteners, 3.90, Supplies; O’Keefe Elevator Company, Inc., 165.65, Elevator Maintenance; Omaha Public Power District, 36,494.60, Utilities; Omaha World Herald, 3,285.00, Advertising; O’Malley, Margaret, 552.75, Janitorial; OS Sales Co., Inc., 1,711.54, Food; Papillion Sanitation, 26,970.37, Garbage Collection; Pat McCarthy Productions, Inc., 399.00, Seminar; Pepsi-Cola, 6,733.29, Soda; Pitney Bowes-PA, 17.46, Postage; Prairie Life Fitness, 128.40, Fitness Reimbursement; Premier Fall Protection, 2,784.00, Services; Protective Security Advisors, 4,830.00, Security; Publishers Prime, 1,186.19, Books; Puritan Manufacturing, Inc., 36.00, Supplies; R Mechanical, 827.00, Services; Ralston Arena Operating Acct, 29,166.67, Sales Tax; Ralston Automotive, 43.35, Supplies; Ralston Fire Dept Inc., 7,618.00, EMS Services; Ralston Public Schools, 3,885.00, Parking Ticket & Liquor License Fees; Ralston Volunteer Fire Dept., 16,250.00, Fire Protection Agreement; Rapid Graphics and Signs, 427.87, Supplies; Recorded Books, Inc., 691.43, Books; RedITech, 2,180.50, IT Support; Reinhart Foodservice, LLC, 867.72, Food; Rotella’s Italian Bakery, Inc., 365.22, Bread;

Sarpy County, 1,802.70, Animal Control; Shell, 80.20, Fuel; Sign-It, 213.02, Supplies; Slingshot Promotions, LLC, 5,429.68, Professional Services; Solution One-TX, 1,180.88, Copier; SoySolv Industrial Products, 725.00, Supplies; Spin Linen Management, 652.77, Linens; Supplyworks, 797.20, Supplies; TLK Transportation, Inc., 1,730.00 Services; TMS Production Integration, 553.89, Services; U.S. Foods, Inc., 9,725.14, Food; United Tactical Systems, LLC, 450.00, Equipment; United Way of the Midlands, 10.87, Pledge; University of Nebraska-Lincoln, 45.00, Training; Verizon Wireless, 1,091.05, Cell Phones; Visiontron Corp., 533.02, Supplies; Voss Lighting, 320.46, Supplies; Voya Institutional Trust Company, 4,100.00, Pension; WA Enterprises, LLC, 1,041.34, Lease Payment; Waldinger Corporation, 5,270.30, Services; Westlake Ace Hardware, 325.15, Supplies.