

Ralston City Council Regular Meeting  
Tuesday, August 7, 2018

The Ralston City Council met in regular session on Tuesday, August 7, 2018 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, Alberhasky, Krause, and Preis. Council member Sanchez 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 July 17, 2018 regular city council meeting and July 25, 2018 special city council meeting;
2. Claims; and
3. Department Head and/or Commission Reports.

Motion to approve Consent Agenda by Krause, seconded by Alberhasky. Preis commented on the claim for the rooftop unit for the Fire Department and inquired why it wasn't put out for bid. Forrest said the threshold for bidding is \$20,000. The Fire Department ran into a situation where they needed a quick repair and Eyman Plumbing provided a quote. Forrest said in the future, since the City owns the building, the City should be doing all the contracting and the City will be the ones obtaining the quotes. Traditionally, the Fire Department has taken the lead when it pertained to their building and equipment. The Fire Department ran this quote by Forrest and he approved it because they needed the work done. Preis said he would like to see three bids and preferably local contractors and commented on Ralston businesses not being given the chance to provide a quote. Forrest commented that the Fire Department has been a gray area and with the council's permission, he will take charge of repairs on the Fire Department building from now on. He reminded council members that City Code lists the threshold for bidding at \$20,000. From now on, to remove any kind of doubt, the City will take responsibility for any improvements in the Fire Department.

Konwinski inquired about the claim from the Naturalist School for the urban tree project. Forrest contacted a consultant to evaluate and provide a plan for shade trees in the downtown area. The consultant will attend the next Park and Tree Commission meeting to give a presentation on his findings. One of the basic building blocks of downtowns are shade trees to create a softer environment and a sense of place. Forrest commented on the review of the sign ordinance as well.

Preis inquired about the claim from Turfbuilders Lawncare for extra clean-up/landfill fees and Forrest indicated that was for abatement of a property violation. The Public Works Department has a backlog and is not able to abate the violations. Ficenec said the City has received a check for abatement of the property on L Street.

On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Alberhasky, and Krause. Nay: Preis. Absent: Sanchez. Motion carried.

Forrest reported on the Hinge Project steering committee meeting.

Benis reported on arena events: the Chamber lunch, Jehovah's witnesses are in the arena on Friday, Saturday and Sunday, Lancer's Fitness Camp this week, Magnum Chrome on Saturday and the Zamora Concert next weekend.

Groesser opened discussion on the Waste Removal Service Proposal from Papillion Sanitation. Paul Breiterman, Sales Manager, indicated Papillion Sanitation has presented an addendum to extend the current trash and recycling contract with the City of Ralston. Breiterman explained the trash and recycling pickup procedure. The recycling is disposed of at a material recovery facility, First Star Recycling, where the recycling is sorted out. He commented on the markets for certain items not recyclable. Groesser asked if council members could tour the facility and Breiterman said he would be glad to set up a tour.

Council members complimented Papillion Sanitation personnel on the great job they do for the City of Ralston. Matt Connell, Account Manager, inquired about starting earlier when there is a high heat index forecasted. Preis suggested inserting that in the agreement.

Groesser opened consideration of the appointment of Dave Forrest as City of Ralston Code Enforcement Officer. Krause moved and Konwinski seconded to appoint Dave Forrest as City of Ralston Code Enforcement Officer. Preis inquired if that is beyond the scope of a City Administrator. Forrest said this is something that will need to be discussed at budget time. The City has had inconsistent enforcement over the years and Forrest has taken this on to get it done and to get a sense of what the requirements are and what the current process is. He wants to ensure the City has a process in place that is lawful and efficient. He doesn't want to do this long-term so a long-term solution needs to be found.

Preis reiterated that it is beyond the scope of a City Administrator and Groesser indicated the City Attorney wanted Forrest to step up to this position. Forrest commented on this being a housekeeping issue. The City has adopted the International Property Maintenance Code and that code requires the governing body to appoint a Code Enforcement Officer. Forrest said that code enforcement is a very important function of city government and welcomed the opportunity to have discussion with council members.

