

Ralston City Council Regular Meeting
Tuesday, September 18, 2018

The Ralston City Council met in regular session on Tuesday, September 18, 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, 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.

Pastor Lynette Janssen, Ralston United Church of Christ, 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 following building permits were approved: #10331 to Nicholas S. Mulder, 5208 S. 76th Street – Install Double Cleanout - \$2,500.00; #10360 to Ryan Frost, 8304 Oakwood Street – Remodel bathroom - \$2,500.00; #10363 to Antibro Properties LLC, 5170 S. 72nd Street – Install new sign - \$6,500.00; #10368 to Frederick J. Geiler, 8536 Harrison Street – Install deck - \$1,200.00; #10369 to Erin Peters, 5021 Sunset Drive – Complete water reconnect - \$287.00; #10370 to Garry L. George Sr, 5026 Sunset Drive – Complete water reconnect - \$287.00; #10371 to Christian Gohr, 5008 Sunset Drive – Complete water reconnect - \$300.00; #10372 to Max L. Hopkins, 5027 Sunset Drive – Complete water reconnect - \$287.00; #10373 to 7615 Holdings LLC, 7615 Park Drive – Repair roof - \$1,000.00; #10374 to John Skow, 4917 Sunset Drive – Complete Water reconnect - \$111.00; #10375 to Jerry S. Tharp, 6618 S. 76th Circle – Remove & replace roof - \$11,899.00; #10376 to Debbie J. Zach, 7404 Washington Street – Replace furnace and A/C - \$12,911.00; #10377 to Franklin Hutchens, 5015 Sunset Drive – Complete water reconnect - \$287.00; #10380 to 7615 Holdings LLC, 7615 Park Drive – Repair wall and install garage doors - \$1,000.00; #10381 to Channel Companies, LLC, 8045 L Street – Complete building remodel - \$35,500.00; #10382 to James McKay, 6843 S. 73rd Avenue – Replace fence - \$300.00; #10383 to Robertson Properties, LLC – 6809 S. 84th Street – Demolition; #10384 to Ryan Frost, 8304 Oakwood Street – Move switches, etc. - \$1,300.00; #10385 to Susan Shea, 5211 S. 83rd Street – Install privacy fence - \$1,100.00; #10386 to Merkel Properties, LLC, 6632 S. 86th Street – Replace A/C and air handler - \$5,047.00; #10387 to Christina Miscinski, 5130 S. 83rd Street – Reroof - \$6,400.00; #10388 to Christian Gohr, 5008 Sunset Drive - \$287.00; #10389 to Todd Jasman, 5009 Sunset Drive – Complete water reconnect - \$287.00; #10390 to Jorge L. Guitierrez, 5014 Sunset Drive – Complete water reconnect - \$200.00; #10391 to Joan R. Carstensen, 5131 S. 80th Street – Install deck - \$9,000.00; #10392 to Trinity United Methodist Church, 8009 Q Street – Install a new meter pit - \$3,000.00; #10393 to Daniel Marsh, 5032 Sunset Drive – Complete water reconnect - \$200.00; #10394 to Joseph C. Jenkins, 8905 Monroe Street – Install privacy fence - \$1,300.00; #10395 to Alan L. Gustafson, 6644 S. 86th Street – Reroof - \$10,600.00; #10396 to Terry L. Grage, 6645 S. 85th Avenue – Reroof - \$6,700.00; #10397 to Barbara J. Cullen, 6640 S. 85th Avenue

– Reroof-\$7,900.00; #10398 to Ronnie E. Miller, 6235 S. 74th Street–Reroof -\$5,983.00; #10400 to Betty Druessedow, 7921 Maywood Street – Install new cleanouts - \$1,600.00; #10401 to Alan R. Legge, 5020 Sunset Drive – Complete water reconnect - \$287.00; #10402 to Leslie Cooper, 6733 S. 81st Street – Complete house fire restoration-\$82,154.00; #10404 to City of Ralston, 7629 Park Drive – Install water heater - \$950.00; #10405 to Nancy Wolff, 7623 Madison Street – Install A/C - \$2,219.00; #10407 to Pedro Buenrostro, 4741 S. 78th Street – Install gutters, downspouts & siding repair-\$1,200.00; #10409 to Pedro Buenrostro, 4741 S. 78th Street – Reroof - \$2,500.00; #10410 to MFW-Lakeview LLC, 5003 Country Club Circle, Unites 3 & 5–Replace decks-\$8,617.00; #10411 to Devon Looney, 7535 Highland Drive – Replace furnace and A/C-\$6,000.00; #10412 to Lemuel Yumuel, 5220 S. 77th Street–Install fence-\$5,000.00; #10413 to Devon Looney, 7535 Highland Drive–Install water heater-\$6,000.00; #10415 to Lloyd Reed, 7612 Drexel Street – Reroof - \$5,775.00.

