

The Ralston City Council met in a regular session on Tuesday, September 15, 2015 at 7:00 P.M. at Ralston City Hall. Roll was called with the following present: Konwinski, Alberhasky, Fideline, Krause, Sanchez, Preis, and Groesser. The agenda for this meeting 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 a part of these minutes.

Groesser gave the Acknowledgement of Open Meeting Law Posting.

The following permits were approved: #9548 to Todd Hallett, 7850 Harrison, Add Mezzanine Addition, \$100,000.00; #9555 to Chuck Leonard, 6221 S 79<sup>th</sup> Cir, Install Fence, \$2,560.00; #9556 to George Sevick, 8001 Main, Sewer Repair, \$3,000.00; #9557 to City of Ralston, 8380 Harrison, Install 2 Monitoring Wells on City ROW, \$10,326.64; #9559 to Ralston Fire Department, 7625 Park Dr, Install Lighting, \$18,000.00.

It was moved to approve the Consent Agenda by Konwinski, seconded by Fideline. All vote yes, motion carries.

Benis reported on the upcoming events at the arena. Benis reported that from October 15 through June, 2016 there are 68 open weekend dates, including Christmas and New Year's, and to date there are 58 of them filled, with an additional 11 Sundays that are booked.

1<sup>st</sup> Reading and Public Hearing for Ordinance #1200-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 (15/16) (CONSIDERATION OF OVERRIDE OF RESOLUTION #9018) was introduced by Krause. Groesser opened the Public Hearing on Ordinance #1200. Klinker asked that BKD verify that this complies with the Nebraska Budget Law. Robyn Devoer, BKD stated she can confirm that Ralston is in compliance with both the restricted funds lid law and the levy limit. Klinker said that he and BKD recommend that Council approve the additional 1% increase. Groesser read a statement he made to discuss the 15/16 budget. Groesser said that at the end of this fiscal year, 2015, the forecast looks like the City will end up with a \$2.6 million reserve in funds. Groesser said in the 2016 budget, the City is presenting a balanced budget without any significant changes to our city services by working together with all of the City departments. Groesser said the City has also added a 2.5 cent property tax increase which will go to the Arena bond payments, and when those bonds payments are paid off, the property tax will be dropped. Groesser said the City is also proposing a 2.5% restaurant tax that will be applied to the Arena bond payments, and the arena will be having more concerts and sporting events to increase their revenues. Groesser said they need to also add about \$400 thousand a year for the next 3 years to cover a bond payment due in 2019 of \$1.2 million; the budget provides enough to cover that payment. Groesser thanked all of the council and department heads for all of the hours they have spent getting this budget in balance. Steve Bode, 4737 S 80<sup>th</sup>, voiced his opinion on the levy and the restaurant tax. Joe Pilus, 5121 S 77<sup>th</sup> Ave, voiced his concerns. Rich Onken, 6730 S 77<sup>th</sup>, asked for clarification on the property tax increase; whether it was 2.5% or 2.5 cents. Groesser said it is 2.5 cents, which is 4.3%. Groesser closed the Public Hearing. It was moved to approve the 1% override by Krause, as allowed by State Statute, seconded by Preis. Groesser opened the Public Hearing on the 1%. Groesser closed the Public Hearing. All vote yes, motion carries on the 1%. It was moved to override Resolution No. 9018 by Krause, seconded by Konwinski. Krause explained Resolution No. 9018; that interest only from the Lottery Fund shall be allowed to be used for budgeted expenses.

Grosser opened the Public Hearing. Grosser closed the Public Hearing. All vote yes, motion carries to override Resolution No. 9018. Krause moved to approve the Budget Ordinance, 1<sup>st</sup> reading, seconded by Alberhasky. Krause spoke to the hiring of Walt Peffer and the various arena experts that helped in the studies for the Arena and the negative publicity it is receiving at this time. All vote yes, motion carries to approve the 1<sup>st</sup> Reading. Krause moved to waive the 2<sup>nd</sup> & 3<sup>rd</sup> Readings to pass the budget, seconded by Fidelity. All vote yes, motion carries.

Grosser adjourned the meeting at 7:26 PM.

Grosser reconvened the meeting at 7:26 PM. Grosser gave the Acknowledgement of Open Meeting Law Posting.

