

Ralston City Council Regular Meeting
Tuesday, November 6, 2018

The Ralston City Council met in regular session on Tuesday, November 6, 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.

Mayor Groesser 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.

It was requested to move item number 1 under action items to be considered before the discussion items.

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

1. Minutes from the October 16, 2018 regular city council meeting ;
2. Claims; and
3. Department Head and/or Commission Reports.

Kraus moved and Konwinski 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, Fidelity, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

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

Benis reported on arena events. The fall craft fair last weekend brought in 17,000 to 18,000 people. Events this week include a Chamber Christmas dinner, a Lancers game, a 70's throw-back concert, a Sunday afternoon Lancers game. Groesser indicated the Lancers are working with the school district to offer every student in Ralston a free pass to the Lancers game on November 24th.

Tyler Richards presented a service project report on his Eagle Scout project of a First Responders Tribute statue in Koch Park. The project consists of three statues - a paramedic, firefighter, and policeman - a flagpole, three benches and 11 signs. There is also a hero's path made up of bricks that were purchased by people of the community. Richards spoke about what went well with the project and what was challenging.

Richards described the fundraising efforts for the project. He collected \$17,821.80 and spent \$15,077.91. The leftover proceeds will be given to the First Responders Foundation to create a fund for maintenance of the project site and the First Responders Foundation scholarship fund.

Krause moved and Konwinski seconded to accept the First Responders Tribute statue in Koch Park. 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 discussion on the fireworks hours of sale and discharge. Fideline has received a number of comments both for and against changing the hours of sale and discharge. He would like to match the City of Omaha's hours of igniting but not change the hours of sale. Discussion was held on the sales and discharge dates and times of other cities surrounding Ralston. Fideline would like to see an ordinance put together and doesn't believe it will hurt the organizations that receive money from the sales because people are still going to buy fireworks.

Groesser said the Police Department had indicated that there weren't many calls. Preis said the list of complaints from the Fire Department and the Police Department didn't look like anything would justify the changes and possibly half of the complaints the Police Department went on were outside the days for discharge. He expressed concern about the financial damage to the non-profit agencies who rely on the income from the fireworks sales. Changing the times would probably put more problems on the Police Department for complaints because of the change in time frame. Preis doesn't think the number of complaints justifies changing the dates.

Sanchez agreed with Preis. Other than Omaha changing their ordinance, there is not a tangible need for Ralston to change the hours of sale and discharge.

Amy Roeder, Chamber President, has spoken with Mr. Bellino on how the change would impact the finances. Mr. Bellino indicated that while it is hard to know for sure, there would be around a 30 percent difference. Roeder said the 30 percent difference for the Chamber would have to be passed down to their non-profits as well.

Fideline said he is representing the people of the City and it is his duty to bring it up. Whatever Council decides on is what he will go along with.

Konwinski agreed with Preis and indicated she has not had any complaints. There being no further discussion, Fideline withdrew his request for an ordinance to be drafted.

Groesser opened discussion on the request for qualifications for engineering services. Konwinski inquired of the reason for the RFQs. Krause said the purpose for requesting RFQs is to see that the City is getting the services they are paying for. Forrest commented on the discussion of putting together an ad hoc committee to review the proposals and putting together a recommendation.

Alberhasky said he doesn't have a problem with requesting proposals. Konwinski inquired if both the City has utilized both respondents. Forrest commented that Schemmer has been the designated City Engineer for certain classes of work.

Krause indicated that the Mayor and City staff can review the RFQ's and report back to the City Council with a recommendation.

Groesser opened the public hearing on the manager application for Paul D. Linnell for American Legion Post 373 at 5:54 PM. Mr. Linnell was not in attendance, therefore, Rich Shively spoke on behalf of Linnell.. Shively has been a member of the American Legion in Ralston since 1992 and Linnell has been there since he has been there. Linnell serves as the American Legion's treasurer and is a fine guy. Leonardo indicated a background check has been done and there are no issues.

There being no further comments, Groesser closed the public hearing at 5:56 PM. Krause moved and Alberhasky seconded to approve the manager application for Paul D. Linnell for American Legion Post 373. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Abstaining: Fidelity. Absent: None. Motion carried.

Groesser opened the public hearing and first reading of Ordinance No. 1230 at 5:56 PM. Alberhasky introduced Ordinance No. 1230. Russell read Ordinance No. 1230 by title only: AN ORDINANCE AMENDING SECTION 117 OF CHAPTER 10 OF THE RALSTON MUNICIPAL CODE DEALING WITH ALCOHOLIC BEVERAGES; HOURS OF SALE; TO REPEAL PROVISIONS IN CONFLICT THEREWITH AND TO PROVIDE AN EFFECTIVE DATE.