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

1. Minutes from the September 4, 2018 regular city council meeting and September 4, 2018 budget work session;
2. Claims;
3. Monthly Financial Report; and
4. Department Head and/or Commission Reports.

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

Krause moved and Fideline seconded to approve Maria’s claim. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, Krause, and Preis. Nay: None. Abstaining: Sanchez. Absent: None. Motion carried.

Klinker reported there will be a request from Dwight Anderson from Scorz at a future meeting. Anderson wants to set up an outdoor addition to his establishment.

Halbur reported the August statistics are included in the packets. She encouraged everyone to attend the Lunch and Learn Event at the Library tomorrow.

Benis reported on arena events: Rodney Carrington on Thursday, Zamora on Saturday and an adult hockey tournament this weekend. Hockey season opens in October and will be a busy season.

Grosser opened discussion on the Mill and Overlay Program 2018. Freshman indicated a preconstruction meeting was held. The contractor will first mill 83rd Avenue and Wildewood Drive and then move to the Highland Hill area then the remainder of the areas. Once there is enough milled, the paving crew will move in. During the mill and overlay, traffic will still be able to go in and out. There will be flyers distributed with

the information. The contractor will begin after 7:30 AM so that work traffic can get out and there will be a time that the street cannot be driven on. For the most part, one lane should be open in each direction with flaggers.

For Main Street businesses, there will be a Public Works employee speaking with the businesses with regard to the parking. At one point there will be parking on one side of the street or the other.

Freshman commented on the areas around City Hall and milling some of the concrete panels. The start date for the project is still to be determined and it is hoped to begin in early October.

Grosser opened discussion on the amendments to Article 11: Sign Regulations of the Ralston Zoning Ordinance. Rich Onken, Planning Commission Chair, indicated early this year, the Mayor appointed a sign committee to review the current sign regulations of the Zoning Ordinance. The impetus was to put together an ordinance that would provide guidelines for the downtown area to ensure the character of the downtown area is maintained. The Planning Commission discussed the amendments at a number of meetings and recommended approval. The sign regulations is a 16 page document that will replace the current Article 11 of the Zoning Ordinance. The appendix will function as a shortcut for people to determine sign uses and restrictions.

The Downtown Ralston Signage Design Guidelines was created with assistance of Rick Dolphens and the Library staff. The guidelines provide guidance of the intent and spirit of the ordinance.

The amendments provide more detail than the current Sign Regulations. Krause inquired about a time limit for non-conforming signs. Klinker said the current ordinance lists a 15 year amortization and he would like to see that included in the new ordinance in some way. Forrest commented that the sign committee decided not to establish a time frame and if a business was going to make a change to their sign, they would have to conform to the new ordinance. Forrest commented on temporary signs and banners being permanently removed within 90 days of the effective date of the new ordinance.

Forrest said a time line for every sign to come into conformance could be included if the council wishes. Fideline said there should be a time limit. A new sign ordinance is not going to be effective if illegal signs are permitted to stay. Forrest said it is a balancing act because people should put up signs in conformance with the ordinance; however, if it is a perfectly good sign that is non-conforming, the City doesn't necessarily want to put a burden on the business owner to replace the sign.

Klinker requested it be clear that the signs that are non-conforming be fully amortized and removed. He does not want that prohibition to go away. Krause asked that the ordinance go back to the Planning Commission to reconsider adding an amortization period on non-conformance.

Klinker inquired if there were any other non-conforming signs other than the pole signs and Freshman said there may be a half dozen non-conforming signs other than pole signs. Forrest commented on banners being an example of non-conforming signs. There are businesses that are using banners as permanent signs and this ordinance would prohibit that. Forrest also commented on window signs and businesses that have almost 100 percent of their window space used up by a sign. The new ordinance limits to 30 percent of window space to be used. Forrest encouraged council members to read the ordinance because there are a lot of things to think about and to consider the impact of adopting this ordinance.

