

Ralston City Council Regular Meeting  
Wednesday, April 18, 2018

The Ralston City Council met in regular session on Wednesday, April 18, 2018 at 5:30 PM at Ralston City Hall. The Pledge of Allegiance was recited. Roll was called with the following present: Acting Council President Konwinski and Council members Fidelity, Alberhasky, Sanchez, and Preis. Council member Krause 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 Lynette Janssen, Ralston United Church of Christ, gave the invocation. Acting Council President Konwinski welcomed the press and guests. Konwinski 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 April 3, 2018 regular city council meeting and April 11, 2018 combined meeting with Community Redevelopment Authority;
2. Claims;
3. Monthly Financial Report; and
4. Department Head and/or Commission Reports.

Motion to approve Consent Agenda minus Maria's claim by Fidelity, seconded by Alberhasky. All voted yes, Krause absent. Motion carried. Motion to approve Maria's claim by Fidelity, seconded by Alberhasky. All voted yes, Sanchez abstained, Krause absent. Motion carried.

Freshman reported the City of La Vista intends to reopen conversation with the State of Nebraska with regards to the relinquishment of the 84<sup>th</sup> Street highway. Some time ago, the State of Nebraska wanted to relinquish rights to the highway, yet the State would still keep authority. Freshman indicated it is a conversation that needs to take place and City decisions need to be made. It is four lane miles of road that would go onto the City's lane miles but the money received for that would not pay for the maintenance.

Klinker reported on a lawsuit pertaining to one of the acts that performed in the arena. He is trying to get it resolved and indicated the City does not have any liability on it.

Canfield reported the Library Board has established a search committee for her replacement since she will be retiring soon. Canfield also informed Council members and the public that the Library is part of a statewide system that can get any book through an interlibrary loan.

Benis reported on events at the arena including an Omaha Beef game on Friday, Lancers games on Saturday and Sunday and Omaha Roller Girls and Golden Gloves on Saturday as well.

Konwinski opened discussion on the Ralston Arena evaluation proposals. Sanchez indicated the committee is continuing the process of narrowing the scope of work and associated with that would be the cost the consultant would offer for the scope of work. It is planned to have an in-depth discussion at a meeting in May and potentially vote in May as well.

Konwinski opened discussion on the employment and labor law services proposals. Klinker, Groesser and Alberhasky met to review the proposals and got the number down to four. Groesser sent out an email indicating that he would just as soon stick with Fraser Stryker. Klinker said the City currently has a letter of engagement with Fraser Stryker and it would take council action to choose another firm. Alberhasky would rather have further discussion on the firms once Groesser returns. Fideline would like that as well.

Konwinski opened discussion on the Social Media Policy. The Library and Police Department already have policies on this subject and this Social Media Policy is not intended to replace those policies. Konwinski said the Social Media Policy is pretty much what everyone who works anywhere should know and is pretty straightforward. This can be put on the agenda for adoption at the next meeting.

Konwinski opened discussion on the concrete proposal for Ralston Arena. Matt Sutton, Schemmer Associates, commented on the proposal submitted to perform a study on the problem of deteriorated concrete sidewalks and parking areas at the arena. Konwinski inquired if the deterioration is because of the old pond and springs that were in that area and Sutton indicated it could be due to the subgrade in that area. Fideline inquired if they would know the quality of the concrete and Sutton said they will not be testing the quality of the concrete. They will be testing the soil of the subgrade and will review the documents and testing reports from the construction. It is very unusual to see concrete in that shape in five years.

Alberhasky inquired about the cost of replacement concrete and Sutton said that based on their walk through, there will be significant areas that will need to be upgraded and replaced. Forrest said it is hoped that Schemmer will do the analysis and come up with a plan and cost estimates and phasing of the upgrade of the concrete. Sanchez inquired if the City had any geotechnical analysis of the soil before the concrete was poured. Sutton said it would be nice if that was part of the documents that they could get as part of the original design. Freshman commented that Olsson Associates was the engineering firm that did that analysis but he would think that there would have been some boring. Forrest has requested that information from Olsson Associates.

