

Ralston City Council Regular Meeting
Tuesday, March 3, 2020

The Ralston City Council met in regular session on Tuesday, March 3, 2020 at 5:30 PM at Ralston City Hall. The Pledge of Allegiance was recited. Roll was called with the following present: Council President Krause and Council members Konwinski, Fidelity, Kavanaugh, and Preis. Mayor Groesser and Council member Sanchez were 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.

Deacon Lonnie Dineen, St. Gerald Catholic Church, gave the invocation. Council President Krause welcomed the press and guests. Krause 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 following building permits were approved: #20-010 to Sanoma LLP, 7308 Harrison Street – Install wall sign - \$2,000.00; #20-012 to Keystone Main St LLC, 5352 S. 72nd Street – Install new roof top unit - \$4,133.30; #20-013 to Larry Schneider, 6704 S. 86th Street - Replace sewer/curb cut - \$11,424.00; #20-014 to Kristine L. Mahler, 6710 S. 87th Street – Complete electrical for addition - \$3,500.00; #20-015 to Ponderosa Chateau LLC, 6709 S. 73rd Circle – Replace water heater/exp. Tank - \$5,700.00; #20-016 to Norman D. Catlett, 7610 Oakwood Street – Finish laundry/closet/bedroom - \$20,560.00; #20-017 to Peggy L. Carter, 6733 S. 75th Avenue – Replace furnace and heat pump - \$131.51; #20-018 to Nicholas L. Siracuse, 7700 Maywood Street – Build 24 x 24 detached garage - \$23,000.00; #20-019 to Ingeborg R. McFarland, 7766 State Street – Replace roof and gutters - \$9,330.00; #20-020 to Ingeborg R. McFarland, 7933 Oakwood Street – Remove & replace roof - \$4,200.00; #20-021 to Kristine L. Mahler, 6710 S. 87th Street – Install mini-split system - \$5,000.00; #20-022 to Todd C. Jasman, 5009 Sunset Drive – Replace furnace and A/C - \$5,000.00; #20-023 to Dean Wittkop, 5300 Woodlawn Avenue – Replace A/C and furnace - \$9,375.00; #20-024 to Christofer N. Arzoumanian, 7757 Oakwood Street – Reroof home & shed - \$5,800.00; #20-025 to Ingeborg R. McFarland, 5307 S. 80th Street – Remove & replace roof - \$5,000.00; #20-026 to Keystone Main St. LLC, 5358 S. 72nd Street – Replace remote terminal unit - \$6,243.00; #20-027 to Mark A. Ordway, 6205 S. 73rd Avenue – Replace roof - \$18,500.00

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

1. Minutes from the February 18, 2020 regular city council meeting;
2. Claims; and
3. Department Head and/or Commission Reports.

Preis moved and Konwinski 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 Preis. Nay: None. Absent: Sanchez. Motion carried.

Freshman reported the Public Works Department has been working on trees. They have been putting down asphalt with cold mix and using the crack sealer to finish up some driveways that were not done last fall. The Public Works Department plans to start on streets, weather permitting.

Halbur reported on the census beginning March 12th. The library is offering one of their computers as a kiosk that will be dedicated solely for individuals to answer the census on-line. Halbur reported the first sensory story time is tomorrow and Boys Town Pediatrics will be at the library. On March 12, John Porter from Nebraska Television's Backyard Farmer series will be at the library for the Lunch and Learn. The January report is in the council packets.

Krajewski reported on arena events including Blippi, Dancing with the Stars, Baby Shark. Peppa Pig is not doing well and that may not continue. Other arena events are Hairball, LiveNation Show and a contemporary show on June 9th. A big announcement is that Styx will be performing at the arena on August 18th. Events this week include Zamora, Beef pre-season game, Lancers at home. There are eight shows currently pending dates.

Russell reported the invitations to participate in the census will begin arriving March 12th through March 20th and it is anticipated that by April 1st most households will have received it.

Hoppe reported on the joint Parking Steering Committee and Hinge Committee meetings. Attendees were ready to find solutions and offer solutions. Discussion was held on time zones for various slots throughout the downtown area, solutions for employee and residential parking and where additional parking spaces might be found. It was a positive meeting and it is planned to meet again next week to follow up. Hoppe is working hard to make sure the Fire Chief has the spots he needs both long-term and during construction at the City parking lot.