Krause commented on doing this on a six month interim basis. Preis commented on the ordinances next on the agenda that indicate that the appeal is with the City Administrator. The individual writing the violation also mitigates the issue.

On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, and Krause. Nay: Alberhasky and Preis. Absent: Sanchez. Motion carried.

Konwinski introduced Ordinance No. 1224. Russell read Ordinance No. 1224 by title only: AN ORDINANCE AMENDING A SECTION OF ARTICLE 7 OF CHAPTER 6 OF THE RALSTON MUNICIPAL CODE DEALING WITH NUISANCES CAUSED BY WEEDS AND WORTHLESS VEGETATION; TO REPEAL PROVISIONS IN CONFLICT THEREWITH AND TO PROVIDE AN EFFECTIVE DATE.

Groesser opened the public hearing and first reading of Ordinance 1224 at 5:54 PM. Krause left the meeting at 5:55 PM. Forrest explained this ordinance is to insure the City is following State law particularly with how much time given to property owners. He said that the City is trying to deal with things such as how notice is given to the property owner and how much time the property owner is given to respond to that notice. Currently, City Code indicates the property owner has five days from receipt of the notice of violation to respond. This ordinance presumes that within two days of the date of mailing the property owner has received the notice of violation for legal purposes.

Ficene commented on the State Statute that grants authority to a City of the First Class to regulate weeds and litter. State Statute does give some discretion to the City of the means of providing the notice and who the appeal will be heard by. Preis said his issue with the ordinance is that it says the appeal will be conducted by the City Administrator and he was just appointed as the Code Enforcement Officer. He doesn't think the person writing the violation should be the person controlling the appeal process. Forrest agrees and said the language could be changed in the ordinance to whomever the council appoints. Groesser commented on the PRT Board established a number of years ago.

Alberhasky inquired about the definition of worthless vegetation and Forrest said the definitions are included in the ordinance. Ficene said the definition in the ordinance mirrors State Statute.

Rich Shively, 7505 Washington Street, would like to see the height of weeds, grasses or worthless vegetation changed to five or six inches versus 12 inches.

There being no further comment, Groesser closed the public hearing at 6:02 PM. Preis moved and Konwinski seconded to approve Ordinance 1224 on first reading with the amendment of appeal by the PRT in place of appeal by the City Administrator. On roll call vote, the following votes were recorded on the electronic voting board. Aye:

Konwinski, Fideline, Alberhasky, and Preis. Nay: None. Absent: Krause and Sanchez. Motion carried.

Konwinski introduced Ordinance No. 1225. Russell read Ordinance No. 1225 by title only: AN ORDINANCE AMENDING SECTIONS OF ARTICLE 5 OF CHAPTER 4 OF THE RALSTON MUNICIPAL CODE DEALING WITH NUISANCES CAUSED BY LITTER AND LITTERING; TO REPEAL PROVISIONS IN CONFLICT THEREWITH AND TO PROVIDE AN EFFECTIVE DATE.

Groesser opened the public hearing and first reading of Ordinance 1225 at 6:04 PM. There being no comment, Groesser closed the public hearing at 6:04 PM. Preis moved and Fideline seconded to approve Ordinance 1225 on first reading with the amendment of appeal by the PRT in place of appeal by the City Administrator. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, and Preis. Nay: None. Absent: Krause and Sanchez. Motion carried.

Groesser opened consideration of a Special Designated License for American Legion Post 373 for a band and beer garden on August 31, 2018. Barry Vogel, American Legion Commander, indicated the beer garden is in conjunction with the Chamber's Last Blast of Summer event and will be open to the public. Konwinski moved and Fideline seconded to approve the Special Designated License for American Legion Post 373 for a band and beer garden on August 31, 2018. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, and Preis. Nay: None. Absent: Krause and Sanchez. Motion carried.