Klinker commented on paragraph 2.a. of the ordinance included in council packets, which provided for off-premises sales between the hours of 2:00 a.m. and 6:00 a.m. Leonardo had requested not to change the times to 2:00 a.m. and the ordinance the council members will be voting on indicates the sale or distribution for consumption off the premises on any day between the hours of 1:00 a.m. and 6:00 a.m.

Chris Wagner, Executive Director of Project Extra Mile, spoke in opposition of Ordinance No. 1230. Project Extra Mile is a network of community partnerships across the state working to prevent excessive alcohol consumption, including underage drinking. He urged the City Council to vote against Ordinance No. 1230 based on scientific evidence demonstrating that increasing the availability by expanding hours and days of sale increases excessive alcohol consumption and its harms. Wagner distributed copies of studies on evidence-based strategies to prevent excessive alcohol consumption and related harms, 2010 national and state costs of excessive alcohol consumption, and effectiveness of policies restricting hours of alcohol sales in preventing excessive alcohol consumption and related harms.

The World Health Organization has identified the most cost-effective and efficient ways for local governments to prevent and reduce alcohol-related harms in their communities. These “Three Best Buys” focus on reducing the availability, the affordability and the advertising of alcohol.

The City Council has an opportunity to address the availability of alcohol within Ralston’s borders. Should the council decide to extend the hours of sale on Sunday mornings, the scientific evidence shows that the council will be voting to increase availability leading to increased excessive drinking and related harms.

Some of those harms include unintentional injuries (car crashes, falls, burns, etc.), intentional injuries (assaults, sexual violence, firearm injuries, etc.), sexually transmitted diseases, unintended pregnancy, alcohol poisoning, seven types of cancer, health problems (high blood pressure, stroke, and cardiovascular diseases), brain development and academic consequences for underage youth, and economic costs.

There are a lot of economic costs when it comes to alcohol. Wagner informed the council members that should they hold the line in not passing the ordinance, they are well supported in their decision by the scientific evidence.

Krause inquired if there have been studies as to what happens between the hours that the City Council is considering. Wagner commented that the studies he distributed do detail what variables were used. The recommendation is to maintain the limits. Extending hours is what resulted in the harms listed previously. It is important to draw the distinction that alcohol is not an ordinary commodity. There is an economic development argument that can be made. However, the research shows that if the hours of sale are increased, excessive consumption will be increased.

Leonardo commented on the initial ordinance change of off premise sales until 2:00 a.m. He did not agree with that change and that is why the off premise sales will remain as (until) 1:00 a.m. The 2:00 a.m. time would cause an issue as Ralston would be the only city to be open for off premise sale until 2:00 in the morning.

As far as the 6:00 a.m. change from 12:00 noon on Sundays, Leonardo does not see it being an issue as far as the Police Department is concerned. He commented on the limited number of businesses that will be open for business between 6:00 a.m. to 12:00 noon on Sundays.

Forrest inquired what time the business owners that are proposing the change would actually start selling alcohol on Sunday morning. Keith Lewis, Ralston Keno, said 8:30 a.m. and Dwight Anderson, Scorz, said 11:00 a.m. Lewis commented on the Village Bar opening at noon but his issue was when there was a special event starting earlier on Sundays and he couldn’t serve alcohol until noon.

There being no further discussion, Groesser closed the public hearing at 6:09 PM. Preis moved and Konwinski seconded to approve Ordinance 1230 on first reading. Preis

indicated that he has no issues with this change. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Sanchez and Preis. Nay: Krause. Abstaining: Alberhasky. Absent: None. Motion carried.

Groesser indicated that it has been requested to waive second and third readings; however, there will not be a super majority of votes received to waive the readings.

Groesser opened consideration on the Special Designated License for the Omaha Sports Commission for the Curling World Cup event at the Ralston Arena on December 5 to 9, 2018.

Krause moved and Konwinski seconded to approve the Special Designated License for the Omaha Sports Commission for the Curling World Cup event at the Ralston Arena on December 5 to 9, 2018. Preis indicated that one of the dates on the SDL is a Sunday with a start time of 6:00 a.m. Benis said that time would be adjusted. Premier Beverage will be donating kegs of beer for the coaches' room for the Curling World Cup event.

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

Konwinski introduced Resolution 2018-19. Russell read Resolution 2018-19 by title only: A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS AND PROVIDING FOR A METHOD OF SALE.

Freshman indicated Notre Dame Housing has reached out to purchase the 2000 Ford Econoline van. The vehicle more than meets the life expectancy/use and the money comes directly back to Ralston. It is an unbudgeted revenue.

Konwinski moved and Krause seconded to approve the following resolution.