Public Hearing for Consideration of Resolution No. 2015-9-A RESOLUTION SETTING THE PROPERTY TAX AT A DIFFERENT AMOUNT THAN THE PREVIOUS YEAR was introduced by Krause. Grosser opened the Public Hearing. Joe Pilus responded to Krause's statements previously about negotiations for the arena. Grosser closed the Public Hearing. It was moved to approve Resolution No. 2015-9 by Konwinski, seconded by Fidelity. All vote yes, Motion carries.

Public Hearing for Consideration of Approval to Amend the Budget for the City of Ralston, NE was introduced by Krause. It was moved by Krause to approve the amendment to the budget for 2014/15, seconded by Konwinski. Grosser opened the Public Hearing. Grosser closed the Public Hearing. All vote yes, motion carries.

2<sup>nd</sup> Reading and Public Hearing for Ordinance No. 1199 - AN ORDINANCE TO ADOPT AN OCCUPATION TAX TO BE KNOWN AS THE RESTAURANT AND DRINKING PLACES OCCUPATIONAL PRIVILEGE TAX TO BE LEVIED UPON PERSONS ENGAGED IN THE BUSINESS OF OPERATING RESTAURANT AND DRINKING PLACES IN THE CITY OF RALSTON; TO PROVIDE FOR A RATE OF SAID TAX; TO PROVIDE FOR THE COLLECTION OF SAID TAX; TO PROVIDE FOR RECORD KEEPING WITH REGARD TO SAID TAX; TO PROVIDE FOR PENALTIES FOR DELINQUENCY IN THE PAYMENT OF TAX; TO PROVIDE FOR USE OF REVENUE AND PROVIDE FOR AN EFFECTIVE DATE was introduced by Sanchez. Grosser opened the Public Hearing. Grosser closed the Public Hearing. It was moved to approve Ordinance No. 1199 by Sanchez, seconded by Krause. It was moved by Alberhasky to amend the ordinance to provide for a sunset provision that would sunset the ordinance every four years, subject to a Council vote, seconded by Konwinski. All vote yes, motion carries on the amendment to the ordinance. Krause said he thinks a date for the sunset provision should be added to the ordinance. Discussion was had. Klinker said he will re-draft the ordinance language for the 3<sup>rd</sup> Reading. Vote was taken on Ordinance No. 1199. All vote yes, motion carries on 2<sup>nd</sup> reading.

Consideration of Agreement Between the City of Ralston, Nebraska and The Fraternal Order of Police Lodge #21, for the period of October 1, 2015 through September 30, 2018 was moved for approval by Krause, seconded by Fidelity. Krause said he, Fidelity and Chief Murtaugh were on the committee to sit with the Police Union on negotiations. Krause said the changes are relatively small. Krause explained the changes on longevity, the uniform allowance, the field training officer compensation, and the 2% wage increase over the next three years. All vote yes, motion carries.

Public Comments: None

Council Comments: Konwinski said working on figuring out this budget has been extremely challenging for all involved, and thanked the citizens for their input and interest in helping put the budget together.

The rest of Council agreed. Preis commended all who were part of the Fire Department's training when they burned the house at 80<sup>th</sup> & Q. Groesser echoed Council comments.

Consideration of Executive Session, for the Protection of the Public Interest, for the Purpose of Discussion of Strategy Regarding Litigation was moved to approve by Alberhasky, seconded by Krause. All vote yes, moved into Executive Session at 7:40 PM. Groesser stated "It has been moved, seconded and passed that the Council go into closed session for the purpose of discussion of strategy regarding pending litigation. The closed session is necessary for the protection of the public interest."

At 8:05 PM Groesser stated "We are reconvened in open session. I confirm that no subject matter other than the pending litigation was discussed. No formal vote, informal vote, straw vote or poll was taken during the closed session." Klinker gave guidance to Council to continue negotiations.

There being nothing further of a general nature to come before the Council, the meeting was adjourned at 8:05 PM.

