

Tuesday, September 6, 2016

Condensed

The Ralston City Council met in a regular session on Tuesday, September 6, 2016 at 5:30 PM at Ralston City Hall. Roll was called with the following present: Fideline, Alberhasky, Krause, Sanchez, Preis and Mayor Groesser. Absent: Konwinski. The agenda was available at City Hall for public inspection and posted prior to the meeting. The legal notice for the meeting was published in the Ralston Recorder. Claims listed are approved and part of these minutes.

Deacon Lonnie Dinneen, St. Gerald Catholic Church gave the Invocation.

Mayor Groesser said the meeting is subject to the Nebraska Open Meeting Act and a copy of the Act is posted at the rear of Chamber. Groesser welcomed guests and press.

Motion to approve the Consent Agenda, plus the addition, minus the Maria's claim, by Fideline, seconded by Alberhasky. All vote yes, motion carries. Motion to approve the Maria's claim by Krause, seconded by Alberhasky. Sanchez abstains, rest of the Council votes yes, motion carries.

Freshman spoke to the sewer flow project. Costanzo reported on the lottery proceeds. Murtaugh spoke to the Ralston Wine Walk and the Interlocal Animal Control Agreement with Humane Society. Benis spoke to recent and upcoming Arena events. Yochum said there is an Estate Planning seminar on Thursday, September 8<sup>th</sup> and spoke to potential new businesses. Groesser asked Council for development ideas. Groesser welcomed Amy Roeder as new President of Chamber of Commerce.

1<sup>st</sup> Reading and Public Hearing for Ordinance #1207-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 & LIABILITIES; PROVIDE FOR AN EFFECTIVE DATE (16/17) (CONSIDERATION OF OVERRIDE OF RESOLUTION #9018) was introduced by Krause. Groesser opened the Public Hearing on Ordinance #1207. Chris Lindner with BKD confirmed that Ralston is in compliance with both the restricted funds lid law and the levy limit and recommended that Council approve the additional 1% increase. Klinker said that Lindner's statement was correct and complete. Groesser closed the public hearing and called for a motion to approve the 1%. Motion to approve the 1% by Krause, seconded by Fideline. Groesser opened the Public Hearing on the 1%. Groesser closed the Public Hearing. All vote yes, motion carries on the 1%. Groesser called for a motion to override Resolution No. 9018. Motion to override Resolution No. 9018 by Krause, seconded by Preis. Krause spoke to Resolution No. 9018 regarding the use of the interest on lottery funds. Groesser opened the Public Hearing. Groesser closed the Public Hearing and called for a vote. All vote yes, motion carries. Motion to approve Ordinance 1207 by Krause, seconded by Preis. Groesser opened the Public Hearing. Groesser closed the Public Hearing and called for a vote. All vote yes, motion carries. Motion to waive second and third readings of Ordinance 1207 by Krause, seconded by Preis. All vote yes, motion carries. Groesser adjourned the meeting at 5:46 PM

Groesser opened the meeting at 5:46 PM regarding adoption of Resolution 2016-3: A RESOLUTION SETTING THE PROPERTY TAX AT A DIFFERENT AMOUNT THAN THE PREVIOUS YEAR. Resolution 2016-3 introduced by Krause. Groesser opened Public Hearing. Groesser closed Public Hearing. Motion to approve by Krause, seconded by Fideline. All vote yes, motion carries to approve Resolution 2016-3.

Third Reading and Public hearing for Ordinance 1206: 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. Krause introduced Ordinance 1206. Groesser opened Public Hearing. Groesser spoke to the increase due to the Omaha separation project. Groesser closed Public Hearing. Motion to approve Ordinance 1206 by Krause, seconded by Alberhasky. All vote yes, motion carries. Groesser thanked Rich Onken for his assistance.

Consideration of SDL for Ralston Area Chamber of Commerce for Ral-Stein Festival of Beer on October 6, 2016. Murtaugh spoke to the event with no objection. Motion to approve by Alberhasky, seconded by Fideline. All vote yes, motion carries.

Consideration of SDL for Bushwacker's Saloon for September 24, October 20, and October 29, 2016. Murtaugh spoke to purposes behind the SDLs with no objection. Motion to approve by Alberhasky, seconded by Fideline. All vote yes, motion carries.