Public comment: Amy Roeder, Chamber Executive Director, commented on the "Last Blast of Summer" event to shoot off the fireworks. The event will be held on August 31, 2018. It is a community event and there will be food trucks and a live band. The fireworks will start around 8:45 PM. This event is sponsored by the Ralston Chamber of Commerce, the Downtown Ralston Business Community, and others. Groesser thanked Roeder for putting the event together. The fireworks were paid for by donations and there is no extra cost to the City.

Council comment: Groesser said school starts next Monday. He thanked Roeder for the Chamber luncheon for the teachers. Groesser also thanked Roeder and the Chamber Board for stepping up and correcting the recent issue.

There being no further business to come before the Council, the meeting was adjourned at 6:08 PM.

Next regular meeting Tuesday, August 21, 2018 at 5:30 PM.

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Rosemarie D. Russell  
City Clerk

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Donald A. Groesser  
Mayor

CLAIMS - 8-7-2018 – AAA Rents, 1,415.28, Rental; AFLAC, 1,175.16, Insurance; All Flags, Etc., 217.20, Flags; Ameripride Services, Inc., 89.54, Svcs; Baxter Auto, 650.85, Repairs; Bellino's Fireworks, 5,000.00, Refund; Benefit Plans, Inc., 318.75, Participation Fee; BKD, LLP, 4,000.00, Keno Audit; Black Hills Energy, 241.09, Utilities, Blue Cross & Blue Shield, 62,273.44, Health Insurance; BMI Janitorial Group, 9,306.25, Janitorial; Carbonhouse, Inc., 500.00, Svcs; Carpenter Paper Co., 2,226.23, Supplies; Center Point Large Print, 89.28, Books; Century Certified Services, 125.50, Pest Management; City of Ralston Lottery Jackpot Fund, 4,196.44, Transfer to Lottery Jackpot Fund; Command Center, 954.25, Contract Labor; Concert Security Services, 439.00, Security; Cox Business Services, 1,158.48, Internet/Cable; Creative Press & Design, 77.00, Business Cards; Cues, Inc., 1,800.00, Software Support; Cummins Sales and Service, 912.52, Svcs; Dearborn National Life Ins., 161.68, Fire Dept; Demco, 168.69, Supplies; Diamond Laundry Service, Inc., 74.85, Laundry Service; Dog & Pony Productions, Inc., 4,500.00, Equipment; Eakes Office Solutions, 414.65, Supplies; Eccles Heating & Cooling, 3,850.00, Fire Dept Furnace; Enviro-Master Services, 67.00, Janitorial; Excel Physical Therapy, 125.00, Supplies; Eyman Plumbing, 11,979.00, Repair – RVFD; Fireguard, Inc., 1,533.75, Fire Alarm Service; Fleek, Brianna, 250.00, Janitorial; Focus, 1,200.00, Advertising; Fraternal Order of Police, 600.00, FOP Dues; Gale/Cengage Learning, 157.91, Books; Glatfelter Specialty Benefits, 1,684.80, RVFD Life Ins; Great Western Bank – Pension, 26,097.94, Pension; Great Western Bank-Visa, 7,364.98, Supplies; Halbur, Bailey, 16.90, Reimbursement; Helget Gas Products, 105.38, Supplies; Hometown Leasing, 366.50, Leasing; Humana Insurance Co., 2,493.29, Dental/Vision; Hy-Vee Accounts Receivable, 80.40, Supplies; Jacobsen, Larry, 145.93, Reimbursement; Johnson Brothers of Nebraska, 278.40, Alcohol Purchase; Klabunde's Delivery Inc., 53.00, Services; Klinker, Mark, 6,583.50, Legal Fees; Larson Paper Products, 84.90, Paper; LaVista, City of, 2,058.92, Shared Costs of Special Services Van; League of NE Municipalities, 14,089.00, Dues; Lueders Lock & Key, Inc., 178.00, Svcs; M & M Staffing, 1,889.28, Contract Labor; MacRae Productions, 600.00, Sound & Lighting; Manufacturers' News, Inc., 107.90, Registration; Marshall, Laurel, 6.00, Reimbursement; Menards-Ralston, 451.81, Supplies; Metro, 539.00, Service Contract; Metropolitan Utilities District, 2,076.82, Utilities; Michael Todd & Co., Inc., 396.37, Supplies; Mid-American Benefits, Inc., 84.00, Admin Fees; Midwest Sound & Lighting, Inc., 750.00, Rental/Settlement; Minitex, 140.00, DVD Cases; MUD-Utilities, 5,335.56, Utilities; NCOA, 250.00 Registration; Nebraska Department of Revenue, 130,118.00, Taxes; Nebraska Iowa Supply Co., Inc., 2,125.34, Fuel; Nebraska Library Association, 150.00, Dues; O'Keefe Elevator Company, 160.41, Elevator Maintenance; Omaha Douglas Publ Bldg Comm, 18.75, Parking; Omaha Magazine, Ltd, 1,420.00, Advertising; Omaha Public Power District, 43,471.73, Utilities; Omaha World Herald, 400.40, Legal Notices; O'Malley, Margaret, 627.00, Janitorial; Omni Engineering, 1,791.25, Svcs; One Call Concepts, Inc., 53.46, Locate Fees; Oriental Trading Co., Inc. 75.95, Supplies; OS Sales Co., Inc., 751.14, Food; Papillion Sanitation, 27,048.23, Trash Collection; Pepsi-Cola, 4,646.00, Soda; Port-A-Johns, 305.00, Portable Restroom Rental; Prairie Life Fitness, 60.99, Reimbursement; Protective Security Advisors, 9,344.37, Security; Quality Brands of Omaha, 386.00, Alcohol Purchase; Quill Corporation 511.90, Supplies; Ralston Arena