RESOLUTION DECLARING)
CERTAIN PROPERTY SURPLUS)
AND PROVIDING) RESOLUTION 2018-19
FOR A METHOD OF SALE)

WHEREAS following item of personal property owned by the City of Ralston is no longer necessary for the operation of the affairs of the City and is surplus, to wit:

One - 2000 Ford Econoline Wagon E350, Special Services Bus

NOW THEREFORE BE IT RESOLVED by the Ralston City Council and the Mayor of Ralston, Nebraska, that the said property is hereby declared to be surplus property and should be sold at public sale or private sale, upon such terms and conditions as may be deemed to be in the best interests of the City in the judgment of the City Administrator.

PASSED AND APPROVED this 6th day of November, 2018.

CITY OF RALSTON, NEBRASKA

BY:/s/Donald A. Groesser, Mayor

Attest:

/s/Rosemarie Russell, City Clerk

Approved as to form:

/s/Mark A. Klinker, City Attorney

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

Groesser opened consideration of the addendum to the Fire Protection Agreement dated December 19, 2017.

Krause moved and Konwinski seconded to approve the addendum to the Fire Protection Agreement dated December 19, 2017. Krause indicated the amount on the addendum is what was budgeted for the Fire Department.

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

Groesser opened consideration of the engagement letter from BKD, CPA's for the Keno audit for fiscal year 2017-2018.

Krause moved and Preis seconded to approve the engagement letter from BKD, CPA's for the Keno audit for fiscal year 2017-2018. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

Groesser opened consideration of the engagement letter from BKD, CPA's for the City audit for fiscal year 2017-2018.

Krause moved and Preis seconded to approve the engagement letter from BKD, CPA's for the City audit for fiscal year 2017-2018. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Konwinski, Fidelity, Alberhasky, Krause, Sanchez, and Preis. Nay: None. Absent: None. Motion carried.

Public comment: Amy Roeder, Chamber Director, thanked the council members for reconsidering the fireworks ordinance. She reminded council members of the Chamber annual banquet on Thursday, November 8, 2018. They will award seven and a half scholarships totaling \$7,500.

Council comment: Alberhasky reminded everyone to get out and vote. Groesser indicated the Methodist Church is serving soup and chili and pie.

There being no further business to come before the Council, the meeting was adjourned at 6:17 PM.

Next regular meeting Tuesday, November 20, 2018 at 5:30 PM.

Rosemarie D. Russell
City Clerk

Donald A. Groesser
Mayor

CLAIMS -11-06-2018 – AAA Rents, 1,150.00, Rental; AB Refrigeration, 555.74, Labor & Materials; Adolfo Ramirez, 6,300.00, Sidewalk Repair; AFLAC, 1,856.34, Insurance; Alpha Media, 1,275.00, Bill Engvall; Amazing Arthur Entertainment, 750.00, Holiday Magic Event; American Lift & Sign Service, 765.00, Service & Materials; American United Life Insurance Company, 840.77, Life Insurance; Ameripride Services, Inc., 96.53, Building Maint/Supplies; Asphalt & Concrete Materials, 419.99, Material; Benefit Plans, Inc., 337.50, Fees; Bil-Den Glass, 245.00, Repair; Black Hills Energy, 1,894.00, Utilities; Blue Cross & Blue Shield of NE, 66,734.48, Health Ins; BMI Janitorial Group, 15,372.50, Janitorial; Board of Examiners, 60.00, Licenses; Boone Brothers Roofing, 400.00, Roof Inspection; Carlos Vidales, 298.00, Refund; Carpenter Paper Co., 1,844.09, Supplies; Center Point Large Print, 89.28, Books; Century Certified Service, 125.50, Pest Management/Control; City of Omaha Cashier, 59,286.19, Sewer Billing; City of Ralston-General Fund, 35,109.84 Reimbursement; Command Center, 1,565.50, Contract Labor; Cornhusker Beef Inc., 4,503.00, Games Pymt; Cornhusker State Industries, 355.00, Rental; Cox Business Services, 857.60, Cable/Internet; Creative Press & Design, 308.00, Business Cards; Cutchall Management, 2,877.14, Sales Commissions; Demco, 288.87, Supplies; Diamond Laundry Service, Inc., 74.85, Laundry Service; Donut Express, 1,023.58, Sales Commissions; Eakes Office Solutions, 387.31, Supplies; Egan Supply Co., 43.54, Supplies; Enviro-Master Services, 67.00, Janitorial; Fireguard, Inc., 332.00, Inspection; First State Bank, 3,478.85, Note; First Wireless, Inc., 9,638.47, Equipment/Repair; Fleek, Brianna, 150.00, Janitorial; Fraser Stryker, PC LLO, 3,004.97, Professional Svcs; Fraternal Order of Police, 810.00, Dues; Gale/Cengage Learning, 148.16, Books; Galls, LLC, 28.95, Uniforms; Global Equipment Company, 3,208.66, Tables; Grainger, 92.48, Supplies; Great Western – Pension, 37,249.76, Pension; Great Western Bank-Visa, 10,035.07, Misc/Supplies; Groesser, Donald, 54.50, Reimbursement-Mileage; Halbur, Bailey, 594.82, Reimbursement; Harm’s Concrete Inc., 426.13, Concrete; Helget Gas Products, 147.43, Gas; Hometown Leasing, 133.47, Leasing; Humana Insurance Co., 2,393.23, Insurance; Hy Vee Accounts Receivable, 70.17, Supplies; Integrated Solutions, Inc., 11,500.00, Network Support; Kapco – Kent Adhesive Products, 63.71, Supplies; Karla Perez Carpena, 98.00, Refund; Klinker, Mark, 1,000.00, Retainer; Kriha Fluid Power, 78.99, Supplies; LaRue Coffee, 141.57, Coffee; La Vista, City of, 703.98, Special Services Bus; Leonardo, Marc, 17.00, Reimbursement; Main Street Café, 570.84, Sales Commissions; Maria Alfaro, 100.00, Refund; Maria Morales, 138.00, Refund; Maria’s Enterprises, 14,336.65, Sales Commissions; Mateo Juan Lucas