Public Hearing for Consideration of UNDERGROUND DATA LINE LICENSE TO UNITE PRIVATE NETWORKS LLC No. 3. Groesser opened Public Hearing. Jeremy Beck, construction manager for Unite Private Networks, LLC spoke to the plans to connect to the existing Verizon cell tower west of 78<sup>th</sup> and Drexel. Beck said this would improve service and runs underground. Alberhasky spoke to the procedure and safety precautions. Groesser closed Public Hearing. Motion to approve by Sanchez, seconded by Fideline. All vote yes, motion carries.

Public Hearing for Consideration of Special Use Permit for Orhan Seran, Seranco Enterprises, LLC and Order to Show Cause issued by the City of Ralston to Rally Motorsports, LLC for 7605 Main St, Ralston, NE. Klinker verified that the documents, pictures, minutes and other information included in the Council packet are part of the City's records. Klinker verified that Murtaugh reviewed the items in the Council packet and determined that there was a violation of the Special Use Permit. Klinker asked that these documents be entered into the record and the original documents are available in the City's records. Groesser opened Public Hearing. David Levy, Baird Holm Law, 1700 Farnam St., Omaha NE, representing Orhan Seran, owner of 7605 Main St, Ralston, NE, spoke to the Order to Show Cause and revocation of Seran's Special Use Permit. Levy said Rally Motorsports is no longer leasing the property and the violations have been abated. Levy requested the Council dismiss the Order to Show Cause and allow Seran to continue with his Special Use Permit. Alberhasky referred to the Special Use Permit having a lifespan of 2 years. Klinker said the owner has a 2 year window to exercise the permit and the permit has been exercised. Klinker spoke to the current Special Use Permit in place was issued to Edward Alexander and the Permit continues to exist on the property under the conditions granted to Alexander to sell new and late-model cars, not body work and would expire after two years if not exercised by the next occupant. Levy verified that the owner is not asking for any changes to the existing Special Use Permit and only requests dismissal of the Order to Show Cause. Orhan Seran, 7805 Leavenworth, Omaha NE, owner, said he also wants clean, decent, presentable cars on the premises and would like to be able to include classic cars in good condition. Klinker verified that the Special Use Permit is in place subject to the conditions. Alberhasky said that Seran had been aware of the situation with Rally Motorsports prior to the Order to Show Cause being issued. Klinker spoke to future tenants following the conditions of the existing Special Use Permit. Groesser closed Public Hearing. Motion to cancel the Order to Show Cause by Krause, seconded by Alberhasky. All vote yes, motion carries.

Consideration of Lottery Transfer to LB779 Fund. Krause said this was included as part of the budget. Motion to transfer lottery monies to LB779 Fund by Krause, seconded by Fideline. All vote yes, motion carries.

Public Comments: Scott Nigro, 7529 Oakwood St, Ralston, NE, requests that the Council amend Ordinance No. 855 in regards to food trucks in the Ralston area. Nigro spoke to a Ralston Rodeo of Food Trucks at Hillcrest Landing and has gotten permission. Krause said that would need to be an Agenda item for another Council meeting. Klinker spoke to City Code 10-203 regarding Itinerant vendors. Murtaugh spoke to permit application, restaurant standards, and background checks and offered to open the discussion with the parties involved. Groesser spoke to the taxation and referred to Klinker to research.

Council Comments: Krause spoke to the American Spirit Summit at the Arena attended by over 3600 area students with speakers discussing topics affecting today's youth that was a great community service event.

There being nothing further of a general nature to come before the Council, the Meeting was adjourned at 6:30 PM

Next Regular Meeting Tuesday, September 20, 2016

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Dolores L. Costanzo  
City Clerk/Treasurer