Hoppe reported the City has been working closely with JEO to develop a capital improvement program, a method by which capital needs as a community are tracked to make sure that items are replaced when they need to be replaced, putting together a cost plan and a timeline. Hoppe had a great meeting with staff and Directors and projects have been reviewed and reprioritized and timelines added. It will be a six-year plan with the first two years being comprised of the harder commitments. Hoppe plans to have the CIP before the Planning Commission sometime in April and then before council as part of the budget process.

Leonardo presented the Police Department Year-End Report for 2019. The Police Department cut back on overtime costs in 2019, expenditures decreased from 641.5 hours in 2018 to 511.75 hours in 2019, approximately a 20 percent decrease. Grants were vital to the Police Department in 2019. A new law went into effect which required agencies to transition to e-Citations. This allows officers to use a scanner in the police cars to quickly add personal and vehicle information to forms, print the forms from a printer in the cruiser and the information is immediately uploaded to the state and prosecutor's office. The

Nebraska Highway Safety Office provided \$6,338.40 in grant funds to assist in the purchase. They also provided a grant of \$7,000.00 to assist in purchasing in-car cameras.

Training continues to be the cornerstone of the department and the department strives to provide the opportunity for the Police Officers to receive the most up-to-date and relevant training. Training hours increased by 10.6 percent in 2019 from 2018. Each year Ralston's Police Officers receive significantly more training than the state required 20 hours of continuing education.

The Ralston Police Department is changing the records management system (RMS). They are using the Douglas County Sheriff's Department records management. Leonardo explained the calls for service which includes every time an officer responds to a call, makes contact with a citizen, checks a business, writes red tags, blue tags, or parking tickets, does school patrols or conducts any type of special attention. Officers responded to 6,082 calls for service in 2019, excluding traffic stops.

Miscellaneous activity indicates some of the calls for service to include red tags, vacation house checks, parking tickets, citizen assistance and special attentions. Special attentions can be anything from watching an open or closed business for suspicious activity to conducting traffic enforcement on streets or intersections that have received complaints, to driving neighborhoods at night looking for unusual activity or open doors on cars or garages, or patrolling any of the local schools for traffic, pedestrian or criminal activity. Special attentions increased 25 percent from last year.

Leonardo reported on assisting other agencies. Not only do Ralston's Police Officers handle a large call load for Ralston, they also assist other agencies in their duties. Leonardo commented on the continuous effort and collaboration in assisting the Ralston Volunteer Fire Department (RVFD). Ralston officers went on 276 calls for service to assist the RVFD, more than all other agencies combined.

The Ralston Police Department had 1,000 incidents in 2019, an increase of nearly 3.4 percent from 2018. An incident is a situation where a formal report was completed with a case number assigned to it. The graph presented the most common reports taken which include assault, burglary, child abuse/neglect, criminal mischief, disturbance-domestic, disturbance-other, drug activity, missing person/juvenile, robbery, theft, suspicious activity/letter/text, fraud.

Leonardo explained the traffic accidents are broken down into three categories: property damage, personal injury (including fatalities) and hit and run. Two of these categories saw a decrease in 2019. Hit and run accidents went down slightly from 39 in 2018 to 38 in 2019 and personal injury accidents dropped from 35 in 2018 to 28 in 2019. Leonardo indicated that there are not many accidents in town. Of the 127 property damage and personal injury accidents combined, roughly 68 percent of them occurred on or near the perimeter main thoroughfares of 72nd Street, 84th Street and Harrison Street. Nearly 86 percent of all personal injury accidents occurred on those highly traveled thoroughfares and not inside the main residential roads of Ralston.

Bryan Hoge, Cavanaugh Macdonald, presented information on actuarial valuations and GASB Statements No. 67 and 68 for the City of Ralston Retirement Plan. The annual valuation is a snapshot picture of the system as of August 1, 2019. It provides a statistical projection of the timing and amount of all future benefits to be paid by comparing the assets and liabilities. Hoge spoke about the membership in the City's defined benefit plan. This plan was closed to new entrants beginning July 1, 2017. New hires go into a different plan, a defined compensation plan, so the number of active members in the defined benefit plan will continue to decline. Each of the current members have an actuarial liability that affects the assumptions. Overall liability for the defined benefit plan as of the August 1, 2019 date is about \$3.7 million. There are slightly more assets in the trust compared to the liabilities resulting in a funded ratio of just over 100 percent funded. One of the main reasons that funded ratio is so high is because of the City's commitment to putting in the actuarial contribution rate.

