

The Ralston City Council met in a regular session Tuesday, December 6, 2016 on at 5:30 pm at Ralston City Hall. Roll was called with the following present: Konwinski, Fideline, Alberhasky, Krause, Sanchez, Preis and Mayor 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 part of these minutes.

Pastor Lynette Janssen, Ralston United Church of Christ, 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 Consent Agenda, minus the Maria's claim, by Konwinski, seconded by Alberhasky. All vote yes, motion carries. Motion to approve Maria's claim by Krause, seconded by Preis, Sanchez abstains, rest of Council votes yes, motion carries.

Benis spoke to past and future Arena events. Yochum spoke to the DBOA meeting.

Klinker administers Oath of Office to Mayor Groesser and Councilpersons, Konwinski, Fideline and Preis. Alberhasky nominates Krause for Council President, seconded by Fideline. All vote yes, motion carries. Groesser thanked the community for their support.

1. Public Hearing for Consideration of RESOLUTION 2016-3: A RESOLUTION ADOPTING THE PAPIO-MISSOURI RIVER NRD MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

Konwinski introduced Resolution 2016-3. Groesser opened public hearing. Freshman said that this updates plan already in place and Lori Lassner from Papio NRD was present to answer questions. Freshman said this is the adoption of an approved plan with eligibility for FEMA funding. Groesser closed public hearing. Motion to adopt by Krause, seconded by Konwinski, all vote yes, motion carries.

2. Public Hearing for Consideration of Resolution 2016-4: A RESOLUTION ESTABLISHING INVESTMENT POLICY.

Konwinski introduced Resolution 2016-4. Groesser opened public hearing. Groesser said the City has not had a policy in place and this will put a police in place. Klinker said the resolution contains the language in the statute and the limitations to which the City must adhere. Motion to approve by Krause, seconded by Konwinski, all vote yes, motion carries.

3. Public Hearing for Consideration of Interlocal Cooperation Act Agreement between The City of Ralston and Ralston School District No. 54 for the use and maintenance of Orval Smith Baseball Field.

Groesser opened public hearing and spoke to arrangement with Ralston High School and the American Legion for operations and maintenance of Orval Smith Field. Freshman said this will be year two and year one went well. George Sevick, 8001 Main St, agreed. Groesser said the School Board approved at their last meeting. Groesser closed public hearing. Motion to approve by Krause, seconded by Alberhasky, all vote yes, motion carries.

4. Public Hearing for Consideration of Planning Commission Approval of Rezone Request for INTERURBAN ACRES, REVISED LOT 14 from GI to GC.

Groesser opened public hearing. Rich Onken, 6730 S 77th St. spoke to the Planning Commission decision and that the rezone request will take the lot to a more restrictive zone. Groesser asked if it was one or two lots. Onken said Lot 14 and 15 were previously combined to create Revised Lot 14. Onken verified that residences are not permitted on a lot zoned industrial and the area was planned as mixed use. Alberhasky asked about the

rough drawing of a Morton building and if the building would be like the drawing. Owner Janine Jernigan, 7319 S 102nd Ave, LaVista said the picture submitted is an example of the type of building. Jernigan said a Morton building would fit into the area. Krause asked if the zoning would change again if the property is sold or turns into a rental property. Klinker said the Special Use Permit would run with the land and the zoning would stay commercial if rented or sold. Klinker said the Special Use Permit would come again before Council. Onken said that the Planning Commission had the authority to approve Special Use Permit and did so at November meeting. Dave Clark, 7808 Heritage PZ, spoke for the Homeowner's Association against the rezone, citing future use of the property. Krause said the zoning change will put more restriction on the property than there is currently. Bruce Christensen, 501 Fox Creek Ln, Papillion, said he owns property in the area and spoke to the previous issues with zoning in the area and this decision would revert the area to a status that changed 30 years ago. Krause said a Special Use Permit would be required to put any other residential or commercial properties in the area. Krause said he cannot see a downside and the area is mixed use which is according to the comprehensive plan for the area. Groesser closed public hearing. Motion to approve by Sanchez, seconded by Konwinski. Fideline said he is opposed to frequent zoning changes and that the city is zoned the way it is for a reason. Sanchez questioned whether this would be considered spot zoning since it's not a drastic change. Sanchez said he does not see a downside except to set a policy and the comprehensive plan shows the area as mixed use. Fideline spoke to the safety issue of the building's appearance doesn't look like a residence. Groesser said the long range plan supports mixed use and there's no downside. Krause said this doesn't fit the definition of spot zoning since residential and industrial zones border the lot. Jernigan said she would register the alarm system and let the fire department know that the building is a residence. Klinker spoke to the comprehensive plan laid out in 1993 and that zoning takes precedence over the comp plan. Klinker said the most recent comp plan calls for mixed use and it has to start somewhere and Jernigan is in a position to begin the mixed use. Alberhasky said he would like to see more detailed plans. Jernigan said she was waiting for approval before spending money on design and plans. Motion to approve rezone by Sanchez, second by Konwinski. Fideline and Alberhasky vote No, Konwinski, Krause, Sanchez and Preis vote yes, motion carries.