Discussion was held on the need for the study if the information is obtained from Olsson Associates. Forrest felt that the study is still needed to confirm what is currently in that area. Sutton commented that any geotechnical analysis done would have listed pre-existing conditions but none at where it is currently; however, there would be some benefit to having that prior report to look through as well. Preis indicated there should be some record when the wells were done. Forrest said whatever information the City can provide to assist the engineers will be provided. This item will be on the agenda for action at the next council meeting.

Konwinski opened discussion on the right of way lease for Messiah Lutheran Church, 5015 S. 80<sup>th</sup> Street. Joe Miller, Congregational President of Messiah Lutheran Church, provided background on their request. The church submitted a permit for an electronic display board to be installed on their current sign. The permit was denied and they were advised they would need to go before the Board of Adjustment to get a variance for the sign because it is located in the City's right of way and then request a right of way lease from the City Council. At the April 2, 2018 Board of Adjustment meeting, the variance was denied because they did not have a right of way lease. Miller commented on the confusion on the process and hope they are on the correct path in order to move forward.

Members of Messiah Lutheran Church would like to request a right of way lease for their church sign which is in the City right of way. They do not want to replace the sign just simply upgrade the display area. To create a new sign that complies with City ordinances would be cost prohibitive and would not be practical given the structure of the land within the property. If the sign is moved to conform to right of way ordinances, the sign would be too far from the street to be safely read by passing motorists. Other locations on the property would cause the sign to be too high above the street grade making it difficult to read safely. The sign has been in its current location for several decades and has not been a hindrance to traffic or to the community. When they requested to go before the Board of Adjustment, a letter was sent out to residents and there were no comments received from the residents. Miller said the sign would not only be an improvement for Messiah Lutheran Church but the community as well.

Klinker said the question before the council is whether or not this matter should be put on the next council meeting agenda for a hearing if the council wants to consider the granting of an encroachment. Forrest said it sounds like the church is at this council meeting under the supposition that the Board of Adjustment denied the variance because they did not have a right of way lease. Klinker said the variance was denied for reasons including the right of way lease, but it was mostly denied because it doesn't present a hardship. Forrest suggested having some discussion with the church about what happened at the Board of Adjustment meeting so they can be clear about what their options are. Klinker said the question before the council would be whether or not the council wants to consider granting a license for the encroachment but that is not the only obstacle facing the church before the Board of Adjustment.

Pastor Greg Berger, Messiah Lutheran Church, said the Board of Adjustment denied the variance request and then they left. The church members felt there should have been

some conversation as to why the application was denied. They are just trying to follow the procedure and get back in order in addressing the issue. Even if they do not change their sign, it is still an issue because the sign is currently in the right of way. The church members assumed the sign was grandfathered in. There is still the right of way lease issue to address even if they don't update the sign.

Forrest said it would be a good idea to schedule a meeting between the church, Klinker, Freshman, and himself and a member of the Board of Adjustment to review what happened and make sure everyone is clear on what the path forward might be. Alberhasky inquired about the neighbors and Berger indicated that it is part of the process to notify neighbors within 150 feet of the property and the City sends the notifications.

Konwinski opened the public hearing at 5:57 PM for the manager application for Keith Lewis for KMS & K Enterprises, Inc., d/b/a Ralston Keno. Keith Lewis, 6713 Clear Creek Circle, Papillion, indicated Ralston Keno's bar manager has retired and Lewis will need to add his name as manager on the liquor license.

There being no further comment, Konwinski closed the public hearing at 5:58 PM. Sanchez moved and Preis seconded to approve the manager application for Keith Lewis for KMS & K Enterprises, Inc., d/b/a Ralston Keno. All voted yes, Krause absent. Motion carried.

Sanchez introduced Ordinance No. 1220. Russell read Ordinance No. 1220 by title only: AN ORDINANCE PROVIDING FOR THE SALE OF A CERTAIN DESCRIBED REAL ESTATE, SAME BEING LOTS 30 AND 31, LAKEWOOD ADDITION TO CITY OF RALSTON, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA; DIRECTING THE CONVEYANCE OF SUCH REAL ESTATE, AND THE MANNER AND TERMS THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

Konwinski opened the public hearing and third reading of Ordinance 1220 at 5:59 PM. There being no comment, Konwinski closed the public hearing at 6:00 PM. Sanchez moved and Preis seconded to approve Ordinance 1220 on third reading. All voted yes, Krause absent. Motion carried.