The GASB 67 and 68 are accounting standards that apply to the City's financial reporting but does not affect funding calculations. The measurement date is based on fiscal year, not plan year therefore the numbers will be slightly different.

Hoge said the plan is closed to new entrants but will still have liability until all benefits are fully paid out. Future funding results, including the amount of City contributions, are heavily dependent on actual investment returns in future years. The City's commitment to contribute the full actuarial amount is a main driver of the strong funded ratio.

Krause opened discussion on zoning associated with the Hinge Project. Hoppe said zoning is a tool to implement the comprehensive plan. Zoning helps puts pieces in place and have the desired standards in place in various areas. The City has accepted the Hinge Design Guidelines and zoning is a way of making sure that the investments made in the Hinge Project follow the guidelines. The City is working closely with JEO on putting a zoning package together based on recommendations from JEO that will allow us to make sure the design guidelines are implemented by the developers and investors in the Hinge area. Hoppe commented on the Design Review Committee. The DRC will review projects to make sure the Hinge Design Guidelines are being met. It is planned to take the zoning discussion to the Planning Commission in the next month and Hoppe envisions it coming to the City Council in late April.

Konwinski introduced Resolution 2020-05. Russell read the title of Resolution 2020-05: A resolution approving the GSR Properties, LLC Redevelopment Plan for Lots 24 through 32 Inclusive, Block 35, City of Ralston, commonly known as 7630 Park Drive, Ralston, NE.

Krause opened the public hearing to consider Resolution 2020-05 at 6:05 PM. Todd Zimbleman, 4880 S. 131st Street, presented a brief history of Urban Waters. Urban Waters currently has two current projects. As they partner with the City of Ralston, it is important for the City to know about their organization as far as their mission. Their goal is to partner is peaceful and prosperous living and to live with gratitude. Their core values are to have heart, to get it done, own it, continuing living and improving, and be open to possibilities.

Their business model is that they own and operate, which means they develop, construct and run all of their buildings as a team. Zimbleman presented some photos of the current Prairie Queen project in Lincoln. The master plan was designed by Opticos Designs out of Berkley, California. Opticos Designs is not the cheapest designer, but Urban Waters focuses on the quality of their projects to create a space for residents to call home.

Zimbleman commented on the missing middle design that is about creating space with different types of buildings. Each unit has its own private entrance and there is a strong focus on creating natural light within the space. Neighbors are able to park in front of their apartment homes. He commented on setting back the sidewalks and creating the green space between the road and the actual sidewalk. This design promotes walkability, connectivity and economic diversity because of the different price points.

The project is planned for 36 units consisting of 600 s.f one-bedroom and 1,200 s.f. two-bedrooms. They are planning for 26 off-street parking spaces through their garage spaces. The buildings are designed as building one and two and there are courtyard spaces incorporated. They have tried to create private entrances for residences with their own private stairwells. Also incorporated are diagonal parking spots as well as handicapped parking spots. There is also a flex space to create the opportunity for something other than apartment living. There are three stories along the south side of the lot and the north side will incorporate a mezzanine level. This creates unique spaces for the community.

Konwinski inquired if this project is the same as the Prairie Queen in Lincoln and Zimbleman indicated it is a different design. It is done by the same design company but they had to create something that would fit for the space. Preis inquired about the parking spaces on Park Drive meeting the state requirement for distance from the entrance to the Fire Department. Kyle Vohl, 109 Hill Valley Road, engineer, said they used a 40 foot aerial and the current Ralston Fire Department has a 36 foot aerial. Preis said his concern is that state law indicates 75 feet. Ficenc commented there has been some misconception as to what is required by state law. As he reads it, it is not prohibiting any parking within that 75 feet. It is referring to on-street parking that is required to be a certain distance away.

Vohl indicated that they are parallel stalls and where the south edge of the parallel stalls is approximately the same location as the 60 degree diagonal parking. The Design Review Committee is reviewing what the streetscape is going to look like and the architect has assumed a sidewalk there. Regardless, they know access for the Fire Department is critical. Preis said he was concerned with state law parking requirement but he is good with the explanation by Ficenc.

Ficenc inquired if there would be room to make the sidewalk narrower and adjust the parking a little farther north. Vohl said there would be but commented on the concern of a city-center area and being able to create a walkable community. There are ADA restrictions as well. They want to create as much pedestrian friendly space as possible.