Operating Acct, 2,873.00, Settlement; Ralston Automotive, 736.89, Supplies/Svcs; Ralston Fire Dept, 23,234.00, Contract; Ralston Public Schools, 3,185.00, Misc; Ralston Recorder, 68.00, Subscription; Ralston Volunteer Fire Department, 15,330.25, Fire Protection Agreement; Rapid Graphics and Signs, 274.89, Sign; Recorded Books, Inc., 651.64, Books; RediTech, 10,665.19, IT Support; Reinhart Foodservice, LLC, 726.91, Food; Republic National Distributing Co., LLC, 675.00, Supplies; Ridder, Justine, 13.14 Reimbursement; Romeo Entertainment Group, Inc., 8,250.00 Entertainment Consulting; Rotella's Italian Bakery, Inc., 172.20, Food; Sarpy County, 4,851.19, Animal Control; Schemmer Associates, 13,440.00, Professional Svcs; Shell, 87.61, Fuel; Solution One – TX, 157.67, Copier; Spin Linen Management, 402.54, Linens; Staples Advantage, 106.41, Supplies; Sure Sound & Lighting, 8,500.00, Equipment; TNT Cleaning, 500.00, Cleaning; Talx UC Express, 144.70, Svcs; The Daily Record, 34.60, Legal Notices; The Naturalist School, 500.00, Urban Tree Project Consultant; The Retoner, Inc., 121.90, Supplies, Three Rivers Library System, 10.00, Annual Meeting; Turfbuilders Lawncare, Inc., 344.00, Cleanup; U.S. Foods, Inc., 2,992.01, Food; United Distributors, Inc., 144.96, Rental Fee; University of Nebraska-Lincoln, 125.00, Presentation; Voya Institutional Trust Company, 3,500.00 Pension; Waldinger Corporation, 1,521.97; Westlake Ace Hardware, 201.54, Supplies;