5. Public Hearing for Consideration of Planning Commission Approval of Final Replat for LANDS SEC TWN RGE 11-14-12 IRREG E 1026.37 FT LYING W 77 ST TAX LT SW $\frac{1}{4}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5900 S 77 St).

Groesser opened public hearing. Scott Nigro, 7529 Oakwood St, Ralston, said that he wanted to divide his property and sell a portion next to the soccer field. Krause spoke to the road that is wider than the 21.5 feet legal road width. Nigro said he is aware of the road size and the owners of the adjoining property are aware of the road size. Krause asked how much was public right of way. Nigro said there was no public right of way. Freshman spoke to the 20 foot easement within the plat. Klinker asked HK Scholz if they wanted to speak or enter their letter in the record. Scholz said put letter in record. Klinker entered the letter to the record and said the issues could be worked out between Nigro and Scholz. Freshman said there is a fire hydrant and water service requirement to be met immediately. Nigro said that was acceptable and that the process has already started. Groesser closed public meeting. Motion to approve by Krause, second by Konwinski. Krause reiterated that the letter from HK Scholz be part of the record. Groesser called for vote, all vote yes, motion carries.

6. Public Hearing for Consideration of Planning Commission Denial of Rezone Request for LANDS SEC-TWN-RGE 10-14-12 IRREG N 170.67 S 220.67 E 67.02 W 100.02 FT SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7844 SW FT from R2 to GC. (NW Corner of 90th & Harrison)

Groesser opened public hearing. Sally Burns, 8908 S Glenview Dr, LaVista, spoke to the Planning Commission meeting, petition submitted and supports the denial. Ken True, 9103 Polk, Omaha, said his home is directly west of the lot. True submitted a drawing showing setbacks and possible building sizes. True said there were no utilities attached to the property and supports denial. Bill Dahl, 6712 S 91st St, Omaha, would like to see a park there. Onken spoke about attendance at Planning Commission, the old 90th St and 82 feet of right of way on the

East side of the property line. Groesser closed public hearing. Krause moved to support the Planning Commission Denial, Preis seconded, all vote yes, motion carries.

Council Comments: Konwinski wished everyone Merry Christmas. Council wished Mrs. Fuller Happy Birthday.

There being nothing further of a general nature to come before the Council, the Meeting was adjourned at 6:40 PM.