Grosser opened consideration of the special designated license for the Nebraska Methodist Hospital Foundation for a fundraiser at the Ralston Arena on October 25, 2018. Konwinski indicated this is a Monster Bash fundraiser for brain cancer that is sponsored by Nebraska Methodist Hospital Foundation. This is an annual event.

There being no further discussion, Krause moved and Fideline seconded to approve the special designated license for Nebraska Methodist Hospital Foundation for a fundraiser at the Ralston Arena on October 25, 2018. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

Konwinski introduced Resolution 2018-16. Russell read the title of Resolution 2018-16: a resolution authorizing exceeding the 2018-2019 restricted funds budget by an additional 1%. Bohling indicated the budget the council members have in front of them is the form that will be sent to the state. Bohling confirmed the budget complies with the 45 cent lid and the restricted funds.

Bohling and Klinker recommended the City Council approve the 1% additional increase as allowed by State Statute. Krause moved and Konwinski seconded to approve the following resolution:

RESOLUTION AUTHORIZING)
EXCEEDING THE 2018-2019) RESOLUTION 2018-16
RESTRICTED FUNDS BUDGET)
BY AN ADDITIONAL 1%)

WHEREAS, Nebraska Revised Statute 13-519.02 provides that a governmental unit may exceed its restricted funds limit for a fiscal year by up to an additional one percent (1%) upon the affirmative vote of at least seventy-five percent (75%) of the governing body.

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

1. An additional one percent (1%) increase in restricted funds for the 2018-2019 budget is approved.

Passed and approved this 18th day of September, 2018.

ATTEST:
/s/Rosemarie D. Russell
City Clerk

CITY OF RALSTON
/s/Donald A. Groesser
Mayor

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

Krause moved and Konwinski seconded to override Resolution #9018, a resolution setting policy that interest only from the Lottery Fund shall be allowed to be used in the future for budgeted expenditures. Groesser opened discussion for public comments at 5:58 PM. As there were no public comments, the public comment period was closed at 5:59 PM. Groesser called for the vote. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

Groesser opened the public hearing and first reading of Ordinance 1228 at 5:59 PM. Krause commented on the Finance Committee that was established this year. The Finance Committee met several times on the budget and held meetings with department heads. Krause had a meeting with employees at the Library on different issues. This budget has had more scrutiny and more thought and more process put into it by all of the council members than prior years' budgets. It is a budget that has been well-thought out and keeps the City in good stead. It does raise taxes, however, taxes have not been raised since 2015. The City has to be able to pay their employees and Krause commented on the 84th Street bridge million dollar project as well as the mill and overlay project. The only way to keep the City going is to bring in new business and keep providing services. From time to time, the property taxes will need to be raised. Groesser added that the 10 cent increase is for the bond fund not the general fund. The 10 cents will go to pay off the bond fund. There being no further discussion, Groesser closed the public hearing at 6:00 PM.

Krause introduced Ordinance No. 1228. Russell read Ordinance No. 1228 by title only: AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR THE CITY OF RALSTON TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR THE CITY OF RALSTON; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

Krause moved and Konwinski seconded to approve Ordinance 1228 on first reading. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fideline, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

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

Krause introduced Resolution 2018-17. Russell read the title of Resolution 2018-17: a resolution setting the property tax at a different amount than the previous year. Groesser opened the special public hearing at 6:04 PM. There being no discussion, Groesser closed the special public hearing at 6:05 PM.

Krause moved and Konwinski seconded to approve the following resolution. Alberhasky commented that he cannot vote to increase the taxes for the citizens of Ralston to prop up the arena.

**RESOLUTION SETTING THE)
PROPERTY TAX AT A) RESOLUTION 2018-17
DIFFERENT AMOUNT THAN)
THE PREVIOUS YEAR)**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization, unless the Governing Body of the City passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City that the property tax request for the current year be a different amount than the property tax request for the prior year,

NOW, THEREFORE, the City Council of the City of Ralston, Nebraska, by a majority vote, resolves that:

1. The property tax request for the fiscal year beginning October 1, 2018, be set at \$2,481,014.50 and that
2. The City Clerk certify and forward a copy of this resolution to the County Clerk prior to October 15, 2018.