Krause explained tax increment financing (TIF). TIF is generally a loan that is made to a developer to incentivize them to want to develop property that without TIF would probably

not be developed. The City has used TIF for 14 different projects. All of the TIF projects are now paying off and because of that development, the City's tax increment is going to increase substantially as they pay off. TIF is basically used to pay for improvements to infrastructure such as utility extensions, public improvements, acquisition costs. This helps the developer bring the projects along. Without TIF, most of the projects would have had a very difficult time improving and the City's tax base would have been substantially less.

The redevelopment plan does include TIF financing. Urban Waters would take advantage of the TIF financing for part of the project. It is a 15-year pay back period. The pay back is calculated based on the value of the property and the tax on the property and then when the development is done, there is a new tax base that is assessed. There is an increment on money that would go to pay back the TIF financing that was made. The City is not losing any existing tax money. The new tax money would go to pay off the TIF and then when the TIF is paid back, then all of the taxing agencies would get the new tax dollars from the project.

Bohling indicated that the one thing he would add is that TIF is a source of funding for the projects to help them move along. In some cases, it is the driving force that actually makes the project viable for a lot of developers. The City is going to see improvements to the downtown area because of the money they are asking for.

Hoppe said it simply would not be possible to do redevelopment projects in an already built environment without tax increment financing. There are too many costs that have to be dealt with in those types of projects. "But for TIF", this project could not have happened.

Ficenc indicated that the way TIF is ultimately intended to work would be that there is no reduction in taxes that are being collected by cities, school districts. The extra money that comes in to pay for those things is from the increased valuation of the property. As far as the TIF financing goes, this is a win/win financially. What makes this different from most projects is that property being City-owned is currently valued at zero as far as how many taxes are generated off of that property. If the redevelopment plan is approved, that property will be valued by the County Assessor's office and they will assign a base value to it. That base value of taxes will immediately start being collected and distributed out to the taxing entities. There is actually going to be more tax money generated that goes to the entities and that money will come from the developer and the people who rent the property.

Laura Tarpinian, 4880 S. 131st Street, reaffirmed that if not for TIF, this project would not have been financially viable for the developer. Additionally, the funding related to TIF usually requires the developer and the owner to get debt that they personally guarantee.

There being no further comments, Krause declared the public hearing closed at 6:35 PM. Kavanaugh moved and Konwinski seconded to approve Resolution 2020-05. Ficenc asked that the following be included for the record. It is all structured by state law and the resolution is drafted in such a way as to incorporate all legal requirements. This redevelopment plan had to be reviewed by the Planning Commission and the Planning Commission had to find it in conformity with the 10-year Comprehensive Plan. The

Planning Commission then had to forward a written recommendation for approval of the redevelopment to the Community Redevelopment Authority. Then the Community Redevelopment Authority was required to recommend approval to the City Council. There is also a requirement that notices be sent out to the government jurisdictions that would potentially be affected by the taxation. Ficenec then commented on the items that the CRA had to find and the items that are statutorily required for review being in the packets provided. Ficenec said that there has to also be a written analysis that shows “but for” TIF financing this project could not occur and that is included in the redevelopment plan submitted by GSR Properties, LLC.

The resolution provides that the City Council has found that the plan is feasible and in conformity with the general plan for the development of the City and is in conformity with the legislative declarations has been found and recommended by the CRA; the plan anticipates the use of TIF financing and that is include in the plan itself and they are asking for \$725,000; that the project would not be feasible without the use of TIF and it would occur in that area with the use of TIF. The final item is whether or not this project would be in the long-term best interest of the City.

RESOLUTION APPROVING THE)
GSR PROPERTIES, LLC) RESOLUTION 2020-05
REDEVELOPMENT PLAN)

WHEREAS, the City of Ralston, Nebraska has determined it to be in its best interest and in the best interest of its citizens to encourage and facilitate the redevelopment of certain property located in an area previously determined to be blighted and substandard, said area being located at or near 7630 Park Drive, legally described as follows:

Lots 24 through 32 inclusive, Block 35, City of Ralston, Douglas County, Nebraska

WHEREAS, the City of Ralston has received a proposed redevelopment plan entitled the “GSR Properties LLC Redevelopment Plan’ which provides for the preservation, rehabilitation and development of the area located at or near 7630 Park Drive, Ralston, Nebraska; that said plan has been reviewed by the Ralston Planning Commission and has been found to be in conformity with the general plan for the development of the City, and by the Ralston Community Redevelopment Authority and has been found to be in conformity with the City’s Tax Increment Financing Policy; and that the Planning Commission has forwarded its written recommendation for approval of the redevelopment plan to the Community Redevelopment Authority and the Community Redevelopment Authority has forwarded its recommendation for approval of the redevelopment plan to the City Council; and