Tercero, 258.00, Refund; Menards-Ralston, 321.96, Supplies; Michael Todd & Co, Inc., 562.99, Supplies; Midwest Sound & Lighting, Inc., 1,159.00, Equipment Rental; Mikeishla, Ayala, 298.00, Refund; Mud-Utilities, 4,969.41, Utilities; Murphy Tractor & Equipment Co., 61.58, Equipment; Nebraska Iowa Supply Co, 2,334.12, Fuel; Nebraska Municipal Clerk Assn, 45.00, Dues; Nebraska-Iowa Ind. Fasteners, 49.38, Supplies; NRG Media LLC, 300.00, Settlement; Omaha Compound Company, 542.03, Supplies; Omaha Public Power District, 42,344.95, Utilities; Omaha Steaks, 1,500.00 Suite Security Deposit; O'Malley, Margaret, 836.00, Janitorial; Omni Engineering, 136.94, Materials; OS Sales Co., Inc., 1,822.90, Food; Papillion Sanitation, 27,018.88, Trash Collection; Pepsi-Cola, 7,023.03, Soda; Petty Cash, 35,000.00, Change Order; Police Officers' Assn of NE, 225.00, Police Dept; Prairie Life Fitness, 86.67, Fitness Reimbursement; Protective Security Advisors, 8,477.24, Security; Public Agency Training Council, 625.00, Conference; Quill Corporation, 207.14, Supplies; R Mechanical, LLC, 372.00, Services; Ralston Area Chamber of Commerce, 75.00, Luncheon; Ralston Arena Operating Acct, 34,391.07, Sales Tax/Settlement; Ralston Automotive, 249.12, Supplies; Ralston Fire Dept, Inc., 2,990.00, EMS Provider; Ralston Public Schools, 3,275.00, Fees; Ralston Volunteer Fire Dept., 16,250.00, Fire Protection Agreement; Recorded Books, Inc., 940.86, Books; RediTech, 2,147.29, Computer Support; Reinhart Foodservice, LLC, 3,489.62, Food; Ridder, Justine, 92.65, Reimbursement; Rodrigo Martinez, 1,440.00, Refund; Rotella's Italian Bakery, Inc., 142.08, Bread; Sarpy County, 1,802.70, Animal Control; Sarpy County Chamber of Commerce, 455.00, Services; Shell, 26.67, Fuel; Sherwin Williams Co., 324.45, Paint; Slingshot Promotions, LLC, 4,541.87, Promotions; Sno Floss, 874.21, Sales Commissions; Solution One-TX, 513.14, Copier; Spin Linen Management, 784.26, Linens; Stage Pay Services, Inc., 1,672.97, Contract Labor; Staples Advantage, 61.38, Supplies; Stephanie Cotto-Mendoza, 98.00, Refund; TNT Cleaning, 500.00, Janitorial; Ticket Envelope Co., LLC, 741.00, Supplies; Tractor Supply Credit Plan, 99.99, Supplies; Trans Union Risk & Alternative, 25.00, Services; Travelers, 47,544.50, Insurance; U.S. Foods, Inc., 6,059.22, Food; United Rent-All, 990.90, Services; Valla, Kari, 274.62, Reimbursement; Verizon Wireless, 970.87, Cell Phones; Voya Institutional Trust Company, 6,050.00, Pension; West Omaha Winsupply, 442.68, Supplies; Westlake Ace Hardware, 807.81, Supplies; Yesenia Rivera Alvarado, 98.00, Refund.