Dated this 18th day of September, 2018.

ATTEST:
/s/Rosemarie D. Russell
City Clerk

CITY OF RALSTON
/s/Donald A. Groesser
Mayor

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

Konwinski introduced Ordinance No. 1229. Russell read Ordinance No. 1229 by title only: AN ORDINANCE CHANGING SEWER USE CHARGES BY AMENDMENT TO ORDINANCE NO. 439 AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND REPEALING ALL PRIOR ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH.

Groesser opened the public hearing and first reading of Ordinance 1229 at 6:05 PM. Krause indicated the City of Omaha is redoing their sewer lines in the downtown area and all customers of MUD have to help pay for the multi-million dollar project. Ralston's charges are being increased by 5½ percent, therefore, Ralston must increase their charges by 5½ percent to help pay for it.

Alberhasky inquired how much Ralston's Sewer Fund has come up in the past year. Bohling indicated it varies depending on the City of Omaha sewer billing. As of the end of August, there was \$886,000 in the Sewer Fund. However, the City of Omaha is three months behind in their billing. The bill ranges between \$45,000 to \$60,000 depending upon the usage throughout the City. When this year is closed out, the account will be higher than last year by \$150,000 to \$200,000. Alberhasky inquired if the City could use the funds for anything other than sewer. Bohling said in his discussion with the City's auditors, the Sewer Fund is designated to be used for sewer but it can be used for general purposes, if necessary. Bohling commented on the backhoe payments that will begin next fiscal year which will bring the amount back down. Groesser indicated the City has always tried to keep a reserve in the Sewer Fund for emergency purposes.

Alberhasky inquired if there is a possibility that this fund will be used at some point like the Lottery Fund. Bohling said he does not see it being used at this point in time but there is always a possibility depending upon the finances of the City.

Freddie Gregory, 8464 Monroe Street, commented that his water bill is \$7.00 but his sewer bill is \$28.00 and he doesn't understand why his sewer bill is so high. Krause commented on the sewer lines being the infrastructure and that everyone is billed for a certain portion of the infrastructure which is a service charge. Groesser commented on Omaha's \$2 billion sewer separation project and everyone having to pay for it.

Monte Frost, 5100 S. 82nd Street, questioned the need to purchase a backhoe and asked about renting one instead of buying it. He also commented on the street sweeper and it not being used.

There being no further discussion, Groesser closed the public hearing at 6:14 PM. Konwinski moved and Krause seconded to approve Ordinance 1229 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: Alberhasky. Absent: None. Motion carried.

There was no public comment.

Council comment: Krause appreciates all the hard work the council put into the budget procedure. Groesser thanked Chamber Director Roeder for the homecoming kickoff in downtown Ralston last evening.

There being no further business to come before the Council, the meeting was adjourned at 6:25 PM.

Next regular meeting Tuesday, October 2, 2018 at 5:30 PM.