WHEREAS, the City Council has conducted a public hearing following reasonable public notice and notice to public agencies in conformity with Section 18-2115, Revised Statutes of Nebraska; to wit: Douglas County Commissioners, Board of ESU #3, Ralston School Board District 54, Board of Papio NRD, and Metro Community College Board, and,

WHEREAS, the City Council has accepted the report and findings of the Ralston Community Authority that the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight; and

WHEREAS, the report and recommendation of the Ralston Community Authority to the City Council has been accompanied by the recommendation of the Planning Commission concerning the redevelopment plan; a statement of the proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area and the estimated proceeds or revenue from its disposal to redevelopers; a statement of the proposed method of financing the redevelopment project; and that no families or individuals are to be displaced from the proposed redevelopment.

WHEREAS the GSR Properties LLC Redevelopment Plan contains a written analysis titled Statement of Need and ROI Analysis which explains that but for tax increment financing the project would not be viable.

WHEREAS, based upon the foregoing, the City Council has found that: a) the plan is feasible and in conformity with the general plan for the development of the City as a whole and the plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law; b) that the plan anticipates the use of funds authorized in Section 18-2147, Revised Statutes of Nebraska; c) that redevelopment project in the plan would not be economically feasible without the use of tax-increment financing; d) the redevelopment project would not occur in the community redevelopment area without the use of tax increment financing; and e) the costs and benefits of the redevelopment project, including the costs and benefits to other affected political subdivision, the economy of the community, and the demand for public and private services have been analyzed by the City Council and have been found to be in the long term best interest of the community impacted by the redevelopment project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA,

That the GSR Properties LLC Redevelopment Plan, which provides for the preservation, rehabilitation and development of the area located at 7630 Park Drive, Ralston, Nebraska, should be and is hereby adopted and approved in all respects.

BE IT FURTHER RESOLVED,

That the Mayor and his designees are authorized and directed to proceed with the formulation of any and all contracts, documents, or other memoranda between the City of Ralston and developers or other appropriate entities for the execution of the Redevelopment Plan and present same to the City Council.

PASSED AND APPROVED this 3rd day of March, 2020.

CITY OF RALSTON, NEBRASKA
By: /s/Gerald Krause, Council President

Attest:

/s/Rosemarie D. Russell, City Clerk

Approved as to form:

/s/Donald F. Ficenec, City Attorney

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

Konwinski introduced Resolution 2020-06. Russell read the title of Resolution 2020-06: a resolution approving guidelines as the basis for approving or denying special designated licenses.

Konwinski moved and Kavanaugh seconded to approve Resolution 2020-06. Leonardo commented that over the last few years he has had several challenges to the SDL process and felt that the City needed to examine and improve the process. Some issues include inadequate security or perimeter containment, late applications being submitted and late changes and/or additions to an event after approval by the City Council. Russell researched procedures in place in other municipalities and developed the draft of the resolution and guidelines. The resolution names the City Clerk as the City's agent in whether an SDL is approved or denied. It also establishes guidelines that will be used in determining whether an SDL application is approved or denied. These will be strictly enforced. If an application is denied based upon any of the guidelines, the applicant can request to be heard by the City Council.

Russell said the guidelines indicated when SDL's will be approved and when they will be denied and reviewed the guidelines. She reiterated that the guidelines also provide that any applicant denied a SDL can request to appear before the City Council.

Ficenec added that state law allows municipalities to appoint an employee and grant them the authority to approve or deny the SDL so they do not have to go before the City Council for each application. Ficenec said these guidelines are worded in such a way that to be approved, all six criteria have to apply and if any of the six don't apply, then the SDL is denied. There is not much discretion to this.

Leonardo commented on if something is changed on an SDL application and they find out during the event that something has changed that was not on the application. He inquired if the Police Department has the authority to shut the event down. It was indicated that if they are not complying with the terms of the SDL, they could shut it down.

Russell commented that the guidelines require that the City Clerk provide a report of the SDL applications received and action taken to the City Council. That report will be provided in the council packets.