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Donald A Groesser  
Mayor

Claims paid: AA Wheel and Truck-Supplies-\$154.73; AAA Rents-Rental-\$758.35; ABM-Janitorial-\$6,508.68; AFLAC-Insurance-\$1,414.96; American Classifieds-Ads-\$600.00; Ameripride-Rugs-\$80.01; Applied Concepts-Parts-\$195.90; Asphalt & Concrete-Mix-\$850.17; Becker-Supplies-\$1,180.00; BHE-Utilities-\$389.99; BCBS-Insurance-\$53,114.03; R Brouillette-Photography-\$750.00; Capital One-Supplies-\$423.00; Carbonhouse-Website-\$500.00; Carpenter Paper-Supplies-2,051.72; Center Point-Books-\$86.88; Century Certified-Pest Control-\$125.50; Century Link-Service-\$223.40; Command Center-Labor-\$366.95; D Costanzo-Reimburse-\$24.10; Cox-Service-\$360.47; Dearborn-Insurance-\$141.04; Design8-Graphics-\$231.00; Diamond Laundry-Maintenance-\$49.90; Dostals-Repair-\$600.00; Eakes-Supplies-\$311.76; Engineered Controls-Repair-\$162.00; Enviromaster-Janitorial-\$30.00; First Wireless-Rental-\$262.50; B Fleek-Janitorial-\$150.00; Forklifts Omaha-Contract-\$1,413.68; Fraser Stryker-Service-\$1,335.60; FOP-Dues-\$650.00; Gale-Books-\$366.83; J Goeden-Reimburse-\$50.76; Grainger-Maintenance-\$232.50; Great Western-Pension-\$23,999.68; Great Western Visa-Supplies-\$6,048.17; D Groesser-Reimburse-\$69.16; Harwood-Maintenance-\$2,315.00; Helget-Tank Fill-\$109.83; M Herrick-Reimburse-\$96.29; Hometown-Lease-\$142.40; Humana-Insurance-\$2,387.48; HyVee-Supplies-\$78.72; I Heart Media-Advertising-\$883.15; Infinet-Support-\$156.25; ING-Insurance-\$675.00; Integrated-Equipment-\$2,178.00; Interstate-Batteries-\$156.60; JP Cooke-Stamper-\$32.85; JQ-Copier-\$210.34; KETV-Advertising-\$500.00; M Klinker-Services-\$1,000.00; LaRue Coffee-Supplies-\$74.52; J Mahoney-Reimburse-\$99.93; Maria's-Commissions-\$3,024.03; Martin Asphalt-Supplies-\$105.00; McGill Restoration-Inspection-\$1,000.00; Medical Enterprises-Testing-\$70.00; Menards-Supplies-

\$142.79; Metro-Contract-\$507.00; M Todd Company-Supplies-\$102.84; Micro-Books-\$52.60; Miracle Recreation-Equipment-\$387.48; MUD-Utilities-\$6,530.61; Muzzy-Ice-\$432.00; NE Air-Filters-\$102.24; NE DOR-Waste-\$25.00; NE IA Supply-Fuel-\$1,844.58; NMC Exchange-Rental-\$445.97; NRG-Advertising-\$855.00; Omaha Compound-Maintenance-\$986.90; OPPD-Utilities-\$46,123.96; City of Omaha-Sewer-\$66,678.90; M OMalley-Janitorial-\$660.00; Papillion Sanitation-Collection-\$26,458.16; T Parrott-Workshop-\$300.00; D Costanzo-Supplies-\$97.09; Prairie Life-Fitness-\$345.56; Purchase Power-Service-\$120.56; QP-Supplies-\$144.12; Quill-Supplies-\$891.93; RACC-Luncheon-\$90.00; RASS-Security-\$3,315.50; RPD-Fuel-\$20.00; City of Ralston-Projector-\$1,500.00; Recorded Books-EBooks-\$250.12; Repco-Simulator-\$26.00; S & S-Pump-\$275.00; Sarpy Co-Animal Control-\$1,678.65; ServiceMaster-Carpet Cleaning-\$770.00; Site One-Landscape-\$442.28; Solution One NE-Copier-\$245.21; Solution One TX-Copier-\$578.19; Spin-Linen-\$305.46; Stage Pay-Labor-\$1,715.87; Staples-Supplies-\$19.99; Taser Int'l-Equipment-\$2,975.00; Hartford-Insurance-\$2,061.63; Radar Shop-Equipment-\$130.00; Theatrical Media-Equipment-\$140.00; Trane-Service-\$3,505.92; US Foods-Supplies-\$293.06; United-Rental-\$292.86; Wall Street Journal-Subscription-\$420.00; Walmart-Supplies-\$306.11; Watch Guard-Cameras-\$5,220.00; J Yochum-Reimburse-\$192.23.