Konwinski opened consideration of furnace repair bids for the Ralston Fire Station. Cody Colby, Ralston Fire Department, indicated the furnace located in the Fire Department upper garage does not work. This furnace helps with heating the fire bay and helps with thawing out the trucks if they were to get iced over while on a call. Three bids to repair the furnace were received and Fire Chief Eischeid recommended accepting the bid from Eccles Heating and Air in the amount of \$3,850.

There being no further discussion, Fideline moved and Alberhasky seconded to accept the bid from Eccles Heating and Air for the Fire Department furnace repair in the amount of \$3,850. All voted yes, Krause absent. Motion carried.

Konwinski opened consideration of the Ralston Volunteer Fire Department annual liquor exemption. There being no discussion, Fideline moved and Preis seconded to approve the Ralston Volunteer Fire Department annual liquor exemption. All voted yes, Krause absent. Motion carried.

Konwinski opened consideration of the Mayor's appointments to the Historic Preservation Commission. There being no discussion, Fideline moved and Alberhasky seconded to approve the Mayor's appointments of Larry Jacobsen, Jan Gorman, Deb Groesser, Dan Walsh, and Maureen Konwinski to the Historic Preservation Commission. All voted yes, Krause absent. Motion carried.

Public comment: Amy Roeder, Executive Director, Ralston Area Chamber of Commerce, reminded all about the grand opening for Main Street Café tomorrow. Also, next Thursday is the wine walk.

Council comment: Alberhasky expressed his appreciation to Canfield for the fine job she has done at the Library. Sanchez added his appreciation as well and congratulated her on her retirement. Konwinski expressed appreciation as well.

There being no further business to come before the Council, the meeting was adjourned at 6:04 PM.

Next regular meeting Tuesday, May 1, 2018 at 5:30 PM.

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Rosemarie D. Russell  
City Clerk

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Maureen Konwinski  
Acting Council President

CLAIMS - 04-18-2018 - AA Wheel and Truck Supply, Inc., 32.90, Supplies; AAA Rents, 2,509.43, Rental; Action Batteries, Inc., 252.28, Batteries; Aflac, 1,049.28, Insurance; American Publishing, 325.00, Advertising; All American Publishing, 240.00, Advertising; All Flags, Etc., 199.15, Flag; American Legion Post #373, 600.00, Basement Rent; American Lift & Sign Service, 6,267.50, Monthly Service; Ameripride Services, Inc., 88.04, Building Maint/Rugs; Black Hills Energy, 157.06, Utilities; Bluetarp Credit Services, 194.97, Svcs; BMI Janitorial Group, 5,627.50, Janitorial; Carbonhouse, Inc., 500.00, Svcs; Carpenter Paper Co., 2,424.29, Janitorial Supplies; Caselle, Inc., 1,151.00, Support; Century Certified Services, 129.00, Pest Control/Management; Chick Fil A, 463.43, Sales Commissions; Chief School Bus Service, Inc., 5,306.75, Lancer Hockey; City of Omaha Cashier, 55,379.46, Sewer Billing; City of Ralston General Fund, 48.94, Reimbursement; City of Ralston Lottery Jackpot Fund, 3,790.89, Jackpot Fund; Coffee Carts and More, 98.83, Sales Commissions; Command Center, 1,168.02, Contract Labor; Comp Choice, 75.00, Contract; Cox Business Services, 3,293.35, Svcs; Cummins Central Power, LLC,