RESOLUTION APPROVING)
GUIDELINES AS THE BASIS FOR) RESOLUTION 2020-06
APPROVING OR DENYING SPECIAL)
DESIGNATED LICENSES)

WHEREAS, Neb. Rev. Stat. §53-124.11 allows local governing bodies to approve or deny special designated licenses for consumption of alcoholic liquors; and

WHEREAS, state law provides the local governing body to establish criteria for approving or denying a special designated license, and for designating an agent to determine whether a special designated license shall be approved or denied; and

WHEREAS, the determination of such agent shall be considered the determination of the local governing body unless otherwise provided by the local governing body; and

WHEREAS, it is recommended that the City Clerk shall be designated as the agent on behalf of the City of Ralston to approve or deny special designated liquor license applications in accordance with established criteria; and

WHEREAS, it is further recommended that the guidelines as outlined in Exhibit “A” attached hereto and incorporated herein by reference be adopted as the basis for approving or denying such special designated liquor license applications; and

WHEREAS, special designated liquor licenses determined to be denied in accordance with such guidelines may be heard before the City Council if the applicant so chooses.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA that:

1. The City Clerk is hereby designated as the agent for the City of Ralston to determine whether a special designated liquor license is to be approved or denied in accordance with established criteria.
2. The criteria for approving or denying a special designated liquor license attached hereto as Exhibit “A” is hereby approved and adopted.

PASSED AND APPROVED this 3rd day of March, 2020.

CITY OF RALSTON, NEBRASKA
By:/s/Gerald Krause, Council President

Attest:
/s/Rosemarie Russell, City Clerk
Approved as to form:
/s/Donald F. Ficenec, City Attorney

There being no further discussion, Krause called for the vote. Krause called for the vote. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Kavanaugh, Krause, and Preis. Nay: None. Absent: Sanchez. Motion carried.

Konwinski introduced Ordinance No. 1249. Russell read Ordinance No. 1249 by title only: AN ORDINANCE TO RE-ENACT CHAPTER 12, ARTICLE 2, OF THE RALSTON MUNICIPAL CODE, TITLED "ADMINISTRATIVE SUBDIVISION"; TO REPEAL PROVISIONS IN CONFLICT THEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

Ficenec explained that most every City will have the complicated subdivision requirements for a big development and then will have an administrative subdivision section for very small adjustments. Some years ago, the complicated part of the article was redone but the second part of administrative subdivision section was omitted. Ficenec has made some additions to what was originally in the Municipal Code. One is that previously it was the Mayor that had the authority but that was before there was a City Administrator and it makes sense to have the City Administrator have that authority. The other items added were to be in compliance with state law.

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

Kavanaugh moved and Konwinski seconded to approve Ordinance 1249 on first reading. Krause called for the vote. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Kavanaugh, Krause, and Preis. Nay: None. Absent: Sanchez. Motion carried.

Krause opened consideration on the School Resource Officer Program Memorandum of Understanding between City of Ralston and Douglas County School District No. 54. Leonardo indicated the MOU is the result of LB390 that was signed into law in April 2019. LB390 required a MOU be developed to govern the use of School Resource Officers. It was brought about due to some districts across the state that did not have clearly identifiable rules governing SROs in the school districts. Leonardo commented that the City of Ralston and Ralston Public Schools have enjoyed a great working relationship since 2000 when the first SRO was implemented in Ralston High School and Ralston Middle School. The MOU at that time detailed rules and regulations governing what the SRO's functions were in the schools and what role the school district played. Although that MOU hasn't been revised in over 10 years it was because it worked.

The new MOU basically incorporates all the additions that LB390 required including the SRO is required to attend a minimum of 20 hours of training on school based law enforcement, including, but not limited to coursework focused on school law, student rights, understanding special needs of students and students with disabilities, conflict de-escalation techniques, ethics, teenage brain development, adolescent behavior and others. It also requires that one administrator from each elementary and secondary school attend a minimum of 20 hours of training.

Another addition is ensuring that records are kept on student referrals. Leonardo indicated that is currently being done and the SRO is going to develop his own spreadsheet indicating if the student was referred to the juvenile justice system and what were the federally identified demographic characteristics of the student.

Leonardo commented that another issue dealt with discipline. The school district will generally not include the SRO in school discipline matters. However, if a school administrator reasonably believes a particular incident is a violation of law, the administrator may contact the SRO and the SRO will then determine whether law enforcement action is appropriate.