Next Special Meeting September 29, 2015 at 5:00 PM

Next regular Meeting October 6, 2015 at 7:00 PM

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Dolores L. Costanzo

City Clerk/Treasurer

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Donald A. Groesser

Mayor

Claims: AA Wheel-Parts-\$393.86; AAA Rents-Rental-\$2,415.24; Accurate Testing-Testing-\$535.00; Action Batteries-Supplies-\$9.36; Alamar-Uniforms-\$380.90; All Flags-Flags-\$264.00; Allied Concert-Equipment-\$250.00; American Legion-Rent-\$300.00; Ameripride-Janitorial-\$81.33; Ameritas-Insurance-\$1,802.92; Applied Concepts-Parts-\$307.00; Asphalt & Concrete-Supplies-\$420.17; Bellevue PD-Simulator-\$1,000.00; Black Hills-Utilities-\$37.93; BCBSNE-Insurance-\$38,952.48; Brownells-Equipment-\$46.00; Carbonhouse-Website-\$500.00; Caselle-Support-\$509.67; CenturyLink-Phones-\$247.11; Command Center-Contract Labor-\$1,079.80; Cox Business-Phones-\$3,740.09; D&D-Equipment-\$2,398.80; Design & Signs-Graphics-\$819.00; Eakes-Supplies-\$112.01; Emergency Physicians-Claim-\$200.00; Event Staging-Equipment-\$670.00; Experian-Background-\$38.44; Fraser Stryker-Professional-\$10,393.54; Gale-Books-\$181.45; GCR-Tires-\$531.90; Global Financial-Armored Car-\$678.60; Grainger-Supplies-\$301.25; Great Plains-Uniforms-\$1,054.00; Great Western-Pension-\$22,867.54; D Groesser-Reimburse-\$172.50; GT Distributors-Supplies-\$307.50; Hawkeye Vision-Equipment-\$437.21; Helget-F&B-\$170.90; Hometown Leasing-Rental-\$142.40; Infinet-Support-\$112.82; ING-Deferred Comp-\$675.00; Ingram-Books-\$3,478.88; Jack's-Uniforms-\$777.89; LaRue-F&B-\$125.89; City of LaVista-Bus-\$1,759.83; Metro-Contract-\$517.00; Michael Todd-Supplies-\$139.70; Micro Marketing-Book-\$39.68; MidAmerican-Cobra-\$66.00; Milliman-Professional-\$3,500.00; MUD-Utilities-\$87.41; NAPA-Parts-\$411.87; NE Air Filter-Supplies-\$77.40; NE Dept. of Revenue-Waste Reduction-\$30.35; NE/IA Supply-Fuel-\$720.83; S Nelson-Reimburse-\$39.56; OPPD-Utilities-\$59,977.28; Omaha Tactical-Uniforms-\$93.00; World Herald-Legals-\$1,085.46; City of Omaha-Sewer-\$45,611.53; M O'Malley-Janitorial-\$418.00; One Call-Locate-\$38.40; McCarthy Productions-Seminar-\$798.00; Payless-Supplies-\$82.48; Pepsi-F&B-\$1,626.89; D Costanzo-Reimburse-\$210.75; PortAJohns-Portables-\$70.00; Project Harmony-Conference-\$250.00; QP Hardware-Supplies-\$51.66; Quality-Tires-\$732.00; Quill-Supplies-\$938.49; R&R-Supplies-\$1,305.16; Ralston Chamber-Luncheon-\$60.00; RASS-Security-\$734.25; Ralston Automotive-Parts/Labor-\$688.28; RPD-Reimburse-\$32.38; RVFD-Contract-\$9,002.00; Repco-Equipment-\$40.25; Rotellas-F&B-\$44.94; S.A.L.T. Group-

Supplies-\$75.00; Scheels-Equipment-\$1,240.00; Service Master-Janitorial-\$3,559.00; Shell-Fuel-\$2,215.94; SignIt-Signage-\$168.90; Spin Linen-Linens-\$453.57; D Stambaugh-Reimburse-\$191.48; Staples-Supplies-\$112.95; Stop Stick-Equipment-\$888.00; Sunset Law-Equipment-\$800.00; Daily Record-Legals-\$99.00; Hartford-Insurance-\$2,000.34; Retoner-Supplies-\$52.95; Titan Machinery-Supplies-\$76.75; Trans Union-Background-\$25.50; US Foods-F&B-\$1,904.92; Ultramax-Equipment-\$184.20; Unique-Placements-\$26.85; Unlimited Opportunity-Janitorial-\$225.00; Verizon-Phones-\$1,648.34; Water Engineering-Agreement-\$175.00; J Yochum-Reimburse-\$324.65; Zerorez-Janitorial-\$1,500.00.

Publish once