Next regular Meeting Tuesday, December 20, 2016

Dolores L. Costanzo
City Clerk/Treasurer

Donald A Groesser
Mayor

Claims paid: Abante-Clothing-\$340.17; Airgas-Materials-\$214.20; Amazing Arthur-Holiday Magic-\$650.00; Ameripride-Rugs-\$249.83; Applied Concepts-Antenna-\$667.00; ARelief-Janitorial-\$1,615.00; Bandsintown-Email Campaign-\$816.75; BHE-Utilities-\$1,167.87; BCBS-Insurance-\$53,541.03; BMI-Janitorial-\$4,518.75; F Canfield-Reimburse-\$54.00; Capital One-Supplies-\$90.82; Carbonhouse-Website-\$500.00; Carpenter-Paper-\$2,058.92; Cavanaugh MacDonald-Consulting-\$275.00; Center Point-Books-\$86.88; Century-Pest Control-\$193.50; ChikFilA-Commissions-\$1,141.18; Chief Bus-Shuttle-\$4,375.00; Command Center-Labor-\$220.97; D Costanzo-Reimburse-\$68.46; F Costanzo-Art-\$250.00; Cox-Service-\$455.64; Creative Press-Cards-\$265.00; Cummins-Maintenance-\$881.49; Cutchall-Commissions-\$8,182.62; Daktronics-Repair-\$1,915.00; Davidson-Books-\$1,155.53; Dearborn-Insurance-\$130.72; Design 8-Graphics-\$920.00; Donut Exp-Commissions-\$2,239.07; Eakes-Supplies-\$224.00; Ebsco-Books-\$28.50; EnviroMaster-Janitorial-\$126.00; Fedex-Mailing-\$145.32; First Wireless-Equipment-\$253.00; B Fleek-Janitorial-\$150.00; Fraser Stryker-Services-\$1,125.00; FOP-Dues-\$650.00; Grainger-Maintenance-\$476.96; Great Western-Supplies-\$7,747.59; D Groesser-NLC-\$1,322.81; B Halbur-Training-\$1,064.10; Harwood-Painting-\$1,367.00; Helget-CO2-\$114.66; Hometown-Supplies-\$142.40; Humana-Insurance-\$2,221.46; HyVee-Supplies-\$1,365.47; I Heart Media-Advertising-\$1,099.05; Infinet-Support-\$3,187.33; ING-Insurance-\$675.00; JQ-Copier-\$218.00; M Klinker-Service-\$1,000.00; LaRue-Coffee-\$105.00; Lamar-Advertising-\$1,650.00; Loveless-Sharpening-\$157.00; M&M-Labor-\$2,910.00; Maria's-Commissions-\$16,979.77; K Meints-Program-\$60.00; Menards-Supplies-\$513.40; Metro-Service-\$447.00; Micro-Book-\$20.20; MUD-Utilities-\$4,106.99; NDLF-Inspection-\$140.00; NE-IA Fasteners-Supplies-\$105.36; NMC-Rental-\$4,738.08; OCB-Repair-\$150.00; O'Keefe-Maintenance-\$315.61; Omaha Compound-Supplies-\$355.04; OPPD-Utilities-\$25,046.42; M O'Malley-Janitorial-\$627.00; OTC-Supplies-\$55.45; OS-Supplies-\$532.97; Papillion Sanitation-Collection-\$27,123.20; Peerless-Wipers-\$433.20; Pepsi-Supplies-\$2,008.49; D Costanzo-Reimburse-\$80.40; Prairie Life-Fitness-\$456.63; Purchase Power-Service-\$189.93; QP-Supplies-\$67.38; Quill-Supplies-\$467.06; R Mechanical-Furnace-\$12,631.40; RASS-Security-\$7,393.25; Ralston Automotive-Repairs-\$586.00; RPD-Fuel-\$46.59; Rapid Graphics-Sign-\$294.94; Recorded Books-CD-\$181.12; Regal-Printing-\$125.00; T Rivera-Reimburse-\$75.60; Rotella's-Supplies-\$359.92; S&S-Sump Pits-\$275.00; Z Salem-Commissions-\$1,600.00; Sarpy County-Animal Control-\$1,408.59; Sentrixx-Camera-\$448.00; Sign It-Sign-\$20.00; Sleuth-Support-\$2,250.00; SnoFloss-Commissions-\$1,640.42; Solution One NE-Copier-\$248.70; Solution One-Copier-\$512.08; Spin-Linen-\$570.40; Staples-Supplies-\$149.92; Hartford-Insurance-\$2,067.06; Theatrical Media-Equipment-\$164.46; TNT-Janitorial-\$500.00; TSC-Supplies-\$24.99; US Foods-Supplies-\$4,969.31; Unique-Placemats-\$53.70; United-Salt-\$45.00; United-Electrical-\$98.09; Voss-Lighting-\$537.82; Walmart-Supplies-\$89.68