Dr. Mark Adler, Ralston Public Schools Administrator, appreciates the collaborative. It has been going on for a long time. The MOU is not going to change how business is being done. There are very fine policies in the district and the principals are made aware of the rules of engagement with the SRO. If something happens in the schools, the principals are always going to take the lead. There may be times they may have to deal with the SRO regarding if the behavior is something that is against the law. The SRO does a super good job. It is a good partnership and Adler asked that the City Council support this. Preis believes that the basis of the success of the program is the foundation set by the first SRO, who was Leonardo. Adler commented that is correct and that the current SRO, Officer Kangeiser, is respected by both students and administration.

There being no further discussion, Kavanaugh moved and Fideline seconded to approve the School Resource Officer Program Memorandum of Understanding between City of Ralston and Douglas County School District No. 54. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Kavanaugh, Krause, and Preis. Nay: None. Absent: Sanchez. Motion carried.

Krause opened for consideration the Interlocal Cooperation Act Agreement between the City of Ralston and Douglas County School District No. 54 for the Use and Maintenance of Orval Smith Baseball Field and Crown and Wager Softball Fields. There have been agreements with the school district in the past and this is a renewal with some small changes.

Hoppe indicated there has been an ongoing agreement on the use of Orval Smith Baseball Field and Crown & Wager Softball Fields. In the last agreement, the school district assumed quite a bit of the costs of the care and maintenance and improvements to the field. One of the things that is the primary change as a result of the previous agreement is that the utilities were being assumed in a 75/25 split where the school district was paying 25 percent of the cost. The new agreement will have the City paying 100 percent of the utility costs. The district was assuming quite a bit of cost for the repair, improvement and upkeep of the fields. In 2019, it equated to almost \$36,000. The City has agreed to pay 100 percent of the cost of the utilities with a caveat. There was a request to have some incentive to conserve the utilities to make the cost a little more predictable. There is therefore a cap set for 2020, the City will pay up to \$18,000 for utilities and the School District will pay any

costs beyond \$18,000.

Dr. Adler indicated the impetus behind the 25 percent in the last agreement was about how much the district used. The School District appreciates the changes to the new agreement and the flexibility. The difference will be about \$4,600.

Preis moved and Konwinski seconded to approve the Interlocal Cooperation Act Agreement between the City of Ralston and Douglas County School District No. 54 for the Use and Maintenance of Orval Smith Baseball Field and Crown and Wager Softball Fields.

Preis commented on the figure of \$4,000 for the rent and commented that there has been thousands of dollars put into the fields, close to \$80,000 to \$100,000 by the different athletic organizations. He commented on charging them \$8,000 per year so they can give the community \$80,000 worth of improvements to the fields. Preis inquired what they are getting for the \$8,000 because they are already doing all the maintenance. Adler said they get fields to play on. They have great relationships with the athletic organizations. They did about \$65,000 in field renovation in Crown and Wager Fields. Most of that money is donated money from organizations and the School District had about \$10,000 into it. Preis said the \$4,000 a year is high if not completely unneeded. Adler said it is a one year agreement and he is grateful to have the partnership. Preis commented on the \$4,000 that could be used for sports equipment, curriculum and other things.

Hoppe said the City is taking a step in the right direction and assuming more of the cost. Adler would love for the community to figure out how to get Orval Smith park to the spot that it once was. It needs a lot of significant work and he would love to make that again one of the best parks in the area. There is enough momentum in the City to pull it off and it should be done.

George Sevick, 8001 Main Street, agreed with Preis. The City never used to charge the School District and he commented on Legion Baseball. One thing he is concerned with is the \$18,000 cap and the school payments if there is a dry spring/summer.

There being no further discussion, Krause called for the vote. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Kavanaugh, Krause, and Preis. Nay: None. Absent: Sanchez. Motion carried.

Krause opened consideration of the bid for the Ford F-350 One-Ton Pickup and Snow Plow for the Public Works Department. Freshman indicated this is a non-budgeted purchase of \$50,000. The current truck is 21 years old and is utilized both in summer and winter. They did put an aluminum flatbed on it that they plan to repurpose, along with a sander. The plow is in need of replacement. There have been discussions that if approved, the plow would be purchased before next winter but the truck is needed sooner. Freshman anticipates the used truck to sell for at least \$5,000 via public surplus. Freshman distributed photos of the current truck. It has a little over 47,000 miles on it.

Krause inquired about the funding. Bohling indicated there are currently two areas of

potential excess revenue. The sale tax revenue for this year is roughly \$57,000 more than last year. There is also the potential use of funds from the sale of the City parking lot.