Rosemarie D. Russell
City Clerk

Donald A. Groesser
Mayor

CLAIMS -9-18-2018 – 4 Seasons Awards, 60.00, Award; Accu Cut, 287.00, Supplies; Accurate Testing, 802.05, Backflow Testing; Agrivision Equipment Group, 1,360.88, Supplies; American Legion Post #373, 600.00, Rent; Ameripride Services, Inc., 96.53, Building Maint/Rugs; Appetize Technologies, 7,128.75, Agreement; APWA, 100.00, Schools/Conf; Avangate Inc., 319.93, Software; Badger Body, 128.91, Equipment; Blue Cross & Blue Shield of NE, 69,368.50, Health Ins; BMI Janitorial Group, 6,527.50, Janitorial; Carbonhouse, Inc., 500.00, Website Hosting; Carpenter Paper Co., 1,727.23, Supplies; Caselle, Inc., 1,151.00, Contract Support; CCL Supply, LLC, 146.40, Supplies; Center Point Large Print, 89.28, Books; Century Certified Services, 132.50, Pest Management/Control; City of Ralston Bond Fund, 218,320.00, Transfer; City of Ralston Lottery Jackpot Fund, 3,518.35, Transfer; CompChoice, 75.00, Svcs; Cox Business Services, 3,598.07, Cable/Internet; Cutchall Management, 3,675.86, Sales Commissions; Diamond Laundry Service, Inc., 49.90, Laundry; Diamond Vogel Paint, 267.55, Paint; Donut Express, 1,106.36, Sales Commissions; Eakes Office Solutions, 1,584.95, Supplies; Egan Supply Co., 56.28, Supplies; Enviro-Master Services, 30.00, Janitorial; Experian, 27.48, Svcs; Factory Motor Parts, Co., 318.45, Parts; Fish Window Cleaning, 399.00, Svcs; Fleek, Brianna, 100.00, Janitorial; Focus, 900.00, Advertising; Forklifts of Omaha, 544.47, Parts/Maint; Fraser Stryker, PC LLO, 622.50, Professional Svcs; Gale/Cengage Learning, 167.41, Books; Global Financial Group, 170.72, Armored Car Service; Grainger, 108.40, Equipment; Great Western Bank-Visa, 679.95, Supplies; Halo Branded Solutions, 594.13, Office Supplies; HDR Engineering, Inc., 1,235.52, Svcs; Helget Gas Products, 119.12, Supplies; Holiday Inn Express Ralston, 116.99, Hotel; Honeyman Rent-All#1, 248.00, Equipment Rental; Hy Vee Accounts Receivable, 106.13, Supplies; IHeart Media, 2,142.00, Concert; Ingram Library Services Inc., 2,951.00, Books; Integrated Solutions, Inc., 2,437.33, Computer Support; Klinker, Mark, 3,818.00, Legal Svcs; LaRue Coffee, 237.08, Coffee; LaVista, City of, 608.56, Special Services Bus; Loveless Machine & Grinding, 125.00, Svcs; M & M Staffing, 594.00, Contract Labor; MAPA, 11.63, Lunch; Maria's Enterprises, 13,380.90, Sales Commissions; Menards-Ralston, 337.61, Supplies; Metro, 1,589.59, Service Contract; Mid-American Benefits, Inc., 129.50, Svcs; Midwest Sound & Lighting, Inc., 698.00, Svcs; Minitex, 115.00, Supplies; Napa Auto Parts, 2,249.40,

Parts; Nebraska Iowa Supply Co., Inc., 1,743.17, Fuel/Parts; Nebraska-Iowa Ind Fasteners, 191.00, Parts; OCLC, Inc., 352.01, Svcs; Omaha Compound Company, 522.04, Supplies; Omaha Dispatch, 400.00, Advertising; Omaha Douglas Publ Bldg Comm, 22.75, Parking; Omaha World Herald, 515.78, Legals; O'Malley, Margaret, 385.00, Janitorial; Omni Engineering, 532.17, Supplies; One Call Concepts, Inc., 75.81, Svcs; Oriental Trading Co., Inc., 244.71, Supplies; Papillion Sanitation, 240.34, Svcs; Pitney Bowes-PA, 231.96, Rental; Port-A-Johns, Inc., 140.00, Portable Restroom Rental; POSGuys.com, 572.00 Printer/Scanner; R Mechanical LLC, 4,016.00 AC Repair; Ralston Advertising, 405.23, Svcs; Ralston Area Chamber of Commerce, 75.00, Luncheon; Ralston Fire Dept, Inc., 5,766.00, Contract; Rapid Graphics and Signs, 727.56, Supplies; Recorded Books, Inc., 35.88, Books; Ridder, Justine, 146.72, Mileage Reimbursement; Schemmer Associates, 1,811.23, Professional Svcs; SecurityMetrics, 112.50, Svcs; Service Master Com'l Bldg, 240.50, Janitorial; Spin Linen Management, 334.37, Linens; Staples Advantage, 117.46, Supplies; Supplyworks, 766.86, Building Supplies; The Daily Record, 99.00, Subscription; Trans Union Risk & Alternative, 25.00, Svcs; Trede Electric & Lighting, Inc., 5,511.59, Labor/Materials; Unique Books Inc., 8.95, Supplies; United Rent-All, 984.48, Rental; Verizon Wireless, 2,293.89, Phones; Waldinger Corporation, 3,618.00, Maintenance Contract; Water Engineering, Inc., 175.00, Monthly Service Agreement; West Omaha Winsupply, 34.07, Supplies.