400.00, Renewal-Fire Dept; Cutchall Management, 11,087.00, Sales Commissions; Diamond Laundry Service, Inc., 49.90, Laundry; Donut Express, 2,350.19, Sales Commissions; Douglas County Treasurer, 15,266.68, Property Tax/Citations; Eakes Office Solutions, 588.30, Supplies; Enviro Master Services, 48.00, Janitorial; Experian, 74.60, Svcs; Factory Motor Parts Co., 71.84, Parts; First Wireless, Inc., 1,386.00, Svcs; Fleek, Brianna, 100.00, Cleaning; Focus, 1,200.00, Advertising; Gale/Cengage Learning, 251.44, Books; Global Financial Group, 158.18, Armored Car Svc; Grainger, 165.64, Building Maint; Great Western Bank, 28,000.00, Spring Craft Fair Change; Great Western Bank Wealth Management, 39.98, Pension; Greco, Bridget, 250.00, Acoustic Sensations;; Helget Gas Products, 528.02, Supplies; Hometown Leasing, 133.47, Svcs; Honeyman Rent-All #1, 121.00, Concrete; IIMC, 160.00, Annual Membership-Russell; Ingram Library Svcs, 2,549.20, Books; Integrated Solutions, Inc., 14,661.33, Computer Support/Supplies; Interstate All Battery Center, 81.60, Batteries; Johnson Hardware Co., 220.00, Svcs; La Rue Coffee, 192.70, Supplies; M & M Staffing, 2,107.93, Contract Labor; Maria's Enterprises, 21,428.14, Sales Commissions; Martin Asphalt, 175.00, Supplies; Maui Wowie, 545.30, Sales Commissions; Menards Ralston, 91.29, Supplies; Metro, 1,098.00, Service Contract; Metro Landscape Materials, 384.00, Mulch; Metropolitan Utilities District, 14,517.94, Utilities; Michael Todd & Co., Inc., 82.43, Parts; Mid-American Benefits, Inc., 159.00, Admin Fees/Cobra; National Everything Wholesale, 35.84, Janitorial Supplies; Nebraska Air Filter, Inc., 87.96, Supplies; Nebraska Department of Revenue, 125,773.00, Taxes; Nebraska Iowa Supply Co., Inc., 1,961.49, Fuel; NRG Media Live, 22,325.53, Svcs; OCLC, 339.29, Cataloging and Metadata; O'Keefe Elevator Co., Inc., 481.23, Svcs; Omaha Douglas Publ Bldg, 15.75, Parking; Omaha Public Power District, 15,953.17, Utilities; Omaha World Herald, 1,612.56, Legals; O'Malley, Margaret, 418.00, Janitorial; One Call Concepts, Inc., 38.10, Locate Fee; OS Sales Co., Inc., 574.08, Food; Papillion Sanitation, 228.34, Trash Collection; Paul Bartels Trucking Co., 1,566.11, Supplies; Pepsi, 5,033.41, Supplies; Port-A-Johns, Inc., 40.00, Rental; Protective Security Advisors, 22,313.75, Security; Puritan Manufacturing, Inc., 1,062.00, Supplies; Quill Corporation, 54.57, Supplies; Ralston Arena Operating Acct, 17,646.00, Settlement; Ralston Automotive, 596.46, Svcs/Supplies; Ralston Fire Dept Inc., 1,638.00, Svcs; Ralston Insurance Agency, Inc. 1,682.00, Special Svcs Bus; Ralston Public Schools, 875.00, Parking Ticket Fees; Ramada Midtown Conference Center, 179.90, Conference; Recorded Books, Inc., 758.62, Books; Romeo Entertainment Group, Inc., 225.00, Entertainment Consultant; Salem, Zack, 1,635.00, Sales Commission; Service Master Com'l Bldg., 481.00, Janitorial; Showcases, 12.51, Supplies; Sno Floss, 2,340.56, Sales Commissions; Spin Linen Management, 205.39, Linens; Stage Pay Services, Inc., 2,007.57, Svcs; Staples Advantage, 237.95, Supplies; State Chemical Solutions, 218.28, Supplies; State of NE Motor Fuels, 64.00, Fuel Tax; The Retoner, 84.90, Supplies; Theatrical Media Services, Inc., 940.00, Rental; Trans Union Risk & Alternative, 34.90, Svcs; U.S. Foods, Inc., 664.84, Food; Unique Management Services, Inc., 44.75, Svcs; United Rent-All, 510.32, Rental; Verizon Wireless, 2,192.94, Cell Phones; Voss Lighting, 56.55, Supplies; Waldinger Corporation, 6,392.74, Repairs/Maint; WalMart Community, 361.43, Supplies; Water Engineering, Inc., 175.00 Agreement; Westlake Ace Hardware, 8.26, Supplies; Zerorez, 1,500.00, Cleaning;