

The Ralston City Council met in a regular session on Tuesday, October 7, 2014 at 7:00 P.M. at Ralston City Hall. Roll was called with the following present: Konwinski, Alberhasky, Fidelity, Krause, Onken, Preis, & Groesser. The agenda for this meeting 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. There are no claims as a part of these minutes.

Groesser acknowledged the Boy Scout that was in attendance.

Groesser gave the Acknowledgement of Open Meeting Law Posting.

The following permits were approved: #9309 to Messiah Lutheran Church, 5015 S 80<sup>th</sup>, Remodel Bathrooms, \$27,000.00; #9320 to Richard Kropp, 6319 S 72<sup>nd</sup> Ave, Build Addition, \$15,000.00; #9322 to Rhonda Most, 8228 Wilson Dr, Replace Furnace & A/C, \$4,903.00; #9323 to Wildewood Village, 6710 S 83<sup>rd</sup> Ave, Re-Roof, \$35,000.00; #9324 to Gary Halvin, 7711 Seymour, Replace Furnace & A/C, \$4,789.00; #9325 to Martin Freyre, 7926 Oakwood, Replace Roof, Siding, and Windows, \$7,400.00;

It was moved to approve the Consent Agenda by Krause, seconded by Konwinski. All vote yes, motion carries.

Murtaugh reported that he had the opportunity to welcome the Lancers back this year and to reinforce the high standards of conduct expected of them. Murtaugh said Bushwacker's has reconsidered the Halloween party and has cancelled it. Canfield said the library's annual book sale is this weekend and reminded all that purchase suggestions as well as meeting room reservations are available on the website. Benis reported that Newsboys was the first sell-out for the arena and reported on the Kidz Bop Show. Benis said the curling club started on October 5 and they gave a lot of positive feedback about the arena. Benis reported on a possible blues festival in the summer. Benis reported on the auction at the Civic Center and said they purchased the ice cover for the community rink and some sound panels for a very reasonable price. Benis said the Event Coordinator and Director of Event Services jobs have been posted. Benis said "So You Think You Can Dance" is on Thursday and the Best of Omaha Awards is this weekend.

Murtaugh thanked the council for their continued support and thanked the members of the Civil Service for their jobs overseeing the testing & interviewing processes. Murtaugh introduced Officers Pete Geldes and Jennie Scanlon and their families. Murtaugh said we are not only welcoming two new officers, but we are welcoming two more members of our police department family. Murtaugh then swore in Officer Jennie Scanlon and Officer Peter Geldes.

Murtaugh said that with all the new faces on the police department, they are going to do a "Meet the Officer" in the Ralston Recorder weekly to introduce the community to all of the force.

Public Hearing for Consideration of Request to Vacate the Alley Adjacent to 8308 Oakwood. Groesser opened the Public Hearing. James Polack, attorney for Michael Hennessy said this portion of the alley bisects Hennessy's property and separates his house from his garage. Polack said it is a dead end alley and no traffic flows through there. Polack said Council has the authority to vacate an alley under Nebraska revised statute 8-311 and said included in the packet are an aerial and a drawing of the lots and the alley. Polack said he believes the city would have an increased tax base once the lots are re-platted into one lot. Polack said they have been in front of the Planning Board and have spoken to Public Works, and they understand the fire department and public works have no objections, and no one from the public objected at the planning meeting. Alberhasky asked how it would affect the fire department

getting to the fire hydrant if residents start parking there. Discussion was had about access to the fire hydrant that is at the end of the alley. Eischeid stated there is enough room to get a fire truck up the alley. Freshman said this all started with him denying a building permit to Hennessy for a fence. Freshman stated that under the alley is a sanitary sewer that goes across 84<sup>th</sup> Street so even if the alley is vacated, a fence would not be allowed to go across the property. Freshman said he did not see a benefit to the city with this vacation, but the planning commission saw it differently, so the next step was for council approval. Asked about the easement, Freshman said he believes the easement stays with the land. Klinker said state statute says that easements are all preserved. Pollack said they just want to put up no trespassing signs to keep people from wandering through, because things disappear from Hennessy's property. Hennessy said it has not been a severe problem, and he doesn't plan to call police unless something serious was to happen. Alberhasky asked what would happen if the need arose to tear up the end of the alley to do sewer repairs. Freshman said if the sewer is in the city right of way and they have full access to it, the costs are minimal compared to if Hennessy does improvements there. If the city has to replace the improvements, then the costs make it much higher for the taxpayer. Freshman said he does not support this because it adds complications and dollars to the situation if sewer work does need to be done. Klinker stated if council agrees to vacate the alley, it will come back before council in the form of an ordinance, and the terms of that ordinance can encompass all of the restrictions that are being discussed and can be added to at any of the three readings of that ordinance; that ordinance will then be filed with the Register of Deeds and the restrictions would be on record for any one who searches the title of that property. Pollack said Mr. Hennessy has no problem agreeing with Freshman and Klinker to have the easement state the property is not buildable. Hennessy stated he does not have a problem with people walking through from 84<sup>th</sup> Street. Krause said he is willing to see if language can be developed that is acceptable with everyone. Preis stated that if Hennessy has no problem with people walking through the alley, then what good does a no trespassing sign do. Preis said he doesn't see how any one has infringed on Hennessy's use of this property as it is now. Klinker asked Hennessy to clarify if he was going to re-plat the property. Hennessy said yes. Alberhaskey asked about the neighbors. Pollack stated all neighbors were notified of the public hearings. Freshman stated, for the record, he believes this all could be accommodated with a lease option. Klinker said he doesn't see that it creates any better solution than the vacation. Murtaugh voiced his opinion in support of a lease option. After questions and discussions, Groesser closed the public hearing. Krause moved that Freshman, Klinker, Hennessy, and Polack get together and come up with an acceptable ordinance that would satisfy the police, the fire department, and public works, then bring back before council. It was seconded by Onken. Fideline and Preis vote no. Konwinski, Alberhasky, Krause, and Onken vote yes. Motion carries for consideration.

Public Comments: None

Council Comments: Krause stated he appreciates the activities that have been going on at the arena.

There being nothing further of a general nature to come before the Council, the meeting was adjourned at 7:57 PM.

Next regular Meeting October 21, 2014 at 7:00 PM

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Dolores Costanzo

City Clerk/ Treasurer

No claims:

Publish once

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Donald Groesser

Mayor