Delivery from Sourcewell, formerly NJPA, is 14 to 16 weeks out. Freshman is recommending the best low bid from Woodhouse in the amount of \$46,328.00 with the plow as there is a better turnaround time and the truck has about \$1,780 more in options. The truck and blade would be paid out of this year's budget.

There being no further discussion, Fideline moved and Kavanaugh seconded to accept the bid from Woodhouse, the best low bidder, for the purchase of the one ton truck and chassis and snow plow in the amount of \$46,328.00.

Discussion was held regarding a budget adjustment and Bohling indicated that as long as the City is under the budget authority then there is not a need for a budget adjustment.

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

Public comment: Dr. Mark Adler extended an invitation to the Community Engagement Presentations on March 11, 12 and 13, 2020.

Council comment: Konwinski told Public Works to take good care of the truck. Kavanaugh expressed his admiration to Fleek for managing to keep the well-used truck running for 21 years.

There being no further business to come before the Council, the meeting adjourned at 7:21 PM.

The next regular meeting is Tuesday, March 17, 2020 at 5:30 PM.

Rosemarie D. Russell
City Clerk

Gerald Krause
Council President

CLAIMS-3-3-2020-88 Tactical, 675.00, Training; AFLAC, 703.44, Insurance; Airgas USA, LLC, 484.16, Supplies; American United Life Insurance Company, 1,119.56, Life Insurance; Ameripride Services, Inc., 104.23, Building Maint/Rugs; Bizco Technologies, 3,789.75, Equipment; Black Hills Energy, 1,967.46, Utilities; Blue Cross & Blue Shield of NE, 41,723.23, Health Insurance; Cengage Learning, Inc., 23.25, Books; Center Point Large Print, 89.28, Books; Century Certified Services, 28.00, Pest Management; Control Masters, Inc., 204.50, Repairs; Cos Business Services, 569.65, Phone Services; Donald Ficenec, 5,810.00, Legal Services; Eakes Office Solutions, 544.19, Supplies; Firespring, 174.59, Business Cards, First State Bank, 3,478.85, Note; Fleek, Brianna, 120.00,

Janitorial; FP Mailing Solutions, 66.00, Postage; Global Spectrum, 170,000.00, Funding Shortfall; Grainger, 308.63, Supplies; Great Western Bank – Jackpot, 3,123.48, Jackpot Funding; Great Western Bank-Pension, 21,296.84, Pension; Great Western Bank-Visa, 10,802.53, Miscellaneous Services/Supplies; Humana Insurance Co., 1,939.04, Insurance; HyVee Accounts Receivable, 17.16, Supplies; Integrated Solutions, Inc., 35.00, Supplies; Jack’s Uniforms & Equipment, 3,976.44, Equipment; JEO Consulting Group, Inc., 3,232.50, Professional Services; Logan Contractors Supply, Inc., 278.44, Supplies; Mary Matuszewski, 54.85, Reimbursement; Menards-Ralston, 182.64, Supplies, Michael Todd & Co., Inc., 1,231.61, Supplies; Money Handling Machines, Inc., 228.00, Signature Plate; MUD-Utilities, 284.57, Utilities, Nebraska Iowa Supply Co., Inc., 952.57, Fuel; Nebraska Secretary of State, 30.00, Notary Renewal; OCLC, Inc., 365.21, Cataloging and Metadata, Omaha Compound Company, 97.50, Janitorial Supplies; O’Malley, Margaret, 236.50, Janitorial; Papillion Sanitation, 31,325.63, Garbage Collection; Pat McCarthy Productions, 399.00, Seminar; Publishers Prime, 95.83, Books; Quill Corporation, 208.92, Supplies; Ralston Area Chamber of Commerce, 80.00, Luncheon; Ralston Automotive, 213.35, Supplies; Ralston Volunteer Fire Department, 19,668.52, Fire Protection Agreement/Reimbursement; Ralston-Byers Insurance Agency, 80.00, Notary Bond; Recorded Books Inc., 177.47, Books; Sarpy County, 1,824.00, Animal Control; T.N.T. Cleaning, 500.00, Janitorial; Tractor Supply Credit Plan, 8.99, Parts; United Way of the Midlands, 38.30, Pledges; Voya Institutional Trust Company, 5,100.00, Deferred Compensation; Walmart Community, 74.84, Supplies; Winstead PC Attorneys, 3,750.00, Review Arena Lease Agreement.